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*Plenary sitting*

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**A8-9999/2017**

19.10.2017

**\*\*\*I**  
**REPORT**

on the proposal for a regulation of the European Parliament and of the Council establishing a Union Resettlement Framework and amending Regulation (EU) No 516/2014 of the European Parliament and the Council (COM(2016)0468 – C8-0325/2016 – 2016/0225(COD))

Committee on Civil Liberties, Justice and Home Affairs

Rapporteur: Malin Björk

### ***Symbols for procedures***

- \* Consultation procedure
- \*\*\* Consent procedure
- \*\*\*I Ordinary legislative procedure (first reading)
- \*\*\*II Ordinary legislative procedure (second reading)
- \*\*\*III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

### ***Amendments to a draft act***

#### **Amendments by Parliament set out in two columns**

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

#### **Amendments by Parliament in the form of a consolidated text**

New text is highlighted in ***bold italics***. Deletions are indicated using either the ▯ symbol or ~~strikeout~~. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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## DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the proposal for a Regulation of the European Parliament and of the Council establishing a Union Resettlement Framework and amending Regulation (EU) No 516/2014 of the European Parliament and the Council (COM(2016)0468 – C8-0325/2016 – 2016/0225(COD))**

**(Ordinary legislative procedure: first reading)**

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2016)0468),
  - having regard to Article 294(2) and Article 78(2)(d) and (g) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0325/2016),
  - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
  - having regard to the opinion of the European Economic and Social Committee of 25 January 2017<sup>1</sup>,
  - having regard to the opinion of the Committee of the Regions of 8 February 2017<sup>2</sup>,
  - having regard to Rule 59 of its Rules of Procedure,
  - having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs and the opinions of the Committee on Foreign Affairs and the Committee on Budgets (A8-0000/2017),
1. Adopts its position at first reading hereinafter set out;
  2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
  3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

### **Amendment 1**

#### **Proposal for a regulation**

##### **Recital 1 a (new)**

*Text proposed by the Commission*

*Amendment*

**(1 a) Resettlement is a well-established**

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<sup>1</sup> OJ C 125, 21.4.2017, p. 40.

<sup>2</sup> OJ C 207, 30.6.2017, p. 67.

*act of solidarity with refugee-hosting countries based on humanitarian needs. Resettlement consists of the selection of third-country nationals and stateless persons in need of international protection in a state in which they have sought protection and their transfer from that state and admission to another state with a view to granting them international protection and providing them with a durable solution. Resettlement has three interrelated and complementary functions: it is a tool for protection, it is a durable solution and it is a responsibility-sharing mechanism.*

## **Amendment 2**

### **Proposal for a regulation Recital 1 b (new)**

*Text proposed by the Commission*

*Amendment*

*(1 b) The United Nations High Commissioner for Refugees (UNHCR) is mandated by its statute and United Nations General Assembly (UNGA) resolutions to undertake resettlement as one durable solution for persons in protracted refugee situations. The UNHCR's expertise in this field is based on decades of work and a globally supported mandate. The UNHCR's competence in this field should be a source of support for Member States' resettlement programmes, and for the Union Resettlement Framework.*

## **Amendment 3**

### **Proposal for a regulation Recital 1 c (new)**

*Text proposed by the Commission*

*Amendment*

*(1 c) According to Article 78(1) TFEU, the Union's asylum policy is to be in*

*accordance with the Geneva Convention of 28 July 1951 and the Protocol of 31 January 1967 relating to the status of refugees, and other relevant treaties. Those treaties are grounded in Article 14 of the 1948 Universal Declaration of Human Rights, which recognises the right of persons to seek asylum from persecution in other countries.*

#### **Amendment 4**

##### **Proposal for a regulation Recital 1 d (new)**

*Text proposed by the Commission*

*Amendment*

*(1d) The cohesion and effectiveness of the Common European Asylum System (CEAS) should be guaranteed. This will entail, in particular, enhancing the legal and safe avenues for entry into the Union for third-country nationals or stateless persons who are in need of international protection. Resettlement is a legal pathway which should offer the most vulnerable third-country nationals or stateless persons a durable solution and should be complemented by other legal pathways.*

#### **Amendment 5**

##### **Proposal for a regulation Recital 1 e (new)**

*Text proposed by the Commission*

*Amendment*

*(1e) Resettlement is a tool for protection. Family reunification should be independent of resettlement targets and should be maintained as a key mechanism to ensure that Union citizens and third country nationals legally residing in the territory of the Member States enjoy their fundamental right to respect for family life. The resettlement procedure should*

*not be used for family members who would otherwise have a right to join their family in a Member State in a timely manner in accordance with other legal acts of the Union or national law. In cases where Union or national law does not apply, it should be possible to use the resettlement procedures for the purposes of extended family reunification. Member States should adopt flexible family reunification policies, and ensure that family reunification programmes are developed outside of their resettlement quotas.*

## **Amendment 6**

### **Proposal for a regulation Recital 1 f (new)**

*Text proposed by the Commission*

*Amendment*

*1f) If one family member is being considered for resettlement (e.g. on protection grounds), Member States should seek to ensure, in line with the principle of family unity, that all of the person's family members, including dependent non-nuclear family members, are resettled together. Member States should take a path of cultural sensitivity combined with a pragmatic approach as the best course of action in the process of determining the parameters of a given family. The nuclear family may be viewed as the core, but the element of dependency among family members, physical and financial, as well as psychological and emotional, should find its appropriate weight in the final determination. A culturally sensitive understanding of the family is important for those forced to flee due to persecution and civil conflict, as the extended relations may be the last line of defence for individuals who rely exclusively on the family unit for survival, psychological support, and emotional*



*care.*

## **Amendment 7**

### **Proposal for a regulation Recital 1 g (new)**

*Text proposed by the Commission*

*Amendment*

***(1g) The Union Resettlement Framework should support and encourage Member States in the implementation of permanent resettlement programmes, whether they are old or new, and in the gradual increase of their collective resettlement efforts and should support and facilitate the reception and integration of resettled persons.***

## **Amendment 8**

### **Proposal for a regulation Recital 1 h (new)**

*Text proposed by the Commission*

*Amendment*

***(1h) The New York Declaration for Refugees and Migrants adopted by the UNGA on 19 September 2016<sup>1a</sup> urges states to scale up resettlement efforts and envisages a comprehensive refugee response framework in which States aim to provide resettlement places and other legal pathways on a scale that would enable the annual resettlement needs identified by the Office of the United Nations High Commissioner for Refugees to be met.***

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<sup>1a</sup> *United Nations General Assembly Resolution A/RES/71/1.*

## **Amendment 9**

### **Proposal for a regulation**

## Recital 1 i (new)

*Text proposed by the Commission*

*Amendment*

***(1 i) The concept of ‘danger to public health’ should be understood as disease with epidemic potential as defined by the International Health Regulations of the World Health Organisation.***

Amendment 10

## Proposal for a regulation Recital 4

*Text proposed by the Commission*

*Amendment*

***(4) On 15 December 2015, the Commission addressed a Recommendation for a Voluntary Humanitarian Admission Scheme with Turkey<sup>29</sup> to the Member States and Associated States recommending that participating States admit persons displaced by the conflict in Syria who are in need of international protection. According to the EU-Turkey Statement of 18 March 2016 a Voluntary Humanitarian Admission Scheme will be activated once irregular crossings between Turkey and the EU are ending or at least have been substantially and sustainably reduced. Member States will contribute on a voluntary basis to this scheme.***

***deleted***

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<sup>29</sup> C(2015) 9490.

## Amendment 11

### Proposal for a regulation Recital 5

*Text proposed by the Commission*

*Amendment*

***(5) According to the EU-Turkey Statement of 18 March 2016 all new irregular migrants crossing from Turkey***

***deleted***

*into Greek islands as from 20 March 2016 would be returned to Turkey. For every Syrian being returned to Turkey from Greek islands, another Syrian will be resettled from Turkey to the Union taking into account the United Nations Vulnerability Criteria. In May 2016, the Member States and Dublin Associated States and Turkey reached a common understanding on Standard Operating Procedures guiding the implementation of this resettlement scheme.*

## Amendment 12

### Proposal for a regulation Recital 8

#### *Text proposed by the Commission*

(8) Building on the existing initiatives, a stable and reliable Union Resettlement Framework should be established for the resettlement of persons in need of international protection to be implemented in accordance with *annual* Union resettlement plans and targeted Union resettlement schemes which effectively deliver on Member States' concrete commitments.

#### *Amendment*

(8) Building on the existing initiatives ***and in conformity with the existing international resettlement architecture***, a stable and reliable Union Resettlement Framework should be established for the resettlement of persons in need of international protection to be implemented in accordance with Union resettlement plans and targeted Union resettlement schemes which effectively deliver on Member States' concrete commitments. ***The Union Resettlement Framework should be based on humanitarian needs, contribute to meeting the global resettlement needs and alleviate protracted refugee situations. The Union Resettlement Framework should conform to already existing structures for resettlement, in particular the Annual Tripartite Consultations on Resettlement (ATCR), with the aim of reaching at least 20% of UNHCR Annual Projected Global Resettlement Needs. In accordance with the principles of solidarity and fair sharing of responsibility among the Member States as laid down in Article 80 TFEU, efforts should be made over time to achieve a fair distribution of resettled***

*persons among the Member States. Those efforts should be combined with efforts to establish international binding rules regarding the shared worldwide responsibility to resettle persons in need of resettlement as indicated by the UNHCR.*

*(In the context of “annual Union resettlement plan” it should be referred to “Union resettlement plan” without the word “annual”, This amendment applies throughout the text. Adopting it will necessitate corresponding changes throughout.)*

## Amendment 13

### Proposal for a regulation

#### Recital 9

*Text proposed by the Commission*

(9) Such a framework is a necessary part of a well-managed migration policy ***to reduce divergences among national resettlement practices and procedures***, provide for the legal and safe arrival to the territory of the Member States of third-country nationals and stateless persons in need of international protection ***help reduce the risk of a large-scale irregular inflow of third-country nationals and stateless persons to the territory of the Member States and thereby reducing the pressure of spontaneous arrivals on the Member States' asylum systems***, be an expression of solidarity with countries ***in*** regions to which ***or within which*** a large number of persons in need of international protection has been displaced by helping to alleviate the pressure on those countries, ***help achieve Union's foreign policy objectives by increasing the Union's leverage vis-à-vis third countries***, and effectively contribute to global resettlement initiatives through speaking

*Amendment*

(9) Such a framework, ***provided that it serves to enhance legal pathways for migration***, is a necessary part of a well-managed migration policy ***and contributes to the smooth functioning of the CEAS which aims to support and expand existing national resettlement programmes, to support and help new resettlement efforts***, to provide for the legal and safe arrival to the territory of the Member States of third-country nationals and stateless persons in need of international protection ***and to contribute to the provision of protection and durable solution for their needs. Such a framework that is coupled with development actions and policies might serve as*** an expression of solidarity with countries ***and*** regions to which a large number of persons in need of international protection has been displaced and ***can effectively contribute to decreasing tensions by helping to alleviate the pressure on those countries, specifically***

with one voice in international fora *and with third countries*.

*aiming at alleviating protracted refugee situations. Such a framework might also effectively contribute* to global resettlement initiatives through speaking with one voice in international fora.

#### Amendment 14

##### Proposal for a regulation Recital 9 a

*Text proposed by the Commission*

*Amendment*

*(9a) Persons displaced within their own countries should be granted leave to enter the territory of the Union under humanitarian admission programmes. Due account should therefore be taken of humanitarian admission as an adjunct to resettlement. Measures for internally displaced persons (IDPs) taken by Member States under national humanitarian admission programmes should therefore be eligible for funding from the Union budget. National humanitarian admission programmes that receive Union funding should be in addition to resettlement targets under this Regulation. Consideration should be given to the scope for introducing a common Union procedure, which is separate from resettlement, for the admission of persons displaced within their own countries. When allowing for the admission of IDPs, Member States should first and foremost respect their right to return to their places of origin and should, under no circumstance, resettle them as a means of achieving Union or national foreign policy objectives.*

#### Amendment 15

##### Proposal for a regulation Recital 10

*Text proposed by the Commission*

*Amendment*

**(10)** *In order to help reduce the risk of a large-scale irregular inflow of third-country nationals and stateless persons to the territory of the Member States, show solidarity with countries in regions to which or within which a large number of persons in need of international protection has been displaced by helping to alleviate the pressure on those countries, and help achieve the Union's foreign policy objectives, the regions or third countries from which resettlement is to occur should fit in a tailored engagement with third countries to better manage migration as foreseen in the Commission's Communication of 7 June 2016 on Establishing a new Partnership Framework with third countries under the European Agenda on Migration<sup>32</sup>.*

*deleted*

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<sup>32</sup> COM(2016) 377 final.

## **Amendment 16**

### **Proposal for a regulation Recital 10 a (new)**

*Text proposed by the Commission*

*Amendment*

**(10 a)** *In the context of the strategic use of resettlement, the Union should endeavour to establish from the outset close dialogue with the third countries from which persons are resettled, in particular those facing lasting crises characterised by the presence on their territory of long-term refugees. A dialogue of this kind should seek to maximise the benefits of resettlement from these countries by placing the emphasis on increasing their asylum capacities, integrating the refugees present on their territory and protecting those refugees against persecution and*

*refoulement to third countries. The strategic use of resettlement should not be interpreted as migration control or used as a means to achieve the Union's foreign policy objectives. The lack of strategic use of resettlement should not be used as a reason to exclude a country or region as a geographical priority. The same principle should be understood for complementarity with financial and technical assistance.*

## **Amendment 17**

### **Proposal for a regulation Recital 11**

*Text proposed by the Commission*

(11) In order to *reduce divergences among the national resettlement practices and procedures*, common standard procedures and common eligibility criteria and *exclusion* grounds for the selection should be laid down, as well as a common protection status to be granted to resettled persons.

*Amendment*

(11) In order to *enhance and support the increased participation of Member States in the Union Resettlement Framework*, common standard procedures and common eligibility criteria and *ineligibility* grounds for the selection should be laid down, as well as a common protection status to be granted to resettled persons.

## **Amendment 18**

### **Proposal for a regulation Recital 12**

*Text proposed by the Commission*

(12) The common standard procedures should build on the existing resettlement experience and standards of the Member States, *in particular the Standard Operating Procedures guiding the implementation of the resettlement scheme with Turkey set out in the EU-Turkey Statement of 18 March 2016*. The Union Resettlement Framework should allow the use of two types of *standard*

*Amendment*

(12) The common standard procedures should build on the existing resettlement experience and standards of the Member States *and of the UNHCR*. The Union Resettlement Framework should allow the use of two types of resettlement procedures.

resettlement procedures.

## Amendment 19

### Proposal for a regulation

#### Recital 13

*Text proposed by the Commission*

(13) **Both** types of **procedure** consist of the following stages: identification, **registration**, assessment **and decision**.

*Amendment*

(13) **All** types of **procedures should** consist of the following stages: identification, **submission of cases**, assessment, **decision and registration**.

## Amendment 20

### Proposal for a regulation

#### Recital 15 a (new)

*Text proposed by the Commission*

*Amendment*

**(15 a) An emergency procedure should be established with the same level of security checks as under the ordinary procedure. However, in the emergency procedure, the submission of emergency resettlement cases from the UNHCR should be subject to an accelerated assessment of the requirements and eligibility criteria established under this Regulation. Emergency resettlement cases should not necessarily be linked to the geographical priorities as established under this Regulation. Emergency places should reflect around 10% of the target number. All Member States should be encouraged to offer emergency places.**

## Amendment 21

### Proposal for a regulation

#### Recital 16

*Text proposed by the Commission*

(16) The resettlement procedure should

*Amendment*

(16) The resettlement procedure should



be concluded as soon as possible in order to ***discourage*** persons in need of international protection ***to use irregular ways to enter the European Union to seek protection***. At the same time it should ensure that Member States have sufficient time for a full and adequate examination of each case. The time-limits should correspond to what is necessary to make the different types of assessment foreseen for the ordinary ***and expedited*** procedure.

## Amendment 22

### Proposal for a regulation Recital 17

*Text proposed by the Commission*

(17) Any personal data collected for the purpose of the resettlement procedure should be stored for a maximum period of five years from the date of resettlement. ***Given that third-country nationals or stateless persons who have already been resettled by one Member State or who during the last five years refused to resettle to a Member State should be excluded from resettlement to another Member State, that period should be considered a necessary period for the storage of personal details, including fingerprints and facial images.***

## Amendment 23

### Proposal for a regulation Recital 17 a (new)

*Text proposed by the Commission*

be concluded as soon as possible in order to ***guarantee protection to and ensure access to the Union for*** persons in need of international protection. At the same time it should ensure that Member States have sufficient time for a full and adequate examination of each case. The time-limits should correspond to what is necessary to make the different types of assessment foreseen for the ordinary ***and emergency*** procedures. ***In both procedures, security checks should be carried out.***

*Amendment*

(17) Any personal data collected for the purpose of the resettlement procedure should be stored ***in Eurodac*** for a maximum period of five years from the date of resettlement. ***This storage period will ensure that the persons concerned enjoy the same rights as those afforded to asylum seekers and beneficiaries of international protection in the respect of the processing of their data. In the context of secondary movement, it will also make it possible to identify the Member State responsible for resettlement.***

***(17 a) Where a negative decision is taken, the person concerned should not be resettled in the Member State that has made the decision and any data stored should be erased. The reason for non-***

*completion should be communicated in a reasoned opinion to the UNHCR, other Member States, the EUAA and other organisations that made the submission for follow-up as appropriate. Any Member State that has made a negative decision may require any second Member State examining the resettlement file to consult it during the examination.*

#### **Amendment 24**

##### **Proposal for a regulation Recital 19**

*Text proposed by the Commission*

*Amendment*

**(19) There is no subjective right to be resettled.**

**deleted**

#### **Amendment 25**

##### **Proposal for a regulation Recital 20**

*Text proposed by the Commission*

*Amendment*

**(20) In order to allow for supplementing the rules which govern the procedure to be applied in targeted Union resettlement schemes, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission to adapt the procedure to the circumstances in the third country from which resettlement takes place such as determining that third country's role in the procedure. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016<sup>33</sup>. In**

**deleted**

*particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.*

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<sup>33</sup> OJ L123, 12.05.2016, p. 1.

## **Amendment 26**

### **Proposal for a regulation Recital 20 a (new)**

*Text proposed by the Commission*

*Amendment*

*(20 a) In order to supplement this Regulation, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of establishing the Union resettlement plan fixing every two years the target number of persons to be resettled, the details of Member States' participation in the plan and their contributions to the target number of persons to be resettled, as well as overall geographical priorities. In order to supplement this Regulation, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of establishing targeted Union resettlement schemes laying down the precise number of persons to be resettled relative to the target number and the participation of the Member States, consistent with the Union Resettlement plan. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In*

*particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.*

## **Amendment 27**

### **Proposal for a regulation**

#### **Recital 21**

*Text proposed by the Commission*

*Amendment*

*(21) In order to ensure uniform conditions for the implementation of the Union Resettlement Framework, implementing powers should be conferred on the Council for establishing the annual Union resettlement plan, fixing the maximum total number of persons to be resettled, the details about the participation of the Member States in the plan and their contributions to the total number of persons to be resettled, as well as overall geographical priorities.*

*deleted*

## **Amendment 28**

### **Proposal for a regulation**

#### **Recital 22**

*Text proposed by the Commission*

*Amendment*

*(22) These powers should be exercised on a proposal from the Commission on the maximum total number of persons to be resettled and overall geographical priorities. The Commission should make its proposal simultaneously with its proposal on the draft Union annual budget. The Council should aim to adopt the proposal within two months. The Commission and the Council should take into account the discussions within the*

*deleted*

**Amendment 29**

**Proposal for a regulation  
Recital 23**

*Text proposed by the Commission*

*Amendment*

**(23) *In order to ensure uniform conditions for the implementation of the Union Resettlement Framework, the Commission should be empowered to establish targeted Union resettlement schemes laying down the precise number out of the total number of persons to be resettled and participation of the Member State, consistent with the annual Union Resettlement plan. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers<sup>34</sup>. The examination procedure should be used for establishing targeted Union resettlement schemes given that those schemes have substantial implications. The Commission should aim to establish targeted Union resettlement schemes as soon as possible after the adoption of the annual Union resettlement plan and whenever necessary during the period covered by the annual Union resettlement plan. The Commission should take into account the discussions within the High-Level Resettlement Committee.***

*deleted*

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<sup>34</sup> OJ L 55, 28.2.2011, p. 13.

## Amendment 30

### Proposal for a regulation

#### Recital 24

*Text proposed by the Commission*

(24) Each targeted Union resettlement scheme should ***determine which standard procedural rules should apply to its implementation. It should in addition*** set out local cooperation arrangements where and as appropriate to facilitate its implementation.

*Amendment*

(24) Each targeted Union resettlement scheme should set out local cooperation arrangements where and as appropriate to facilitate its implementation, ***in particular with the UNHCR, the International Organisation for Migration (IOM), the European Union Agency for Asylum [EUAA] and other relevant organisations.***

## Amendment 31

### Proposal for a regulation

#### Recital 25

*Text proposed by the Commission*

(25) Resettled persons should be granted international protection. Accordingly, the provisions on the content of international protection contained in the asylum acquis should apply as of the moment when resettled persons arrive on the territory of the Member States, ***including the rules to discourage secondary movement of beneficiaries of international protection.***

*Amendment*

(25) Resettled persons should be granted international protection ***with a view to providing them with a durable solution.*** Accordingly, the provisions on the content of international protection contained in the asylum acquis should apply as of the moment when resettled persons arrive on the territory of the Member States.

## Amendment 32

### Proposal for a regulation

#### Recital 25 a (new)

*Text proposed by the Commission*

*Amendment*

***(25a) The integration of resettled persons in their host society is important for a successful resettlement procedure, and, hence, for the effectiveness of the Union Resettlement Framework. Resettled persons should have the same access to integration measures as other***

*beneficiaries of international protection in accordance with the [Qualification Regulation]. Member States may make the participation in such integration measures compulsory only if those integration measures are easily accessible, available and free of charge. Member States should also offer a pre-departure orientation programme to third-country nationals or stateless persons, which should include information about their rights and obligations, language classes, and information about the Member State's social, cultural and political set up. These programmes may be provided after entry or may be included into integration programmes should Member States choose to have them and taking into account the particular vulnerabilities of the resettled person. Member States should also arrange post-arrival orientation programmes tailored to the needs of resettled persons in order to provide them with guidance concerning, in particular, the learning of the language of the host Member State, education, training and the labour market, taking account of their specific vulnerabilities. As far as possible, the bodies and persons concerned, such as local authorities and persons who have already been resettled, should be involved in implementing programmes of this kind.*

### Amendment 33

#### Proposal for a regulation

#### Recital 27

##### *Text proposed by the Commission*

(27) Given the expertise of UNHCR in facilitating the different forms of admission of persons in need of international protection from third countries, to which they have been displaced, to Member States willing to admit them, UNHCR should *continue to play a key role in*

##### *Amendment*

(27) Given the expertise of UNHCR in facilitating the different forms of admission of persons in need of international protection from third countries, to which they have been displaced, to Member States willing to admit them, UNHCR should *be primarily responsible for*

resettlement *efforts* conducted under the Union Resettlement Framework. In addition to UNHCR, other international actors such as the International Organisation for Migration (IOM) should be called upon to assist Member States in the implementation of the Union Resettlement Framework.

*referring persons eligible for* resettlement conducted under the Union Resettlement Framework. In addition to UNHCR, other international actors such as the International Organisation for Migration (IOM) should be called upon to assist Member States in the implementation of the Union Resettlement Framework.

## Amendment 34

### Proposal for a regulation

#### Recital 28

*Text proposed by the Commission*

(28) [The European Union Agency for Asylum] should *assist* Member States *in the implementation of Union Resettlement Framework* in accordance with its mandate.

*Amendment*

(28) *Member States should be given support to help them honour their commitments and thus ensure the smooth functioning of the Union Resettlement Framework.* [The European Union Agency for Asylum] should *provide the* Member States *with that support, at their request and* in accordance with its mandate. *The EUAA should also coordinate the exchanges of good practices among Member States, as regards the implementation of this Regulation.*

## Amendment 35

### Proposal for a regulation

#### Recital 28 a (new)

*Text proposed by the Commission*

*Amendment*

(28a) *Given that this Regulation seeks to introduce common resettlement procedures, Member States should be encouraged to cooperate with one another and, if they see fit, implement jointly some stages in the procedure. This cooperation may, for example, take the form of the pooling of infrastructure and the deployment of joint selection missions. At Member States request, the EUAA should be able to provide support to Member*



*States planning to engage in cooperation of this kind.*

## Amendment 36

### Proposal for a regulation

#### Recital 29

*Text proposed by the Commission*

(29) A High-Level Resettlement Committee should be established to allow for broad consultations with all stakeholders on the implementation of the Union Resettlement Framework.

*Amendment*

(29) A High-Level Resettlement Committee should be established to allow for broad consultations with all stakeholders on the implementation of the Union Resettlement Framework. ***This Committee should align its work with that of international resettlement structures, particularly the Annual Tripartite Consultations on Resettlement and UNHCR's Annual Projected Global Resettlement Needs. The High-Level Resettlement Committee should draw up recommendations to serve as main components when drafting the Union resettlement plan and the different targeted Union resettlement schemes. The Commission should build upon the recommendations of the High-Level Resettlement Committee when preparing the Union resettlement plan every two years.***

## Amendment 37

### Proposal for a regulation

#### Recital 31

*Text proposed by the Commission*

(31) This Regulation does not affect the ability of the Member States to adopt or implement national resettlement schemes, ***which do not jeopardise the attainment of the Union's objectives under this Regulation, for example where they contribute an additional number of resettlement places to targeted Union***

*Amendment*

(31) This Regulation does not affect the ability of the Member States to adopt or implement national resettlement schemes, for example where they contribute an additional number of resettlement places going beyond their contribution to the ***target*** number of persons to be resettled under the Union resettlement plan ***and***

*resettlement schemes established under this Regulation going beyond their contribution to the maximum number of persons to be resettled under the annual Union resettlement plan.*

*does not affect the obligations of the Member States relating to the target number of persons. Where Member States offer resettlement places under national resettlement programmes, they should continue to receive funding from the Union budget.*

## Amendment 38

### Proposal for a regulation Article 1 – paragraph 1

*Text proposed by the Commission*

This Regulation establishes a Union Resettlement Framework for the admission of third-country nationals and stateless persons to the territory of the Member States with a view to granting them international protection.

*Amendment*

This Regulation establishes a Union Resettlement Framework for the admission of third-country nationals and stateless persons to the territory of the Member States with a view to granting them international protection ***and providing them with a durable solution.***

## Amendment 39

### Proposal for a regulation Article 2 – paragraph 1

*Text proposed by the Commission*

For the purposes of this Regulation 'resettlement' means the admission of third-country nationals and stateless persons in need of international protection from a third country to which ***or within which*** they have been displaced to ***the territory of the Member States*** with a view to granting them international protection.

*Amendment*

For the purposes of this Regulation 'resettlement' means the ***selection, upon referral from UNHCR or Member States,*** admission, ***transfer and protection*** of third-country nationals and stateless persons in need of international protection from a third country to which they have been displaced to ***a Member State*** with a view to granting them international protection ***and providing them with a durable solution.***

## Amendment 40

### Proposal for a regulation Article 3 – paragraph 3 – point a

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*Text proposed by the Commission*

(a) **provide for** the legal and safe arrival of third-country nationals and stateless persons in need of international protection to the territory of the Member States;

Amendment 41

**Proposal for a regulation  
Article 3 – paragraph 3 – point b**

*Text proposed by the Commission*

(b) contribute to the reduction **of the risk of a large-scale irregular inflow of** third-country nationals and stateless persons in need of international protection to the territory of the Member States;

**Amendment 42**

**Proposal for a regulation  
Article 3 – paragraph 3 – point c**

*Text proposed by the Commission*

(c) contribute to international resettlement initiatives.

*Amendment*

(a) **guarantee** the legal and safe **transfer and** arrival of third-country nationals and stateless persons **who are among the most vulnerable persons** in need of international protection to the territory of the Member States **with a view to providing them with a durable solution**;

*Amendment*

(b) **encourage all Member States to gradually increase their resettlement efforts and the overall number of available resettlement places, as well as support and facilitate the reception and integration of resettled persons and thus** contribute to the reduction of the **need for** third country nationals and stateless persons in need of international protection to **travel irregularly** to the territory of the Member States.

*Amendment*

(c) contribute to international resettlement initiatives, **including through the strategic use of resettlement, particularly in protracted refugee situations, thus also helping third countries in which people first seek international protection.**

## Amendment 43

### Proposal for a regulation

#### Article 4 – paragraph 1 – introductory part

*Text proposed by the Commission*

In determining the regions or third countries from which resettlement shall occur within the Union Resettlement Framework, in accordance with the **implementing** acts referred to in Articles 7 and 8, the following factors shall be taken into consideration:

Amendment 44

*Amendment*

In determining the regions or third countries from which resettlement shall occur within the Union Resettlement Framework, in accordance with the **delegated** acts referred to in Articles 7 and 8, the following factors shall be taken into consideration:

### Proposal for a regulation

#### Article 4 – paragraph 1 – point a

*Text proposed by the Commission*

(a) the number of persons in need of international protection **displaced to or within a third country and any onward movement of those persons to the territory of the Member States;**

*Amendment*

(a) the number of **vulnerable** persons in need of international protection **as specified in the annual UNHCR Projected Global Resettlement Needs report ;**

## Amendment 45

### Proposal for a regulation

#### Article 4 – paragraph 1 – point a a (new)

*Text proposed by the Commission*

*Amendment*

**(a a) third countries and regions hosting protracted refugee situations.**

## Amendment 46

### Proposal for a regulation

#### Article 4 – paragraph 1 – point b

*Text proposed by the Commission*

(b) complementarity with financial and technical assistance provided to third countries to which **or within which** persons

*Amendment*

(b) **the scope for strategic use of resettlement with a view to collectively providing solutions and improving the**

in need of international protection have been displaced;

*protection environment in third countries, and with a view to its complementarity with financial and technical assistance for improving the capacity of reception and protection conditions* provided to third countries to which persons in need of international protection have been displaced;

## **Amendment 47**

### **Proposal for a regulation**

#### **Article 4 – paragraph 1 – point c**

*Text proposed by the Commission*

*Amendment*

*(c) the Union's overall relations with the third country or countries from which resettlement occurs, and with third countries in general;*

*deleted*

## **Amendment 48**

### **Proposal for a regulation**

#### **Article 4 – paragraph 1 – point d**

*Text proposed by the Commission*

*Amendment*

*(d) a third country's effective cooperation with the Union in the area of migration and asylum, including:*

*deleted*

*(i) reducing the number of third-country nationals and stateless persons irregularly crossing the border into the territory of the Member States coming from that third country;*

*(ii) creating the conditions for the use of the first country of asylum and safe third country concepts for the return of asylum applicants who have irregularly crossed the border into the territory of the Member States coming from or having a connection with the third country concerned;*

*(iii) increasing the capacity for the*

*reception and protection of persons in need of international protection staying in that country, including through the development of an effective asylum system; or*

*(iv) increasing the rate of readmission of third-country nationals and stateless persons irregularly staying in the territory of the Member States such as through the conclusion and effective implementation of readmission agreements;*

#### **Amendment 49**

##### **Proposal for a regulation**

##### **Article 4 – paragraph 1 – point e**

*Text proposed by the Commission*

*Amendment*

*(e) the scale and content of commitments to resettlement undertaken by third countries.*

*deleted*

#### **Amendment 50**

##### **Proposal for a regulation**

##### **Article 5**

*Text proposed by the Commission*

*Amendment*

Article 5

Article 5

Eligibility criteria

Eligibility criteria

**The** following third-country nationals or stateless persons shall be eligible for targeted Union resettlement schemes established in accordance with Article 8:

**Only the** following third-country nationals or stateless persons shall be eligible for targeted Union resettlement schemes established in accordance with Article 8:

(a) (i) third-country nationals, who, owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, political opinion or membership of a particular social group, are outside the country of nationality **or the part of that country in which they formerly habitually resided**, and are unable or, owing to such fear, are unwilling

(a) (i) third-country nationals, who, owing to a well-founded fear of being persecuted for reasons of race, **religion, nationality, gender, sexual orientation, gender identity, disability**, political opinion or membership of a particular social group, are outside the country of nationality and are unable or, owing to such fear, are unwilling to avail themselves

to avail themselves of the protection of that country, or stateless persons, who, being outside of the country of former habitual residence **or of the part of that country in which they formerly habitually resided**, for the same reasons as mentioned above, are unable or, owing to such fear, unwilling to return to or stay in it, or, failing that,

(ii) third-country nationals, who are outside the country of nationality **or the part of that country in which they formerly habitually resided**, or stateless persons, who are outside of the country of former habitual residence **or of the part of that country in which they formerly habitually resided**, and in respect of whom substantial grounds have been shown for believing that they, if returned to **or staying in** their country of origin or former habitual residence, would face a **real** risk of suffering serious harm, and are unable, or, owing to such risk, are unwilling to avail themselves of the protection of that country;

**(b) third-country nationals and stateless persons who** fall within at least one of the following categories:

**(i) vulnerable persons;**

- women and girls at risk;
- children and adolescents at risk, including unaccompanied children;
- survivors of violence and/or torture, including on the basis of gender;
- persons with legal and/or physical protection needs;
- persons with medical needs or disabilities; or
- **persons with socio-economic**

of the protection of that country, or stateless persons, who, being outside of the country of former habitual residence for the same reasons as mentioned above, are unable or, owing to such fear, unwilling to return to or stay in it, **or, failing that**,

(ii) third-country nationals, who are outside the country of nationality or stateless persons, who are outside of the country of former habitual residence and in respect of whom substantial grounds have been shown for believing that they, if returned to their country of origin or former habitual residence, would face a risk of suffering serious harm, and are unable, or, owing to such risk, are unwilling to avail themselves of the protection of that country;

**and who further** fall within at least one of the following categories **of vulnerable persons**:

- women and girls at risk;
- children and adolescents at risk, including unaccompanied children;
- survivors of violence and/or torture, including on the basis of gender **or sexual orientation**;
- persons with legal and/or physical protection needs, **including those facing a threat of refoulement**;
- **persons for whom no other lasting solution can be considered, especially those in protracted refugee situations**;
- persons with medical needs or disabilities; or
- **elderly people**

*vulnerability;*

(ii) family members of third-country nationals or stateless persons or Union citizens legally residing in a Member State:

– the spouse or unmarried partner in a stable relationship, *where the law or practice of the Member State concerned treats unmarried couples in a way comparable to that of married couples under its law relating to third-country nationals or stateless persons;*

– the *minor children of couples referred to in the first indent or of third-country nationals or stateless persons to be resettled, on the condition that they are unmarried*, regardless of whether they were born in or out of wedlock or adopted as defined under national law;

– the father, mother or another adult responsible for the *unmarried minor to be resettled, whether by law or by the practice of the Member State where the adult is present;*

– the sibling or siblings *of the third-country nationals or stateless persons to be resettled;*

– third-country nationals or stateless persons to be resettled who are dependent on their child *or* parent for assistance as a result of pregnancy, a newborn child, serious illness, severe disability or old age, provided that family ties existed in the country of origin, that the child or parent is able to take care of the dependent person and that the persons concerned expressed their desire in writing;

(c) *third-country nationals or stateless*

(b) *third-country nationals or stateless persons who meet the criteria in point (a) and who further, according to Article 1D Paragraph 2 of the 1951 Geneva Convention, are entitled to the benefits of that Convention;*

(c) *the following* family members of third-country nationals or stateless persons *to be resettled with the aim to ensure family unity:*

– the spouse or unmarried partner in a stable relationship;

– the children regardless of whether they were born in or out of wedlock or adopted as defined *or recognised* under national law, *as well as the children for whom they hold parental responsibility;*

– the father, mother or another adult responsible for the minor, *in accordance with national law or practice;*

– the sibling or siblings ;

– third-country nationals or stateless persons who are dependent on their child, *parent or other family member* for assistance as a result of pregnancy, a newborn child, serious illness, severe disability or old age, provided that family ties existed in the country of origin, that the child or parent *or other family member* is able to take care of the dependent person and that the persons concerned expressed their desire in writing;



*persons who do not fall within the scope of Article 1D of the 1951 Geneva Convention, relating to protection or assistance from organs or agencies of the United Nations other than the United Nations High Commissioner for Refugees ("UNHCR");*

*(d) third-country nationals or stateless persons who have not been recognised by the competent authorities of the country in which they are present or have taken up residence as having the rights and obligations which are attached to the possession of the nationality of that country, or rights and obligations equivalent to those.*

*Member States shall ensure that family unity can be maintained between persons referred to in point (b)(ii).*

*Without prejudice to the Union law on family reunification, including Council Directive 2003/86/EC<sup>1a</sup> or to Member States' national law on family reunification, the family members referred to in point c) of first paragraph, of third-country nationals or stateless persons or Union citizens legally residing in a Member State may be resettled by Member States outside of their participation in the targeted Union resettlement scheme.*

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<sup>1a</sup> *Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification (OJ L 251, 3.10.2003, p. 12).*

*(Amended point (b) becomes subparagraph 2 of point (a), amended point (c) becomes point (b), amended point (ii) of point (b) becomes point (c))*

## **Amendment 51**

### **Proposal for a regulation Article 6 – title**

*Text proposed by the Commission*

*Amendment*

## Amendment 52

### Proposal for a regulation

#### Article 6 – paragraph 1 – introductory part

*Text proposed by the Commission*

1. The following third-country nationals or stateless persons shall be ***excluded from*** targeted Union resettlement schemes established in accordance with Article 8:

Amendment 53

### Proposal for a regulation

#### Article 6 – paragraph 1 – point a – introductory part

*Text proposed by the Commission*

(a) persons for whom there are ***reasonable*** grounds for considering that:

## Amendment 54

### Proposal for a regulation

#### Article 6 – paragraph 1 – point a – point ii

*Text proposed by the Commission*

(ii) they have committed a serious crime;

## Amendment 55

### Proposal for a regulation

#### Article 6 – paragraph 1 – point b

*Text proposed by the Commission*

(b) persons for whom there are ***reasonable*** grounds for considering that they are a danger to the ***community, public policy, security, public health or the international relations*** of the Member

*Amendment*

1. The following third-country nationals or stateless persons shall be ***ineligible for*** targeted Union resettlement schemes established in accordance with Article 8:

*Amendment*

(a) persons for whom there are ***serious grounds*** for considering that:

*Amendment*

(ii) they have committed a serious ***non-political*** crime;

*Amendment*

(b) persons for whom there are ***serious*** grounds for considering that they are a danger to the ***public or national*** security ***or***, public health, of the Member State

State examining the resettlement file, *including where a second Member State has required the Member State examining the resettlement file to consult that second Member State during the examination in relation to specific third-country nationals or stateless persons or specific categories of third-country nationals or stateless persons, that second Member State has objected to their resettlement on these grounds;*

examining the resettlement file;

## Amendment 56

### Proposal for a regulation Article 6 – paragraph 1 – point c

*Text proposed by the Commission*

*Amendment*

*(c) persons for whom an alert has been issued in the Schengen Information System or in a national database of a Member State for the purposes of refusing entry;*

*deleted*

Amendment 57

### Proposal for a regulation Article 6 – paragraph 1 – point d

*Text proposed by the Commission*

*Amendment*

*(d) persons who have irregularly stayed, irregularly entered, or attempted to irregularly enter the territory of the Member States during the five years prior to resettlement;*

*deleted*

## Amendment 58

### Proposal for a regulation Article 6 – paragraph 1 – point e

*Text proposed by the Commission*

*Amendment*

*(e) persons who have already been resettled by **another** Member State **in the implementation of this Regulation, the***

*(e) persons who have already been resettled by **a** Member State*

*Conclusions of the Representatives of the Governments of the Member States meeting within the Council 11097/15 of 20 July 2015, the EU-Turkey Statement of 18 March 2016, the Commission Recommendation C(2015) 9490 of 15 December 2015, or a national resettlement scheme; and*

#### **Amendment 59**

##### **Proposal for a regulation Article 6 – paragraph 1 – point f**

*Text proposed by the Commission*

*Amendment*

*(f) persons whom Member States have during the last five years prior to resettlement refused to resettle in accordance with this paragraph.*

*deleted*

#### **Amendment 60**

##### **Proposal for a regulation Article 6 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

*2. Third-country nationals or stateless persons may be excluded from targeted Union resettlement schemes established in accordance with Article 8, where one of the grounds for exclusion referred to in points (a) or (b) of paragraph 1 applies prima facie.*

*deleted*

#### **Amendment 61**

##### **Proposal for a regulation Article 7 – title**

*Text proposed by the Commission*

*Amendment*

*Annual* Union resettlement plan

*Two-yearly* Union resettlement plan

## Amendment 62

### Proposal for a regulation

#### Article 7 – paragraph 1

*Text proposed by the Commission*

1. *On the basis of a proposal from the Commission, the Council shall adopt an annual Union resettlement plan in the year preceding that in which it is to be implemented.*

*Amendment*

1. *The Commission is empowered to adopt delegated acts every two years, in accordance with Article 14, to supplement this Regulation, in order to establish a Union resettlement plan, in accordance with the following paragraphs.*

## Amendment 63

### Proposal for a regulation

#### Article 7 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

1a. *The Union resettlement plan shall take full account of the recommendations of the High-Level Resettlement Committee, and shall be based on the annual UNHCR Projected Global Resettlement Needs report.*

## Amendment 64

### Proposal for a regulation

#### Article 7 – paragraph 3 – introductory part

*Text proposed by the Commission*

*Amendment*

2. The *annual* Union resettlement plan shall include:

2. The Union resettlement plan shall include:

## Amendment 65

### Proposal for a regulation

#### Article 7 – paragraph 2 – point a

*Text proposed by the Commission*

*Amendment*

(a) ***the maximum total*** number of persons to be resettled;

(a) ***a target*** number of persons to be resettled ***that should reflect at a minimum 20% of the Annual Projected Global Resettlement Needs***;

## **Amendment 66**

### **Proposal for a regulation**

#### **Article 7 – paragraph 2 – point b**

*Text proposed by the Commission*

*Amendment*

(b) details about the participation of the Member States in the ***annual*** Union resettlement plan and their contributions to the ***total*** number of persons to be resettled;

(b) details about the participation of the Member States in the Union resettlement plan and their contributions to the ***target*** number of persons to be resettled;

## **Amendment 67**

### **Proposal for a regulation**

#### **Article 7 – paragraph 2 – point c**

*Text proposed by the Commission*

*Amendment*

(c) overall geographical priorities.

(c) overall geographical priorities ***based on the annual UNHCR Projected Global Resettlement Needs report*** .

## **Amendment 68**

### **Proposal for a regulation**

#### **Article 7 – paragraph 2 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

***(c a) an unallocated emergency quota, of persons to be resettled, as provided for in Article 11a, corresponding to around 10% of the target number referred to in point (a), to take into account urgent and emergency cases irrespective of the geographical priorities referred to in point***

(c).

## Amendment 69

### Proposal for a regulation Article 8 – paragraph 1

*Text proposed by the Commission*

1. The Commission **shall** adopt **implementing** acts **establishing** targeted Union resettlement schemes consistent with the **annual** Union resettlement plan adopted pursuant to Article 7. **Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15(2).**

*Amendment*

1. The Commission **is empowered to** adopt **delegated** acts **in accordance with Article 14, to supplement this Regulation, in order to establish** targeted Union resettlement schemes consistent with the Union resettlement plan, adopted pursuant to Article 7 .

## Amendment 70

### Proposal for a regulation Article 8 – paragraph 2 – point b

*Text proposed by the Commission*

(b) the precise number of persons to be resettled from the **maximum total** number as set out in the **annual** Union resettlement plan provided for in point (a) of Article 7(2) and details about the participation of the Member States in the targeted Union resettlement scheme;

*Amendment*

(b) the precise number of persons to be resettled from the **target** number as set out in the Union resettlement plan provided for in point (a) of Article 7(2) and details about the participation of the Member States in the targeted Union resettlement scheme;

## Amendment 71

### Proposal for a regulation Article 8 – paragraph 2 – point c

*Text proposed by the Commission*

(c) the specification of the regions or third countries from which resettlement is to occur as referred to in Article 4;

*Amendment*

(c) the specification of the regions or third countries from which resettlement is to occur **in accordance with point (c) of Article 7(3) and** as referred to in Article 4 **and, where appropriate, the priorities and measures anticipated by the Union in**

*relation to those regions or third countries in the context of strategic use of resettlement;*

## **Amendment 72**

### **Proposal for a regulation**

#### **Article 8 – paragraph 2 – point d**

*Text proposed by the Commission*

(d) *where necessary*, local coordination and practical cooperation arrangements among Member States, supported by the [European Union Agency for Asylum] in accordance with Article 12(3), and with third countries, and *UNHCR or* other partners;

*Amendment*

(d) local coordination and practical cooperation arrangements among Member States, supported by the *UNHCR and, at the request of Member States*, the [European Union Agency for Asylum] in accordance with Article 12(3), and with third countries, and UNHCR or other partners;

## **Amendment 73**

### **Proposal for a regulation**

#### **Article 8 – paragraph 2 – point e**

*Text proposed by the Commission*

(e) a description of the specific group or groups of third-country nationals or stateless persons to whom the targeted Union resettlement scheme shall apply;

*Amendment*

(e) a description of the specific group or groups of third-country nationals or stateless persons, *based on the annual UNHCR Projected Global Resettlement Needs report and guided by resettlement submission categories as set out in point (a) of Article 5*, to whom the targeted Union resettlement scheme shall apply;

## **Amendment 74**

### **Proposal for a regulation**

#### **Article 8 – paragraph 2 – point f**

*Text proposed by the Commission*

(f) *whether the ordinary procedure set out in Article 10 or the expedited procedure set out in Article 11 shall be*

*Amendment*

*deleted*



*applied specifying where necessary how the identification and assessment of third-country nationals or stateless persons shall be carried out and the timeframe for taking decisions on resettlement;*

Amendment 75

**Proposal for a regulation**  
**Article 8 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a.** *Where the combined voluntary participation of all Member States does not add up to 75% of the target number of persons to be resettled in accordance with point (a) of Article 7.3 at the end of the two years period of the Union resettlement plan the targeted Union resettlement schemes shall set the precise number of persons that each Member State shall resettle with the goal of reaching at least that percentage from the target number . The distribution of the total number of persons to be resettled among the Member States shall be based on the reference key pursuant to Regulation (EU) No XXX/XXX [Dublin Regulation].*

*With the establishment of the total number to be resettled per Member State, the amount already resettled to that Member State shall be taken into account.*

**Amendment 76**

**Proposal for a regulation**  
**Article 9 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

*The resettlement procedures laid down in Articles 10 and 11 shall apply to third-country nationals or stateless persons who have given their consent to be resettled **and have not subsequently withdrawn their consent, including refusing resettlement***

Resettlement **under this Regulation** shall apply to third-country nationals or stateless persons who have given their consent to be resettled and have not subsequently withdrawn their consent, including refusing resettlement to a particular Member State.

*to a particular Member State.*

*Third-country nationals or stateless persons shall be duly informed by the Member State of the rights and obligations arising from resettlement and the possible consequences of any withdrawal of consent or refusal to be resettled.*

## **Amendment 77**

### **Proposal for a regulation**

#### **Article 10 – paragraph 1 – introductory part**

*Text proposed by the Commission*

1. When implementing a targeted Union resettlement scheme, Member States shall *identify third-country nationals or stateless persons and assess whether those third-country nationals or stateless persons fall within the scope of a targeted Union resettlement scheme.*

Amendment 78

*Amendment*

1. When implementing a targeted Union resettlement scheme, Member States shall, *for the selection, primarily rely on identification and submission of cases by the UNHCR. Other actors for identification may be Member States or relevant organisations.*

### **Proposal for a regulation**

#### **Article 10 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

*1 a. Member States shall assess whether those third-country nationals or stateless persons fall within the scope of a targeted Union resettlement scheme*

## **Amendment 79**

### **Proposal for a regulation**

#### **Article 10 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

*Member States may give preference inter alia to third-country nationals or stateless persons with:*

*(a) family links with third-country nationals or stateless persons or Union*

*deleted*

*Amendment*

*citizens legally residing in a Member State;*

*(b) social or cultural links, or other characteristics that can facilitate integration in the participating Member State, provided that this is without discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation, without prejudice to differences in treatment necessary for the assessment referred to in the first subparagraph;*

*(c) particular protection needs or vulnerabilities.*

## **Amendment 80**

### **Proposal for a regulation Article 10 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

**2. After identifying third-country nationals or stateless persons, Member States shall register the following information of those for whom they intend to conduct the resettlement procedure:**

*deleted*

**(a) the name, date of birth, gender, nationality and other personal details**

**(b) the fingerprints of all fingers and a facial image of every third-country national or stateless person of at least six years of age;**

**(c) the type and number of any identity or travel document of the third-country national; and**

**(d) the date of the registration, the place where the registration is made, and the authority making the registration.**

*Additional data necessary for the implementation of paragraphs 3 and 4 may also be collected at the time of registration.*

## **Amendment 81**

### **Proposal for a regulation Article 10 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2 a.** *After identifying third-country nationals or stateless persons, Member States shall perform appropriate security checks against relevant Union and national databases, including the Schengen Information System:*

## **Amendment 82**

### **Proposal for a regulation Article 10 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

Member States shall assess whether the third-country nationals or the stateless persons *referred to in paragraph 2* meet the eligibility criteria set out in Article 5 and whether they are not excluded in accordance with Article 6(1).

Member States shall assess whether the third-country nationals or the stateless persons meet the eligibility criteria set out in Article 5 and whether they are not excluded in accordance with Article 6(1).

## **Amendment 83**

### **Proposal for a regulation Article 10 – paragraph 3 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

Member States shall make that assessment on the basis of documentary evidence, including, where applicable, information from UNHCR on whether the third-country nationals or the stateless persons qualify as refugees or on the basis of a personal

Member States shall make that assessment *in particular* on the basis of documentary evidence, including, where applicable, information from UNHCR on whether the third-country nationals or the stateless persons qualify as refugees *and* on the

interview *or a combination of both*.

basis of a personal interview.

## Amendment 84

### Proposal for a regulation

#### Article 10 – paragraph 3 a (new)

*Text proposed by the Commission*

*Amendment*

**3 a.** *For the purpose of implementing the ordinary procedure, Member States may request that UNHCR, or where applicable, [the EUAA] or relevant international organisations to fully and transparently assess:*

*(a) whether they fall within the scope of the targeted Union resettlement scheme; and*

*(b) whether they fall under one of the resettlement submission categories as set out in point (a) of Article 5 and the reasoning behind the assessment.*

*Member States may also request that UNHCR fully assess whether third-country nationals or stateless persons referred to them by the UNHCR qualify as refugees within the meaning of Article 1 of the 1951 Geneva Convention.*

## Amendment 85

### Proposal for a regulation

#### Article 10 – paragraph 4

*Text proposed by the Commission*

*Amendment*

4. Member States shall take a decision on the resettlement of third-country nationals or stateless persons on the basis of the assessment referred to in paragraph 3 as soon as possible and not later than ***eight*** months from their registration. Member States may extend that time-limit ***of eight months*** by a period of not more than ***four*** months, where complex issues of fact or

4. Member States shall take a decision on the resettlement of third-country nationals or stateless persons on the basis of the assessment referred to in paragraph 3 as soon as possible and not later than ***six*** months from their registration. Member States may extend that time-limit by a period of not more than ***three*** months, where complex issues of fact or law are

law are involved.

involved. *If, after the time limits referred to in this paragraph have elapsed, the Member State has not communicated any decision and has also not supplied any justification, a resettlement procedure may be initiated by another Member State in relation to the third-country national or stateless person concerned.*

## **Amendment 86**

### **Proposal for a regulation**

#### **Article 10 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

*4a. After having taken a decision, Member States shall inform the third-country nationals or stateless persons, of their rights and obligations, particularly the right to refuse resettlement and the possible implications of such a refusal, the rights and obligations arising from refugee status or subsidiary protection, particularly as regards secondary movements and the requirement to register personal particulars in Eurodac.*

*This information shall be supplied in writing and, if necessary, orally, in a language that the person can understand and shall be adapted to the needs of minors or persons with specific needs.*

## **Amendment 87**

### **Proposal for a regulation**

#### **Article 10 – paragraph 5 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

5. Member States shall store the data referred to in *paragraphs 2 to 4* for five years from the date of resettlement.

*5. Upon arrival on its territory, each Member States shall register, where available, information on the resettled person in accordance with Regulation (EU) No XXX/XXX [Eurodac Regulation].* Member States shall store the data referred to *in [Eurodac Regulation]*

for five years from the date of resettlement.

## Amendment 88

### Proposal for a regulation

#### Article 10 – paragraph 5 – subparagraph 2

*Text proposed by the Commission*

Upon expiry of that period, Member States shall erase the data. Member States shall erase data relating to a person who has acquired citizenship of any Member State before the expiry of that period ***as soon as the Member State becomes aware that the person concerned has acquired such citizenship.***

*Amendment*

Upon expiry of that period, Member States shall erase the data. Member States shall erase data relating to a person who has acquired citizenship of any Member State before the expiry of that period.

## Amendment 89

### Proposal for a regulation

#### Article 10 – paragraph 6

*Text proposed by the Commission*

6. Where a negative decision is taken, no resettlement of the person concerned shall occur.

*Amendment*

6. Where a negative decision is taken, no resettlement of the person concerned shall occur ***to the Member State that has made the decision. The reason for non-completion shall be communicated in a reasoned opinion to the UNHCR, other Member States, the EUAA and other organisations that made the submission for follow-up as appropriate. Any Member State that has made a negative decision may require any second Member State examining the resettlement file to consult it during the examination.***

## Amendment 90

### Proposal for a regulation

#### Article 10 – paragraph 7 – point a

*Text proposed by the Commission*

(a) grant refugee status where the third-country national or the stateless person concerned qualifies as a refugee or subsidiary protection status where the third-country national or the stateless person concerned is eligible for subsidiary protection. The Member State shall notify the third-country national or the stateless person concerned of that decision. The decision to grant refugee status or subsidiary protection status shall have the same effect as a decision to grant refugee status or to grant subsidiary protection status referred to in **Articles 13 and 19 of Regulation (EU) No XXX/XXX** [Qualification Regulation], once the person concerned has entered the territory of a Member State;

*Amendment*

(a) grant refugee status where the third-country national or the stateless person concerned qualifies as a refugee or subsidiary protection status where the third-country national or the stateless person concerned is eligible for subsidiary protection. The Member State shall notify the third-country national or the stateless person concerned of that decision **and inform him or her of the rights that such a status confers**. The decision to grant refugee status or subsidiary protection status shall have the same effect as a decision to grant refugee status or to grant subsidiary protection status referred to in Regulation (EU) No XXX/XXX [Qualification Regulation], once the person concerned has entered the territory of a Member State; **Member States may issue residence permits of permanent or unlimited validity on terms that are more favourable as referred in Article 13 of Council Directive 2003/109/EC<sup>1a</sup>**.

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<sup>1a</sup> **Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents, OJ L 16, 23.1.2004, p. 44–53.**

**Amendment 91**

**Proposal for a regulation  
Article 10 – paragraph 7 – point b**

*Text proposed by the Commission*

(b) offer to make travel arrangements, including fit-to-travel medical checks, and provide transfer to their territory free of charge, and that offer shall include, where necessary, the facilitation of exit procedures in the third country from where the third-country national or the stateless

*Amendment*

(b) offer to make travel arrangements, including fit-to-travel medical checks **or, where possible, medical examinations**, and provide transfer to their territory free of charge, and that offer shall include, where necessary, the facilitation of exit procedures in the third country from where



person is admitted;

the third-country national or the stateless person is admitted. ***When organising the travel, Member States shall take account of any needs that the persons concerned have in view of their vulnerability;***

## Amendment 92

### Proposal for a regulation

#### Article 10 – paragraph 7 – point c

*Text proposed by the Commission*

(c) offer a pre-departure orientation programme to third-country nationals or stateless persons, which may include information about their rights and obligations, language classes, and information about the Member State's social, cultural and political set-up.

*Amendment*

(c) offer a pre-departure orientation programme to third-country nationals or stateless persons, which ***shall*** include information about their rights and obligations, language classes, and information about the Member State's social, cultural and political set-up. ***These programmes may be provided after entry or may be included into integration programmes should Member States choose to have them, provided that they will be accessible and for free, and taking into account the particular vulnerabilities of the resettled person..***

## Amendment 93

### Proposal for a regulation

#### Article 10 – paragraph 7 – point c a (new)

*Text proposed by the Commission*

*Amendment*

***(ca) arrange transfer as soon as possible;***

## Amendment 94

### Proposal for a regulation

#### Article 10 – paragraph 8

*Text proposed by the Commission*

*Amendment*

**8.** *For the purpose of implementing the ordinary procedure, prior to identifying third-country nationals or stateless persons, Member States may request UNHCR, or where applicable, [the European Union Agency for Asylum] or relevant international bodies to refer to them third-country nationals or stateless persons in relation to whom those entities have fully assessed:*

*(a) whether they fall within the scope of the targeted Union resettlement scheme; and*

*(b) whether they fall under one of the vulnerability categories set out in point (b)(i) of Article 5.*

*Member States may also request UNHCR to fully assess whether third-country nationals or stateless persons referred to them by UNHCR qualify as refugees within the meaning of Article 1 of the 1951 Geneva Convention.*

*Member States may also request that inter alia the criteria set out in points (a) to (c) of paragraph 1 be taken into account.*

## **Amendment 95**

### **Proposal for a regulation Article 10 – paragraph 9**

*Text proposed by the Commission*

*Amendment*

**9.** *The Commission shall be empowered to adopt delegated acts in accordance with the procedure laid down in Article 14 to supplement the elements referred to in paragraphs 1 to 4, in order to adapt the resettlement procedure to the circumstances in the third country from which resettlement takes place where necessary.*

## Amendment 96

### Proposal for a regulation Article 11

*Text proposed by the Commission*

*Amendment*

#### *Article 11*

*deleted*

#### *Expedited procedure*

*Where the Commission implementing act adopting a targeted Union resettlement scheme provides for an expedited procedure, and by way of derogation from Article 10, Member States:*

- (1) shall not assess whether the third-country nationals or the stateless persons meet the requirements referred to in point (a)(i) of Article 5;*
- (2) shall not require UNHCR to assess whether the third-country nationals or the stateless persons qualify as refugees within the meaning of Article 1 of the 1951 Geneva Convention;*
- (3) shall take a decision on resettlement as soon as possible and not later than four months from a third-country national's registration referred to in Article 10(2); the Member States may extend that time-limit of four months by a period of not more than two months, where complex issues of fact or law are involved.*
- (4) shall grant the third-country nationals or the stateless persons concerned subsidiary protection status.*

*The subsidiary protection status granted on the basis of point (4) shall be considered to have been terminated where a final decision has been taken on an application for international protection made by the beneficiary of that status.*

## Amendment 97

### Proposal for a regulation Article 11 a (new)

*Text proposed by the Commission*

*Amendment*

#### *Article 11 a*

##### *Emergency procedure*

*Where the Commission delegated act adopting a Union resettlement plan provides for an emergency procedure, not linked to particular regions or population, for cases where immediacy of the security risks to certain persons or the severity of their medical condition necessitates their prompt removal from the threatening conditions within a very short time, by way of derogation from Article 10, Member States shall:*

- (1) commit to establish a fast-track procedure for urgent and emergency cases, if such a procedure is not already in existence;*
- (2) specify a specific number of places not necessarily linked to particular regions or populations that can benefit from this procedure;*
- (3) receive submissions of urgent or emergency resettlement cases from UNHCR and for whom immediacy of the security risks or the severity of the medical condition necessitates their removal from the threatening conditions within a very short time;*
- (4) expedite adjudication whether the third country nationals or the stateless persons meet the requirements and eligibility criteria established in this framework under Article 5, and;*
- (5) aspire to take a decision within two weeks from submission of a case and ensure the immediate transfer of the third country national or stateless person.*

## Amendment 98

### Proposal for a regulation Article 12 – paragraph 1

*Text proposed by the Commission*

1. To facilitate the implementation of the targeted Union resettlement schemes, Member States shall appoint national contact points and may decide to appoint liaison officers in third countries.

*Amendment*

1. To facilitate the implementation of the targeted Union resettlement schemes, Member States shall appoint national contact points and may decide to appoint liaison officers in third countries. ***Member States may be assisted by [the EUAA], and, where appropriate, use existing structures for operational cooperation on resettlement.***

## Amendment 99

### Proposal for a regulation Article 12 – paragraph 2

*Text proposed by the Commission*

2. ***[The European Union Agency for Asylum] may support Member States, including by coordinating technical cooperation between them, assisting them in the implementation of targeted Union resettlement schemes and facilitating the sharing of infrastructure in accordance with [Regulation (EU) No XXX/XXX (EU Asylum Agency Regulation)39].***

*Amendment*

***deleted***

## Amendment 100

### Proposal for a regulation Article 12 – paragraph 3

*Text proposed by the Commission*

3. To implement targeted Union resettlement schemes, and in particular to

*Amendment*

3. To implement targeted Union resettlement schemes, and in particular to

conduct pre-departure orientation programmes, fit-to-travel medical checks, travel arrangements and other practical arrangements, Member States may be assisted by partners in accordance with local coordination and practical cooperation arrangements for targeted Union resettlement schemes established in accordance with point (d) of Article 8(2).

conduct pre-departure orientation programmes, fit-to-travel medical checks, travel arrangements and other practical arrangements, Member States may be assisted by ***the International Organisation for Migration (IOM), and other*** partners in accordance with local coordination and practical cooperation arrangements for targeted Union resettlement schemes established in accordance with point (d) of Article 8(2).

## **Amendment 101**

### **Proposal for a regulation Article 12 a (new)**

*Text proposed by the Commission*

*Amendment*

#### ***Article 12a***

##### ***Role of the European Union Agency for Asylum***

***1. The role of the EUAA for Asylum is to support Member States in their resettlement efforts and capacity. At the request of the Member States, the EUAA shall support them when they implement the Union Resettlement Framework.***

***The support may comprise, assistance to the Member States in connection with:***

- (a) their tasks of assessment, particularly with a view to enabling Member States to comply with the time limits stipulated for resettlement,***
- (b) training of personnel specialising in resettlement,***
- (c) information provided to third-country nationals or stateless persons and the pre-departure training given to them under Article 10,***
- (d) cooperation between them when they decide to carry out stages of the resettlement procedure jointly. The EUAA***

*may, inter alia, provide support in connection with the pooling of infrastructure and the deployment of joint selection missions.*

*2. The EUAA shall coordinate an exchange of good practices between Member States for the purpose of the implementation of this Regulation and the integration of resettled persons in their host society.*

*3. The EUAA shall gather data regarding the number of resettlements, the respect of Member States for their commitments and the reasons for the non-completion of procedures.*

*4. The EUAA shall take part in the annual tripartite consultations on resettlement and communicate the work done there to the High-Level Resettlement Committee.*

## **Amendment 102**

### **Proposal for a regulation Article 13 – paragraph 1**

#### *Text proposed by the Commission*

1. A High-Level Resettlement Committee shall be established, composed of *representatives* of the European Parliament, the Council, the Commission, the *High Representative of the Union for Foreign Affairs and Security Policy, and the* Member States. [The European Union Agency for Asylum,] *UNHCR, and IOM may be invited*. Representatives of Iceland, Liechtenstein, Norway, and Switzerland shall be invited to attend the meetings of the High-Level Resettlement Committee where they have indicated their intention to be associated with the implementation of the *annual* Union resettlement plan.

#### *Amendment*

1. A High-Level Resettlement Committee shall be established, composed of Members of the European Parliament, the Council, the Commission, the High Representatives of the Union for Foreign Affairs and Security Policy, and the Member States, [The European Union Agency for Asylum], UNHCR, and IOM and *other relevant civil society organisations*. Representatives of Iceland, Liechtenstein, Norway, and Switzerland shall be invited to attend the meetings of the High-Level Resettlement Committee where they have indicated their intention to be associated with the implementation of the Union resettlement plan.

## Amendment 103

### Proposal for a regulation

#### Article 13 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***1a. The main task of the High-Level Resettlement Committee shall, following the Annual Tripartite Consultations on Resettlement (ATCR) where the High-Level Resettlement Committee will participate, and the annual UNHCR Projected Global Resettlement Needs report, to outline the main components of the Union resettlement plan as well as the different targeted Union resettlement schemes, in particular making recommendations on the number of persons to be resettled, the equitable distribution of those persons among the Member States, the third countries from which resettlements should be undertaken, and the opportunities for strategic use of resettlement. The recommendations of the High-Level Resettlement Committee shall be published***

## Amendment 104

### Proposal for a regulation

#### Article 13 – paragraph 2

*Text proposed by the Commission*

*Amendment*

2. The High-Level Resettlement Committee shall be chaired by the Commission. It shall meet whenever necessary at the invitation of the Commission or at a request of a Member State and shall meet at least once a year.

2. The High-Level Resettlement Committee shall be chaired by the Commission. It shall meet whenever necessary at the invitation of the Commission or at a request of a Member State ***or the European Parliament*** and shall meet at least once a year.



## Amendment 105

### Proposal for a regulation

#### Article 13 – paragraph 3

*Text proposed by the Commission*

3. The Commission shall **consult** the High-Level Resettlement Committee on issues related to the implementation of the Union Resettlement Framework.

*Amendment*

3. The Commission **and the Council** shall **take full account of the recommendations of** the High-Level Resettlement Committee on issues related to the implementation of the Union Resettlement Framework, **particularly in drafting the Union resettlement plan and the Union resettlement targeted schemes.**

## Amendment 106

### Proposal for a regulation

#### Article 14 – paragraph 2

*Text proposed by the Commission*

2. The power to adopt delegated acts referred to in **Article 10(9)** shall be conferred on the Commission for **an indeterminate** period of **time from the** date of entry into force **of this Regulation.**

*Amendment*

2. The power to adopt delegated acts referred to in **Articles 7 and 8** shall be conferred on the Commission for **a** period of **4 years from ...** [date of entry into force of this Regulation]. **The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the 4th-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.**

## Amendment 107

### Proposal for a regulation

#### Article 14 – paragraph 3

*Text proposed by the Commission*

3. The delegation of power referred to in **Article 10(9)** may be revoked at any

*Amendment*

3. The delegation of power referred to in **Articles 7 and 8** may be revoked at any

time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

## **Amendment 108**

### **Proposal for a regulation Article 14 – paragraph 6**

#### *Text proposed by the Commission*

6. A delegated act adopted pursuant to **Article 10(9)** shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

#### *Amendment*

6. A delegated act adopted pursuant to **Articles 7 and 8** shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

## **Amendment 109**

### **Proposal for a regulation Article 15**

#### *Text proposed by the Commission*

#### *Article 15*

#### *Committee procedure*

1. ***The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.***

2. ***Where reference is made to this***

#### *Amendment*

***deleted***

*paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.*

## **Amendment 110**

### **Proposal for a regulation**

#### **Article 17 – paragraph 1 – point -1 (new)**

Regulation (EU) No 516/2014

Recital 46

#### *Present text*

‘It is important for enhanced solidarity that the Fund provides, in coordination and in synergy with the humanitarian assistance managed by the Commission where appropriate, additional support to address emergency situations of heavy migratory pressure in Member States or third countries, or in the event of mass influx of displaced persons, pursuant to Council Directive 2001/55/EC<sup>1</sup>, through emergency assistance. Emergency assistance should also include support to ad hoc humanitarian admission programmes aimed at allowing temporary stay on the territory of a Member State in the event of an urgent humanitarian crisis in third countries. However, such other humanitarian admission programmes are without prejudice to, and should not undermine, the Union's resettlement programme that explicitly aims as from the start to provide a durable solution to persons in need of international protection transferred to the Union from third countries. ***To that end, Member States should not be entitled to receive additional lump sums in respect of persons granted temporary stay on the territory of a Member State under such other humanitarian admission programmes.***’

#### *Amendment*

***(-1) Recital 46 shall be amended as follows:***

‘It is important for enhanced solidarity that the Fund provides, in coordination and in synergy with the humanitarian assistance managed by the Commission where appropriate, additional support to address emergency situations of heavy migratory pressure in Member States or third countries, or in the event of mass influx of displaced persons, pursuant to Council Directive 2001/55/EC<sup>1</sup>, through emergency assistance. Emergency assistance should also include support to ad hoc humanitarian admission programmes aimed at allowing temporary stay on the territory of a Member State in the event of an urgent humanitarian crisis in third countries. However, such other humanitarian admission programmes are without prejudice to, and should not undermine, the Union's resettlement scheme that explicitly aims as from the start to provide a durable solution to persons in need of international protection transferred to the Union from third countries.’

## Amendment 111

### Proposal for a regulation

#### Article 17 – paragraph 1 – point 2 – point a

Regulation (EU) No 516/2014

Article 2 – point a

*Text proposed by the Commission*

(a) 'resettlement' means the admission of third-country nationals *or* stateless persons in need of international protection from a ***third country to which or within which they have been displaced to the territory of one of the Member States*** with a view to granting them international protection;

*Amendment*

(a) 'resettlement' means the ***selection, upon referral from UNHCR or Member States, admission, transfer and protection*** of third-country nationals and stateless persons in need of international protection from a third-country to which they have ***been displaced to a*** Member State with a view to granting them international protection ***and providing them with a durable solution***;

## Amendment 112

### Proposal for a regulation

#### Article 17 – paragraph 1 – point 2 – point b

Regulation (EU) No 516/2014

Article 2 – point ab

*Text proposed by the Commission*

(ab) 'targeted Union resettlement scheme' means a targeted Union resettlement scheme established in accordance with Article ***15(2)*** of [Regulation (EU) No XXX/XXX (Resettlement Framework Regulation)].

*Amendment*

(ab) 'targeted Union resettlement scheme' means a targeted Union resettlement scheme established in accordance with Article ***8*** of [Regulation (EU) No XXX/XXX (Resettlement Framework Regulation)].

## Amendment 113

### Proposal for a regulation

#### Article 17 – paragraph 1 – point 3

Regulation (EU) No 516/2014

Article 17 – title

*Text proposed by the Commission*

Resources for the Union Resettlement Framework

*Amendment*

Resources for the Union Resettlement Framework ***and for national resettlement***

## **Amendment 114**

### **Proposal for a regulation**

#### **Article 17 – paragraph 1 – point 3**

Regulation (EU) No 516/2014

Article 17 – paragraph 1

#### *Text proposed by the Commission*

1. In addition to their allocation calculated in accordance with point (a) of Article 15(1), ***Member States shall receive for each resettled person in accordance with a targeted Union resettlement scheme a lump sum of EUR 10,000.***

#### *Amendment*

1. ***Member States shall***, in addition to their allocation calculated in accordance with point (a) of Article 15(1), ***receive every two years an additional amount as set out in point (b) of Article 15(2) based on a lump sum of EUR 6 000 for each resettled person or admitted under a national humanitarian admission programme. The lump sum shall be increased to EUR 10,000 for each person resettled in accordance with [Regulation (EU) No XXX/XXX (Resettlement Framework Regulation)].***

## **Amendment 115**

### **Proposal for a regulation**

#### **Article 17 – paragraph 1 – point 3**

Regulation (EU) No 516/2014

Article 17 – paragraph 2

#### *Text proposed by the Commission*

2. The ***amount*** referred to in paragraph 1 shall be allocated to the Member States in the individual financing decisions approving their revised national programme in accordance with the procedure laid down in Article 14 of Regulation (EU) 514/2014.

#### *Amendment*

2. The ***amounts*** referred to in paragraph 1 shall be allocated to the Member States in the individual financing decisions approving their revised national programme in accordance with the procedure laid down in Article 14 of Regulation (EU) 514/2014.

## **Amendment 116**

### **Proposal for a regulation**

#### **Article 18 – paragraph 1**

*Text proposed by the Commission*

1. **By 31 December 2018** the Commission shall report to the European Parliament and the Council on the application of this Regulation in the Member States.

*Amendment*

1. **No later than four years after the entry into force of this Regulation**, the Commission shall report to the European Parliament and the Council on the application of this Regulation in the Member States.

**Amendment 117**

**Proposal for a regulation  
Article 18 – paragraph 1 a (new)**

*Text proposed by the Commission*

**Amendment 118**

**Proposal for a regulation  
Article 18 – paragraph 2**

*Text proposed by the Commission*

2. Member States shall provide the Commission and [the European Union Agency for Asylum] with the necessary information for drawing up its report for the purpose of paragraph 1 in addition to the information provided to [the European Union Agency for Asylum] on the number of third-country nationals and stateless persons effectively resettled **on a weekly basis** as laid down in Article 22(3) of [Regulation (EU) No XXX/XXX (Dublin Regulation)].

*Amendment*

**1a. In the report, the Commission shall consider the possibility of using the Union budget to support private sponsorship initiatives.**

*Amendment*

2. Member States shall provide the Commission and [the European Union Agency for Asylum] with the necessary information for drawing up its report for the purpose of paragraph 1 in addition to the information provided to [the European Union Agency for Asylum] on the number of third-country nationals and stateless persons effectively resettled as laid down in Article 22(3) of [Regulation (EU) No XXX/XXX (Dublin Regulation)].

**Amendment 119**

**Proposal for a regulation**

### Article 18 – paragraph 3

#### *Text proposed by the Commission*

3. The European Parliament and the Council shall, on the basis of the proposal of the Commission, taking into account the report referred to in paragraph 1, review this Regulation **by 30 June 2020**.

#### *Amendment*

3. The European Parliament and the Council shall, on the basis of the proposal of the Commission, taking into account the report referred to in paragraph 1, review this Regulation by ... **[18 months] after the submission of the Commission report on the application of this Regulation**.

## EXPLANATORY STATEMENT

Every day 34,000 men, women and children are forced to leave their homes due to conflict, persecution, violence and human rights violations. This figure has risen steadily year on year, resulting in more than 65 million people fleeing for their lives, split two to one between internally displaced people and refugees. An estimated 12.4 million people were displaced in 2015 alone. With ever-rising numbers and no pauses in the conflicts and violence responsible, there is an urgent need for more effective, permanent solutions on a global scale.

### **The Geneva Convention: An international law instrument in the aftermath of 2nd WW**

Following the Second World War, many countries realised that there was a deep need to promote and further establish international law instruments. One of the objectives was to create an international instrument that would ensure that people in need of protection would be granted refuge. In the Geneva Convention of 28 July 1951 Relating to the Status of Refugees, the international community has laid down binding rules of international humanitarian law that delineate who, in what circumstances, is to be treated as a refugee and how they are to be cared for. All EU Member States are signatories to that Convention. Although the European Union as such is not a signatory to the Convention, Article 63(1) EC expressly provides that the common policy on asylum must be adopted in accordance with the 1951 Convention and the 1967 Protocol.

United Nations High Commission for Refugees (UNHCR) was created in 1950, during the aftermath of the Second World War, to help millions of people who had fled or lost their homes. UNHCR serves as the ‘guardian’ of the 1951 Convention and its 1967 Protocol. The UNHCR is a central worldwide actor providing support to countries hosting refugees and assisting States in their policy responses. In order for the European Union to reinforce its work on refugee protection and resettlement, it is critical to build upon the work of UNHCR.

### **Resettlement: one safe and legal pathway for international protection**

The Common European Asylum System, currently under revision, addresses different elements such as increased responsibility sharing for welcoming refugees, reception conditions, common procedures and rules for qualification. However, there is a gap when it comes to addressing the need for safe and legal arrivals to the EU.

Increased and more effective safe and legal routes into the EU have been called for in numerous European Parliament resolutions over the years, as well as by the European Commission, the Council of Europe’s Commissioner for Human Rights, the UN High Commissioner for Refugees, the UN Special Rapporteur on the human rights of migrants, the UN High Commissioner for Human Rights, and many civil society actors. A UN Summit on refugees and migrants, and a refugee summit convened by President Obama in September 2016, also called for safe and legal pathways, including resettlement.

While resettlement shares some similarities with migration pathways, it is a distinct pathway. Resettlement must therefore be recognised as complementary to, and not a replacement of, other legal routes to international protection, including humanitarian visas, extended family reunification, and humanitarian admission programmes.

UNHCR is mandated by its Statute and the UN General Assembly Resolutions to undertake resettlement as one out of three durable solutions. The official definition of “resettlement” in the UNHCR Resettlement Handbook is as follows:

*Resettlement involves the selection and transfer of refugees from a State in which they have sought protection to a third State which has agreed to admit them – as refugees – with permanent residence status. The status provided ensures protection against refoulement and*



*provides a resettled refugee and his/her family or dependants with access to rights similar to those enjoyed by nationals. Resettlement also carries with it the opportunity to eventually become a naturalized citizen of the resettlement country.*

Resettlement is, by design, a tool to provide protection and a durable solution to refugees. It is with this background that the UN High Commissioner for Refugees, the International Organisation for Migration, the European Council on Refugees and Exiles, the International Rescue Committee, Caritas, the Red Cross, Amnesty International and many more stakeholders, mean that linking resettlement with third countries cooperation in migration matters is not a sustainable choice. It moves away from resettlement as a protection tool for the most vulnerable refugees. Resettlement must continue to be based on the needs of the most vulnerable refugees. It is worth noting that UNHCR already views resettlement as the last alternative, meaning that when they assess a case other durable solutions have already been reviewed. Determining geographical priorities based on third countries cooperation in the area of migration and leveraging resettlement to reach foreign policy objectives would therefore de facto jeopardize a humanitarian, needs-based and international protection approach. Similarly, it is essential that the Union framework align with UNHCR when it comes to eligibility criteria used in resettlement programmes.

### **A Union Framework that complements international structures for resettlement**

In order to ensure that the EU framework reinforces global resettlement efforts, as well as upholds international law, resettlement must be underpinned by protection considerations for the persons concerned. A European Union Resettlement Framework should be based on humanitarian needs, contribute to global resettlement needs and alleviate protracted refugee situations. For this reason, the Framework must be aligned with already existing international resettlement structures in order to be complementary to existing efforts, to be able to further increase EU member states participation in resettlement, and most importantly, to actually function on the ground. This will be ensured in the following ways:

- The role of UNHCR as the main institution that refers resettlement cases to Member States is reiterated (Article 10). This does not mean that Member States or other relevant organisations cannot do referrals; it is only stating how resettlement already works on the ground. However, it puts in place safeguards and it avoids duplication of procedures or structures.
- Geographical priorities (Article 4 and 7) should be based on the Global Projected Resettlement Needs publication that UNHCR releases every year. This is where we can find the most thorough assessment of where the needs for resettlement are most urgent in the world, and it should clearly guide the Union Resettlement Framework.
- The role of the High-Level Resettlement Committee should be more clearly aligned with existing structures. Following the Annual Tripartite Consultations on Resettlement (ATRC) the High-Level Resettlement Committee shall meet to outline the main components of the resettlement plan as well as the different resettlement schemes. The membership of the high-level resettlement committee has been broadened in order to ensure more transparency and quality.

### **A Union Framework that increases numbers**

Europe has 23.8% of the world's GDP (OECD data, 2014), yet EU Member States host only around 8% of the world's refugees. This places a disproportionate burden on developing countries, which host the vast majority. 22 European countries resettled 13,040 persons in

2015 (9,629 to 17 EU Member States), with Europe contributing, on average, approximately 10 per cent to global resettlement intakes over the past five years. By contrast, that same year, the U.S. resettled 69,933 refugees.

EU Member States have displayed an unwillingness to create adequate legal and safe pathways of entry into the region. As a result, people on the move continue to be left with no other option but to turn to smugglers and embark on dangerous irregular journeys. If we want to reduce the need for dangerous journeys, reduce loss of lives and reliance on smuggling networks, this will only become a reality when the number of places offered is credible and meaningful. The Union Resettlement Framework should target to resettle at a minimum 25% of the Annual Projected Global Resettlement Needs. In 2017 this would mean approximately 250,000 people.

### **A Union Framework that supports national programmes**

The EU Member States that have running and successful resettlement programmes should be encouraged to continue and to expand, share their experience and pool resources. The EU Member States that are just starting their first resettlement programmes should be given all support necessary for their first experience to be rewarding and positive. The EU Member States that have little or no experience of resettlement need to find a robust structure that can help them get started, which includes an exchange of best practices with other Member States, and operational and technical support including from [The European Union Asylum Agency]. If the Union Resettlement Framework enforces common procedures, eligibility criteria or exclusion grounds also on national programmes, it runs the risk of discouraging national efforts in the field of resettlement.

At the same time it is clear we need to build incentive for Member States to participate in the Union Resettlement Framework. As a balance between these two objectives, it is suggested that Member States keep the EUR 6,000 per resettled person that they receive from AMIF, and keep the raised number of EUR 10,000 per resettled person when Member States choose to resettle under the Union Framework.

### **A Union Framework that provides a durable solution**

The basis of resettlement as a durable solution is that receiving States are expected to provide resettled persons with permanent residence. A one-year or three years residence cannot be seen as a durable solution by anyone. Therefore, it is vital that Member States are able to issue residence permits that are more favourable than those suggested in [the Qualification Regulation]. On this point, it is suggested that Member States may issue residence permits of permanent or unlimited validity on terms that are more favourable as referred to in Article 13 of Council Directive 2003/109/EC, as amended by Directive 2011/51/EU [the Long Term Residence Directive].

### **A Common European Asylum System must have several safe and legal pathways**

Our common asylum system cannot continue to exclusively focus on making it as hard as possible for people fleeing to reach the territory of the European Union. Safe and legal pathways, together with good reception and integration structures, is absolutely vital for a functioning European asylum system. The right to asylum and international law must be respected. It is not a choice that Member States can opt-out of. A robust Union Resettlement Framework that ensures added quality and quantity to already existing European resettlement efforts is one fundamental part of such a system – but must be coupled with other legal pathways as well. The European Union must step up our common efforts and prove that our continent and our Union can take our fair share of the global responsibility.



1.6.2017

## OPINION OF THE COMMITTEE ON FOREIGN AFFAIRS

for the Committee on Civil Liberties, Justice and Home Affairs

on the proposal for a regulation of the European Parliament and of the Council establishing a Union Resettlement Framework and amending Regulation (EU) No 516/2014 of the European Parliament and the Council  
(COM(2016)0468 – C8-0325/2016 – 2016/0225(COD))

Rapporteur: Laima Liucija Andrikiene

### AMENDMENTS

The Committee on Foreign Affairs calls on the Committee on Civil Liberties, Justice and Home Affairs, as the committee responsible, to take into account the following amendments:

#### Amendment 1

##### Proposal for a regulation Recital 7 a (new)

*Text proposed by the Commission*

*Amendment*

***(7a) Relocations and resettlements have been the subject of periodic Commission reports documenting a very slow progress on both relocation and resettlement. Member States should continue delivering on their resettlement commitments.***

#### Amendment 2

##### Proposal for a regulation Recital 8

*Text proposed by the Commission*

*Amendment*

(8) Building on the existing initiatives, a stable and reliable Union Resettlement Framework should be established for the

(8) Building on the existing initiatives, a stable and reliable Union Resettlement Framework should be established for the

resettlement of persons in need of international protection to be implemented in accordance with annual Union resettlement plans and targeted Union resettlement schemes which effectively deliver on Member States' concrete commitments.

resettlement of persons in need of international protection to be implemented in accordance with annual Union resettlement plans and targeted Union resettlement schemes which effectively deliver on Member States' concrete commitments. ***The Union Resettlement Framework should be based on humanitarian needs, contribute to meeting the global resettlement needs and alleviate protracted refugee situations.***

### Amendment 3

#### Proposal for a regulation

##### Recital 9

###### *Text proposed by the Commission*

(9) Such a framework is a necessary part of a well-managed migration policy to ***reduce divergences among*** national resettlement practices and procedures, provide for the legal and safe arrival to the territory of the Member States of third-country nationals and stateless persons in need of international protection, help reduce the risk of a ***large-scale*** irregular inflow of third-country nationals and stateless persons to the territory of the Member States and thereby reducing the pressure of spontaneous arrivals on the Member States' asylum systems, be an expression of solidarity with countries in regions to which or within which a large number of persons in need of international protection has been displaced by helping to alleviate the pressure on those countries, ***help achieve Union's foreign policy objectives by increasing the Union's leverage vis-à-vis*** third countries, and effectively contribute to global resettlement initiatives through speaking with one voice in international fora and with third countries.

###### *Amendment*

(9) Such a framework is a necessary part of a well-managed migration policy to ***increase and complement*** national resettlement practices and procedures, provide for the legal and safe arrival to the territory of the Member States of third-country nationals and stateless persons in need of international protection, help reduce the risk of a ***poorly managed*** irregular inflow of third-country nationals and stateless persons to the territory of the Member States, ***especially of first arrival***, and thereby reducing the pressure of spontaneous arrivals on the Member States' asylum systems, be an expression of solidarity with countries in regions to which or within which a large number of persons in need of international protection has been displaced by helping to alleviate the pressure on those countries, ***enhance cooperation with*** third countries and effectively contribute to global resettlement initiatives through speaking with one voice in international fora and with third countries. ***Together with development actions and policies, resettlement can effectively contribute to decreasing tensions and alleviating protracted refugee situations in third***

*countries.*

#### **Amendment 4**

##### **Proposal for a regulation Recital 10**

*Text proposed by the Commission*

(10) In order to help reduce the risk of *a large-scale* irregular inflow of third-country nationals and stateless persons to the territory of the Member States, show solidarity with countries in regions to which or within which a large number of persons in need of international protection has been displaced by helping to alleviate the pressure on those countries, and help achieve the Union's foreign policy objectives, the regions or third countries from which resettlement is to occur should fit in a tailored engagement with third countries to better manage migration as foreseen in the Commission's Communication of 7 June 2016 on Establishing a new Partnership Framework with third countries under the European Agenda on Migration<sup>32</sup>.

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<sup>32</sup> COM(2016) 377 final.

*Amendment*

(10) In order to help reduce the risk of irregular inflow, ***create genuine prospects of resettlement*** of third-country nationals and stateless persons to the territory of the Member States, show solidarity with countries in regions to which or within which a large number of persons in need of international protection has been displaced by helping to alleviate the pressure on those countries, and help achieve the Union's foreign policy objectives, the regions or third countries from which resettlement is to occur should fit in a tailored ***long-standing*** engagement with third countries to better manage migration as foreseen in the Commission's Communication of 7 June 2016 on Establishing a new Partnership Framework with third countries under the European Agenda on Migration<sup>32</sup>. ***Therefore, partner countries should be prioritised. The overall Union approach should take into account the global resettlement and identified protection needs, including protracted refugee situations.***

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<sup>32</sup> COM(2016) 377 final.

#### **Amendment 5**

##### **Proposal for a regulation Recital 12**

*Text proposed by the Commission*

(12) The common standard procedures should build on the existing resettlement

*Amendment*

(12) The common standard procedures should build on the existing resettlement

experience and standards of the Member States, in particular the *Standard Operating Procedures guiding the implementation of the resettlement scheme with Turkey set out in the EU-Turkey Statement of 18 March 2016*. The Union Resettlement Framework should allow the use of two types of standard resettlement procedures.

experience and standards of the Member States *and United Nations High Commissioner for Refugees (“UNHCR”)*, in particular the *Annual Tripartite Consultations on Resettlement (ATCR)*, *with the aim of gradually scaling up Member States' collective resettlement efforts to match the global resettlement needs as outlined in UNHCR annual Projected Global Resettlement Needs*. The Union Resettlement Framework should allow the use of two types of standard resettlement procedures.

#### *Justification*

*this agreement is still controversial and it should not be considered as a best practice on which build the EU resettlement policy*

### **Amendment 6**

#### **Proposal for a regulation Recital 16**

##### *Text proposed by the Commission*

(16) The resettlement procedure should be concluded as soon as possible in order to *discourage persons in need of international protection to use irregular ways to enter the European Union to seek protection*. At the same time it should ensure that Member States have sufficient time for a full and adequate examination of each case. The time-limits should correspond to what is necessary to make the different types of assessment foreseen for the ordinary and expedited procedure.

##### *Amendment*

(16) The resettlement procedure should be concluded as soon as possible in order to *ensure expedited access to the Union for persons in need of international protection*. At the same time it should ensure that Member States have sufficient time for a full and adequate examination of each case. The time-limits should correspond to what is necessary to make the different types of assessment foreseen for the ordinary and expedited procedure.

### **Amendment 7**

#### **Proposal for a regulation Recital 19 a (new)**

##### *Text proposed by the Commission*

##### *Amendment*

**(19a) *Humanitarian admission should***

*be considered as a complement to Union resettlement programmes.*

## Amendment 8

### Proposal for a regulation

#### Recital 21

*Text proposed by the Commission*

(21) In order to ensure uniform conditions for the implementation of the Union Resettlement Framework, implementing powers should be conferred on the Council for establishing the annual Union resettlement plan, fixing the **maximum total** number of persons to be resettled, the details about the participation of the Member States in the plan and their contributions to the total number of persons to be resettled, **as well as overall geographical priorities**.

*Amendment*

(21) In order to ensure uniform conditions for the implementation of the Union Resettlement Framework, implementing powers should be conferred on the Council for establishing the annual Union resettlement plan, fixing the number of persons to be resettled, the details about the participation of the Member States in the plan and their contributions to the total number of persons to be resettled, **in line with the UNHCR annual Projected Global Resettlement Needs**.

## Amendment 9

### Proposal for a regulation

#### Recital 22

*Text proposed by the Commission*

(22) These powers should be exercised on a proposal from the Commission on the **maximum** total number of persons to be resettled and overall **geographical** priorities. The Commission should make its proposal simultaneously with its proposal on the draft Union annual budget. The Council should aim to adopt the proposal within two months. The Commission and the Council should take into account the discussions within the High-Level Resettlement Committee.

*Amendment*

(22) These powers should be exercised on a proposal from the Commission on the total number of persons to be resettled **through the Union Resettlement Framework** and overall priorities **concerning persons in most urgent need of protection**. The Commission should make its proposal simultaneously with its proposal on the draft Union annual budget. The Council should aim to adopt the proposal within two months. The Commission and the Council should take into account the discussions within the High-Level Resettlement Committee **and align its proposal with the ATCR, with the aim of gradually scaling up Member States' collective resettlement efforts to**



*match the global resettlement needs as outlined in UNHCR annual Projected Global Resettlement Needs.*

## **Amendment 10**

### **Proposal for a regulation Recital 24**

*Text proposed by the Commission*

(24) Each targeted Union resettlement scheme should determine which standard procedural rules should apply to its implementation. It should in addition set out local cooperation arrangements where and as appropriate to facilitate its implementation.

*Amendment*

(24) Each targeted Union resettlement scheme should determine which standard procedural rules should apply to its implementation. It should in addition set out local cooperation arrangements where and as appropriate ***and cooperation arrangements with UNHCR*** to facilitate its implementation.

## **Amendment 11**

### **Proposal for a regulation Recital 27**

*Text proposed by the Commission*

(27) Given the expertise of UNHCR in facilitating the different forms of admission of persons in need of international protection from third countries, to which they have been displaced, to Member States willing to admit them, UNHCR should continue to play a key role in resettlement efforts conducted under the Union Resettlement Framework. In addition to UNHCR, other international ***actors*** such as the International Organisation for Migration (IOM) should be called upon to assist Member States in the implementation of the Union Resettlement Framework.

*Amendment*

(27) Given the expertise of UNHCR in facilitating the different forms of admission of persons in need of international protection from third countries, to which they have been displaced, to Member States willing to admit them, UNHCR should continue to play a key role in resettlement efforts conducted under the Union Resettlement Framework. In addition to UNHCR, other international ***organisations and non-governmental organisations*** such as the International Organisation for Migration (IOM) ***and the Union delegations*** should be called upon to assist Member States in the implementation of the Union Resettlement Framework.

## Amendment 12

### Proposal for a regulation

#### Recital 28

*Text proposed by the Commission*

(28) [The European Union Agency for Asylum] should assist Member States in the implementation of Union Resettlement Framework in accordance with its mandate.

*Amendment*

(28) [The European Union Agency for Asylum] should assist Member States **and cooperate with the related third countries** in the implementation of Union Resettlement Framework in accordance with its mandate, **including by providing practical and technical assistance and operational support**.

## Amendment 13

### Proposal for a regulation

#### Recital 33

*Text proposed by the Commission*

(33) This Regulation respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union and should therefore be applied in a manner consistent with these rights and principles, including as regards the rights of the child, the right to respect for family life and the **general** principle of non-discrimination.

*Amendment*

(33) This Regulation respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union and should therefore be applied in a manner consistent with these rights and principles, including as regards the rights of the child, the right to respect for family life and the principle of non-discrimination.

## Amendment 14

### Proposal for a regulation

#### Article 1 – paragraph 1

*Text proposed by the Commission*

This Regulation establishes a Union Resettlement Framework for the admission of third-country nationals and stateless persons to the territory of the Member States with a view to granting them international protection.

*Amendment*

This Regulation establishes a Union Resettlement Framework for the **selection**, admission **and transfer** of third-country nationals and stateless persons to the territory of the Member States with a view to granting them international protection.

## Amendment 15

### Proposal for a regulation

#### Article 3 – paragraph 3 – point -a (new)

*Text proposed by the Commission*

*Amendment*

***(–a) establish a permanent binding Union framework for the resettlement of third-country nationals and stateless persons who are in need of international protection;***

## Amendment 16

### Proposal for a regulation

#### Article 3 – paragraph 3 – point b

*Text proposed by the Commission*

*Amendment*

(b) contribute to the reduction of the risk of ***a large-scale*** irregular inflow of third-country nationals and stateless persons in need of international protection to the territory of the Member States;

(b) contribute to the reduction of the risk of irregular inflow of third-country nationals and stateless persons in need of international protection to the territory of the Member States;

## Amendment 17

### Proposal for a regulation

#### Article 3 – paragraph 3 – point c a (new)

*Text proposed by the Commission*

*Amendment*

***(ca) create redistributive mechanisms in order to relieve the pressure on third countries hosting large numbers of displaced people, as a gesture of solidarity and responsibility sharing;***

## Amendment 18

### Proposal for a regulation

#### Article 4 – paragraph 1 – point a

*Text proposed by the Commission*

*Amendment*

(a) the number of persons in need of international protection displaced to or within a third country and any onward movement of those persons to the territory of the Member States;

(a) the number of persons in need of international protection displaced to or within a third country, ***its impact on the regional stability of that third country***, and any onward movement of those persons to the territory of the Member States;

**Amendment 19**

**Proposal for a regulation**

**Article 4 – paragraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

(b) complementarity with financial and technical assistance provided to third countries to which or within which persons in need of international protection have been displaced;

(b) complementarity with financial and technical assistance, ***especially aimed at increasing the reception capability and the protection of persons in need of international protection and at developing an effective asylum system to be*** provided to third countries to which or within which persons in need of international protection have been displaced;

**Amendment 20**

**Proposal for a regulation**

**Article 4 – paragraph 1 – point c**

*Text proposed by the Commission*

*Amendment*

(c) ***the Union's overall relations with the third country or countries from which resettlement occurs, and with third countries in general;***

***deleted***

*Justification*

*Instead of being a gesture of solidarity the framework risks instrumentalizing resettlement to exert leverage on these partner countries.*

## Amendment 21

### Proposal for a regulation

#### Article 4 – paragraph 1 – point d

*Text proposed by the Commission*

*Amendment*

*(d) a third country's effective cooperation with the Union in the area of migration and asylum, including:*

*deleted*

*(i) reducing the number of third-country nationals and stateless persons irregularly crossing the border into the territory of the Member States coming from that third country;*

*(ii) creating the conditions for the use of the first country of asylum and safe third country concepts for the return of asylum applicants who have irregularly crossed the border into the territory of the Member States coming from or having a connection with the third country concerned;*

*(iii) increasing the capacity for the reception and protection of persons in need of international protection staying in that country, including through the development of an effective asylum system; or*

*(iv) increasing the rate of readmission of third-country nationals and stateless persons irregularly staying in the territory of the Member States such as through the conclusion and effective implementation of readmission agreements;*

## Amendment 22

### Proposal for a regulation

#### Article 4 – paragraph 1 – point e

*Text proposed by the Commission*

*Amendment*

*(e) the scale and content of commitments to resettlement undertaken by third countries.*

*(e) the scale and content of commitments to resettlement undertaken by **other** third countries.*

## Amendment 23

### Proposal for a regulation

#### Article 5 – paragraph 1 – point a – introductory part

*Text proposed by the Commission*

(a) (i) third-country nationals, who, owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, political opinion or membership of a particular social group, are outside the country of nationality or the part of that country in which they formerly habitually resided, and are unable or, owing to such fear, are unwilling to avail themselves of the protection of that country, or stateless persons, who, being outside of the country of former habitual residence or of the part of that country in which they formerly habitually resided, for the same reasons as mentioned above, are unable or, owing to such fear, unwilling to return to or stay in it, or, failing that,

*Amendment*

(a) (i) third-country nationals, who, owing to a well-founded fear of being persecuted for reasons of race, religion, ***sex, gender identity, sexual orientation***, nationality, political opinion or membership of a particular social group, are outside the country of nationality or the part of that country in which they formerly habitually resided, and are unable or, owing to such fear, are unwilling to avail themselves of the protection of that country, or stateless persons, who, being outside of the country of former habitual residence or of the part of that country in which they formerly habitually resided, for the same reasons as mentioned above, are unable or, owing to such fear, unwilling to return to or stay in it, or, failing that,

## Amendment 24

### Proposal for a regulation

#### Article 5 – paragraph 1 – point b – point i – introductory part

*Text proposed by the Commission*

(i) vulnerable persons:

*Amendment*

(i) vulnerable persons, ***in particular***:

## Amendment 25

### Proposal for a regulation

#### Article 5 – paragraph 1 – point b – point i – indent 2

*Text proposed by the Commission*

– children and adolescents at risk, ***including*** unaccompanied children;

*Amendment*

– children and adolescents at risk, ***in particular*** unaccompanied children;

## Amendment 26

### Proposal for a regulation

#### Article 5 – paragraph 1 – point b – point i – indent 6 a (new)

*Text proposed by the Commission*

*Amendment*

- *persons lacking alternative durable solutions;*

## Amendment 27

### Proposal for a regulation

#### Article 5 – paragraph 1 – point b – point ii – indent 2

*Text proposed by the Commission*

*Amendment*

- the minor children of couples referred to in the first indent or of third-country nationals or stateless persons to be resettled, *on the condition that they are unmarried*, regardless of whether they were born in or out of wedlock or adopted as defined under national law;

- the minor children of couples referred to in the first indent or of third-country nationals or stateless persons to be resettled, regardless of whether they were born in or out of wedlock or adopted as defined under national law;

## Amendment 28

### Proposal for a regulation

#### Article 5 – paragraph 1 – point b – point ii – indent 3

*Text proposed by the Commission*

*Amendment*

- the father, mother or another adult responsible for the *unmarried* minor to be resettled, whether by law or by the practice of the Member State where the adult is present;

- the father, mother or another adult responsible for the minor to be resettled, whether by law or by the practice of the Member State where the adult is present;

## Amendment 29

### Proposal for a regulation

#### Article 5 – paragraph 2

*Text proposed by the Commission*

*Amendment*

Member States shall ensure that family

Member States shall ensure that family

unity can be maintained *between persons referred to in point (b)(ii)*.

unity can be maintained.

### Amendment 30

#### Proposal for a regulation

#### Article 6 – paragraph 1 – point a – point ii

*Text proposed by the Commission*

(ii) they have committed a serious crime;

*Amendment*

(ii) they have committed a serious crime *equivalent to an offence punishable under Member States' criminal law*;

### Amendment 31

#### Proposal for a regulation

#### Article 6 – paragraph 1 – point d

*Text proposed by the Commission*

(d) *persons who have irregularly stayed, irregularly entered, or attempted to irregularly enter the territory of the Member States during the five years prior to resettlement*;

*Amendment*

*deleted*

### Amendment 32

#### Proposal for a regulation

#### Article 6 – paragraph 1 – point e

*Text proposed by the Commission*

(e) persons who have already been resettled by another Member State in the implementation of this Regulation, *the Conclusions of the Representatives of the Governments of the Member States meeting within the Council 11097/15 of 20 July 2015, the EU-Turkey Statement of 18 March 2016, the Commission Recommendation C(2015) 9490 of 15 December 2015*, or a national resettlement scheme; and

*Amendment*

(e) persons who have already been resettled by another Member State in the implementation of this Regulation, or *as part of* a national resettlement scheme; and



### Amendment 33

#### Proposal for a regulation Article 6 – paragraph 2

*Text proposed by the Commission*

*Amendment*

2. *Third-country nationals or stateless persons may be excluded from targeted Union resettlement schemes established in accordance with Article 8, where one of the grounds for exclusion referred to in points (a) or (b) of paragraph 1 applies prima facie.* **deleted**

### Amendment 34

#### Proposal for a regulation Article 7 – paragraph 1

*Text proposed by the Commission*

*Amendment*

1. On the basis of a proposal from the Commission, the Council shall adopt an annual Union resettlement plan in the year preceding that in which it is to be implemented.

1. On the basis of a proposal from the Commission **and in line with the UNHCR Projected Global Resettlement Needs**, the Council shall adopt an annual Union resettlement plan in the year preceding that in which it is to be implemented.

### Amendment 35

#### Proposal for a regulation Article 7 – paragraph 2 – point a

*Text proposed by the Commission*

*Amendment*

(a) the *maximum total* number of persons to be resettled;

(a) the number of persons to be resettled, **in line with the UNHCR Projected Global Resettlement Needs**;

### Amendment 36

#### Proposal for a regulation Article 7 – paragraph 2 – point c

*Text proposed by the Commission*

*Amendment*

(c) overall geographical priorities.

(c) overall ***protection needs and the specific*** geographical priorities, ***in line with the UNHCR Projected Global Resettlement Needs***.

### **Amendment 37**

#### **Proposal for a regulation**

#### **Article 7 – paragraph 2 – point ca (new)**

*Text proposed by the Commission*

*Amendment*

***(ca) benchmarks to monitor and evaluate the effective implementation by Member States.***

### **Amendment 38**

#### **Proposal for a regulation**

#### **Article 8 – paragraph 2 – point b**

*Text proposed by the Commission*

*Amendment*

(b) the precise number of persons to be resettled from the ***maximum total*** number as set out in the annual Union resettlement plan provided for in point (a) of Article 7(2) and details about the participation of the Member States in the targeted Union resettlement scheme;

(b) the precise number of persons to be resettled from the number as set out in the annual Union resettlement plan provided for in point (a) of Article 7(2) and details about the participation of the Member States in the targeted Union resettlement scheme;

### **Amendment 39**

#### **Proposal for a regulation**

#### **Article 8 – paragraph 2 – point d**

*Text proposed by the Commission*

*Amendment*

(d) where necessary, local coordination and practical cooperation arrangements among Member States, supported by the [European Union Agency for Asylum] in accordance with Article 12(3), and with

(d) where necessary, local coordination and practical cooperation arrangements among Member States, supported by the [European Union Agency for Asylum] in accordance with Article 12(3) ***and by the***

third countries, *and* UNHCR or other partners;

*Union Delegations*, and with third countries, UNHCR, *IOM*, *and relevant civil society organisations* or other partners;

#### **Amendment 40**

##### **Proposal for a regulation Article 8 – paragraph 2 – point e**

*Text proposed by the Commission*

(e) a description of the specific group or groups of third-country nationals or stateless persons to whom the targeted Union resettlement scheme shall apply;

*Amendment*

(e) a description of the specific group or groups of third-country nationals or stateless persons *on the basis of the UNHCR Projected Global Resettlement Needs* to whom the targeted Union resettlement scheme shall apply *according to the vulnerability criteria established by UNHCR*;

#### **Amendment 41**

##### **Proposal for a regulation Article 10 – paragraph 1 – subparagraph 2 – point a**

*Text proposed by the Commission*

(a) family links with third-country nationals or stateless persons or Union citizens legally residing in a Member State;

*Amendment*

(a) family links with third-country nationals or stateless persons or Union citizens legally residing in a Member State *but not eligible for family reunification under Council Directive 2003/86/EC<sup>1a</sup>*;

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<sup>1a</sup> *Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification (OJ L 251, 3.10.2003, p. 12).*

#### **Amendment 42**

##### **Proposal for a regulation Article 10 – paragraph 3 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

Member States shall make that assessment on the basis of documentary evidence, including, where applicable, information from UNHCR on whether the third-country nationals or the stateless persons qualify as refugees or on the basis of a personal interview or a combination of both.

Member States shall make that assessment on the basis of documentary evidence, including, where applicable, information from UNHCR, ***IOM, the European Union Agency for Fundamental Rights and relevant civil society organizations*** on whether the third-country nationals or the stateless persons qualify as refugees or on the basis of a personal interview or a combination of both.

#### **Amendment 43**

##### **Proposal for a regulation**

##### **Article 10 – paragraph 8 – subparagraph 2**

*Text proposed by the Commission*

Member States ***may*** also request UNHCR to fully assess whether third-country nationals or stateless persons referred to them by UNHCR qualify as refugees within the meaning of Article 1 of the 1951 Geneva Convention.

*Amendment*

Member States ***shall*** also request UNHCR, ***IOM and relevant civil society organisations*** to fully assess whether third-country nationals or stateless persons referred to them by UNHCR, ***IOM and relevant civil society organisations*** qualify as refugees within the meaning of Article 1 of the 1951 Geneva Convention.

#### **Amendment 44**

##### **Proposal for a regulation**

##### **Article 11 – paragraph 1 – point 2**

*Text proposed by the Commission*

(2) shall not require UNHCR to assess whether the third-country nationals or the stateless persons qualify as refugees within the meaning of Article 1 of the 1951 Geneva Convention;

*Amendment*

(2) shall not require UNHCR, ***IOM, and relevant civil society organizations*** to assess whether the third-country nationals or the stateless persons qualify as refugees within the meaning of Article 1 of the 1951 Geneva Convention;

#### **Amendment 45**

##### **Proposal for a regulation**

##### **Article 12 – paragraph 1**

*Text proposed by the Commission*

1. To facilitate the implementation of the targeted Union resettlement schemes, Member States shall appoint national contact points and may decide to appoint liaison officers in third countries.

*Amendment*

1. To facilitate the implementation of the targeted Union resettlement schemes, Member States shall appoint national contact points and may decide to appoint liaison officers in third countries. ***Member States may be assisted by [the European Union Agency for Asylum] and, where necessary, use existing structures for operational cooperation on resettlement.***

**Amendment 46**

**Proposal for a regulation  
Article 12 – paragraph 3**

*Text proposed by the Commission*

3. To implement targeted Union resettlement schemes, and in particular to conduct pre-departure orientation programmes, fit-to-travel medical checks, travel arrangements and other practical arrangements, Member States may be assisted by partners in accordance with local coordination and practical cooperation arrangements for targeted Union resettlement schemes established in accordance with point (d) of Article 8(2).

*Amendment*

3. To implement targeted Union resettlement schemes, and in particular to conduct pre-departure orientation programmes, fit-to-travel medical checks, travel arrangements and other practical arrangements, Member States may be assisted by partners, ***and in particular the UNHCR and relevant international organisations***, in accordance with local coordination and practical cooperation arrangements for targeted Union resettlement schemes established in accordance with point (d) of Article 8(2).

**Amendment 47**

**Proposal for a regulation  
Article 13 – paragraph 1**

*Text proposed by the Commission*

1. A High-Level Resettlement Committee shall be established, composed of representatives of the European Parliament, the Council, the Commission, the High Representative of the Union for Foreign Affairs and Security Policy, and the Member States. [The European Union

*Amendment*

1. A High-Level Resettlement Committee shall be established, composed of representatives of the European Parliament, the Council, the Commission, the High Representative of the Union for Foreign Affairs and Security Policy, and the Member States. [The European Union

Agency for Asylum,] UNHCR, and IOM *may* be invited. Representatives of Iceland, Liechtenstein, Norway, and Switzerland shall be invited to attend the meetings of the High-Level Resettlement Committee where they have indicated their intention to be associated with the implementation of the annual Union resettlement plan.

Agency for Asylum,] UNHCR, and IOM ***and representatives from relevant civil society organisations shall*** be invited. Representatives of Iceland, Liechtenstein, Norway, and Switzerland shall be invited to attend the meetings of the High-Level Resettlement Committee where they have indicated their intention to be associated with the implementation of the annual Union resettlement plan.

## **Amendment 48**

### **Proposal for a regulation Article 13 – paragraph 2**

#### *Text proposed by the Commission*

2. The High-Level Resettlement Committee shall be chaired by the Commission. It shall meet whenever necessary at the invitation of the Commission or at a request of a Member State and shall meet at least once a year.

#### *Amendment*

2. The High-Level Resettlement Committee shall be chaired by the Commission. It shall meet whenever necessary at the invitation of the Commission or at a request of a Member State and shall meet at least once a year. ***The Commission shall also look out for any indications by the UNHCR or civil society organisations – in particular the relevant international organisations – that resettlement needs have changed.***

## **Amendment 49**

### **Proposal for a regulation Article 18 – paragraph 1**

#### *Text proposed by the Commission*

1. By 31 December 2018 the Commission shall report to the European Parliament and the Council on the application of this Regulation in the Member States.

#### *Amendment*

1. By 31 December 2018, ***and every year thereafter***, the Commission shall report to the European Parliament and the Council on the application of this Regulation in the Member States. ***The Commission shall report to the UNHCR on the contribution of the Union and its Member States towards meeting global resettlement needs.***



## PROCEDURE – COMMITTEE ASKED FOR OPINION

<b>Title</b>	Union Resettlement Framework
<b>References</b>	COM(2016)0468 – C8-0325/2016 – 2016/0225(COD)
<b>Committee responsible</b> Date announced in plenary	LIBE 12.9.2016
<b>Opinion by</b> Date announced in plenary	AFET 12.9.2016
<b>Rapporteur</b> Date appointed	Laima Liucija Andrikiene 4.1.2017
<b>Date adopted</b>	30.5.2017
<b>Result of final vote</b>	+: 40 –: 7 0: 5
<b>Members present for the final vote</b>	Michèle Alliot-Marie, Nikos Androulakis, Petras Auštrevičius, Victor Boștinaru, Klaus Buchner, James Carver, Javier Couso Permuy, Andi Cristea, Arnaud Danjean, Georgios Epitideios, Knut Fleckenstein, Anna Elzbieta Fotyga, Eugen Freund, Michael Gahler, Iveta Grigule, Sandra Kalniete, Janusz Korwin-Mikke, Andrey Kovatchev, Eduard Kukan, Ilhan Kyuchyuk, Ryszard Antoni Legutko, Sabine Lösing, Andrejs Mamikins, Ramona Nicole Mănescu, David McAllister, Tamás Meszerics, Javier Nart, Pier Antonio Panzeri, Demetris Papadakis, Alojz Peterle, Tonino Picula, Julia Pitera, Jozo Radoš, Jordi Solé, Dubravka Šuica, Charles Tannock, Miguel Urbán Crespo, Elena Valenciano
<b>Substitutes present for the final vote</b>	Laima Liucija Andrikiene, Luis de Grandes Pascual, Ana Gomes, Marek Jurek, Antonio López-Istúriz White, David Martin, Norica Nicolai, Soraya Post, Marietje Schaake, Helmut Scholz, Igor Šoltes, Bodil Valero, Marie-Christine Vergiat, Željana Zovko



## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

40	+
ALDE	Petras Auštrevičius, Iveta Grigule, Ilhan Kyuchyuk, Javier Nart, Norica Nicolai, Jozo Radoš, Marietje Schaake, Luis de Grandes Pascual
PPE	Michèle Alliot-Marie, Laima Liucija Andrikienė, Arnaud Danjean, Michael Gahler, Sandra Kalniete, Andrey Kovatchev, Eduard Kukan, Antonio López-Istúriz White, David McAllister, Ramona Nicole Mănescu, Alojz Peterle, Julia Pitera, Željana Zovko, Dubravka Šuica
S&D	Nikos Androulakis, Victor Boștinaru, Andi Cristea, Knut Fleckenstein, Eugen Freund, Ana Gomes, Andrejs Mamikins, David Martin, Pier Antonio Panzeri, Demetris Papadakis, Tonino Picula, Soraya Post, Elena Valenciano
Verts/ALE	Klaus Buchner, Tamás Meszerics, Jordi Solé, Bodil Valero, Igor Šoltes

7	-
ECR	Anna Elżbieta Fotyga, Marek Jurek, Ryszard Antoni Legutko, Charles Tannock
EFDD	James Carver
NI	Georgios Epitideios, Janusz Korwin-Mikke

5	0
GUE/NGL	Javier Couso Permuy, Sabine Lösing, Helmut Scholz, Miguel Urbán Crespo, Marie-Christine Vergiat

Key to symbols:

+ : in favour

- : against

0 : abstention

25.4.2017

## OPINION OF THE COMMITTEE ON BUDGETS

for the Committee on Civil Liberties, Justice and Home Affairs

on the proposal for a regulation of the European Parliament and of the Council establishing a Union Resettlement Framework and amending Regulation (EU) No 516/2014 of the European Parliament and the Council  
(COM(2016)0468 – C8-0325/2016 – 2016/0225(COD))

Rapporteur: Gérard Deprez

### SHORT JUSTIFICATION

The rapporteur is of the opinion that the EU is in urgent need of an integrated, sustainable migration policy, based on solidarity and fair burden-sharing between all Member States. He believes that the creation of legal ways to seek refuge in Europe could avoid tragic deaths in the Mediterranean Sea and break down the business model of migrant smugglers.

The rapporteur supports linking the proposed recast of the ‘Dublin regulation’<sup>1</sup> to the present proposal, so that the number of resettled persons is added to the number of applications for international protection for the purpose of calculating the corrective allocation mechanism. The rapporteur is also in favour of establishing a link with the recast Eurodac regulation<sup>2</sup> so that data on resettled persons will be stored in the Eurodac system.

In terms of its budgetary implications, despite the absence of a well-defined quota of persons to be resettled in the proposal, the rapporteur wishes that these resettlement plans should be ambitious and that the means necessary for their implementation be made available.

The rapporteur welcomes the proposal to allocate EUR 10,000 from the Union budget to Member States for each resettled person, to be paid from AMIF, on the basis of Union resettlement plans adopted on an annual basis by the Council. The rapporteur understands the removal of co-financing from the EU budget for resettlement under national resettlement programs with a view to ensure the necessary funding of these European resettlement programs.

Finally, the rapporteur wishes to emphasize that both arms of the Budgetary Authority must have full information on the financial implications of the next annual resettlement plan at the

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<sup>1</sup> COM(2016)0270 final

<sup>2</sup> COM(2016)0272 final

time of the presentation of the proposal on the draft Union annual budget for the following year.

## AMENDMENTS

The Committee on Budgets calls on the Committee on Civil Liberties, Justice and Home Affairs, as the committee responsible, to take into account the following amendments:

### Amendment 1

#### Proposal for a regulation

##### Recital -1 (new)

*Text proposed by the Commission*

*Amendment*

***(-1) The European Project has always been based on the promotion of the values of democracy, the rule of law and human rights.***

### Amendment 2

#### Proposal for a regulation

##### Recital -1 a (new)

*Text proposed by the Commission*

*Amendment*

***(-1a) Migration management is a shared responsibility.***

### Amendment 3

#### Proposal for a regulation

##### Recital 12

*Text proposed by the Commission*

*Amendment*

(12) The common standard procedures should build on the existing resettlement experience and standards of the Member States, in particular the Standard Operating Procedures guiding the implementation of the resettlement scheme with Turkey set out in the EU-Turkey Statement of 18 March 2016. The Union Resettlement

(12) The common standard procedures should build on the existing resettlement experience and standards of the ***UNHCR***, ***the*** Member States, ***and*** in particular the Standard Operating Procedures guiding the implementation of the resettlement scheme with Turkey set out in the EU-Turkey Statement of 18 March 2016. The Union

Framework should allow the use of two types of standard resettlement procedures.

Resettlement Framework should allow the use of two types of standard resettlement procedures.

*Justification*

*The existing international arrangements that rely on UNHCR should be taken into account.*

**Amendment 4**

**Proposal for a regulation**

**Recital 13**

*Text proposed by the Commission*

(13) Both types of procedure consist of the following stages: identification, registration, assessment and decision.

*Amendment*

(13) Both types of procedure consist of the following stages: identification, registration, assessment and decision, **and should be implemented in close cooperation with the UNHCR.**

*Justification*

*UNHCR has a lot of expertise and experience in the field of resettlement that should be utilized as much as possible.*

**Amendment 5**

**Proposal for a regulation**

**Recital 17**

*Text proposed by the Commission*

(17) Any personal data collected for the purpose of the resettlement procedure should be stored for a maximum period of five years from the date of resettlement. Given that third-country nationals or stateless persons who have already been resettled by one Member State or who during the last five years refused to resettle to a Member State should be **excluded from** resettlement to another Member State, that period should be considered a necessary period for the storage of personal details, including fingerprints and facial images.

*Amendment*

(17) Any personal data collected for the purpose of the resettlement procedure should be stored for a maximum period of five years from the date of resettlement. Given that third-country nationals or stateless persons who have already been resettled by one Member State or who during the last five years refused to resettle to a Member State should be **ineligible for** resettlement to another Member State, that period should be considered a necessary period for the storage of personal details, including fingerprints and facial images.

### *Justification*

*Exclusion in the context of international refugee protection refers to individuals undeserving of international protection. Ineligibility would be a better term.*

## **Amendment 6**

### **Proposal for a regulation**

#### **Recital 18**

##### *Text proposed by the Commission*

(18) The choice of the resettlement procedure should be made for each targeted Union resettlement scheme. An expedited procedure might be warranted on humanitarian grounds or in case of urgent legal or physical protection needs.

##### *Amendment*

(18) The choice of the resettlement procedure should be made for each targeted Union resettlement scheme ***in close cooperation with the UNHCR***. An expedited procedure might be warranted on humanitarian grounds or in case of urgent legal or physical protection needs.

### *Justification*

*UNHCR has a lot of expertise and experience in the field of resettlement that should be utilized as much as possible.*

## **Amendment 7**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1**

##### *Text proposed by the Commission*

This Regulation establishes a Union Resettlement Framework for the admission of third-country nationals and stateless persons to the territory of the Member States with a view to granting them international protection.

##### *Amendment*

This Regulation establishes a Union Resettlement Framework for the admission of third-country nationals and stateless persons to the territory of the Member States ***that choose to participate in the resettlement scheme*** with a view to granting them international protection.

### *Justification*

*Participation to the Framework should be voluntary as the purpose of resettlement is to provide protection and a durable solution. The Member States know best, how many persons they can truly provide protection to and integrate into their societies. The lump sum of 10 000 euros from AMIF only covers the initial costs of resettlement.*

## **Amendment 8**

**Proposal for a regulation**  
**Article 5 – paragraph 2**

*Text proposed by the Commission*

Member States shall ensure that family unity can be maintained *between persons referred to in point (b)(ii)*.

*Amendment*

Member States shall ensure that family unity can be maintained *in accordance with Article 25 of Regulation (EU) 2017/... of the European Parliament and of the Council<sup>1a</sup>* .

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*<sup>1a</sup> Regulation (EU) 2017/... of the European Parliament and the Council on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection and for the content of the protection granted and amending Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents (OJ ...).*

*Justification*

*The proposed Qualification Directive clarifies the rights of family members of a beneficiary of international protection.*

**Amendment 9**

**Proposal for a regulation**  
**Article 6 – title**

*Text proposed by the Commission*

*Grounds for exclusion*

*Amendment*

*Ineligibility*

*Justification*

*Exclusion in the context of international refugee protection refers to individuals undeserving of international protection. Ineligibility would be a better term.*

**Amendment 10**

**Proposal for a regulation**

## Article 6 – paragraph 1 – introductory part

*Text proposed by the Commission*

1. The following third-country nationals or stateless persons shall be ***excluded from*** targeted Union resettlement schemes established in accordance with Article 8:

*Amendment*

1. The following third-country nationals or stateless persons shall be ***ineligible for*** targeted Union resettlement schemes established in accordance with Article 8:

*Justification*

*Exclusion in the context of international refugee protection refers to individuals undeserving of international protection. Ineligibility would be a better term.*

## Amendment 11

### Proposal for a regulation

#### Article 6 – paragraph 1 – point a – introductory part

*Text proposed by the Commission*

(a) persons for whom there are ***reasonable grounds*** for considering that:

*Amendment*

(a) persons for whom there are ***serious reasons*** for considering that:

*Justification*

*1951 Geneva Convention uses the expression "serious reasons for considering".*

## Amendment 12

### Proposal for a regulation

#### Article 7 – paragraph 1

*Text proposed by the Commission*

1. On the basis of a proposal from the Commission, the Council shall adopt an annual Union resettlement plan in the year preceding that in which it is to be implemented.

*Amendment*

1. On the basis of a proposal from the Commission, the Council shall adopt an annual Union resettlement plan in the year preceding that in which it is to be implemented ***that shall apply to those Member States that choose to participate in the resettlement for the following year.***

*Justification*

*Participation to the Framework should be voluntary.*

## Amendment 13

### Proposal for a regulation

#### Article 7 – paragraph 2 – point b

*Text proposed by the Commission*

(b) details about the *participation of the Member States* in the annual Union resettlement plan and their contributions to the total number of persons to be resettled;

*Amendment*

(b) details about the *Member States that choose to participate* in the annual Union resettlement plan and their *voluntary* contributions to the total number of persons to be resettled;

#### *Justification*

*Participation to the Framework should be voluntary. Increasing resettlement of refugees in Europe and enhancing cooperation regarding resettlement is important, but Member States shouldn't be obliged to resettle a certain share of the persons to be resettled to the EU.*

## Amendment 14

### Proposal for a regulation

#### Article 8 – paragraph 2 – point b

*Text proposed by the Commission*

(b) the precise number of persons to be resettled from the maximum total number as set out in the annual Union resettlement plan provided for in point (a) of Article 7(2) and details about the *participation of the Member States* in the targeted Union resettlement scheme;

*Amendment*

(b) the precise number of persons to be resettled from the maximum total number as set out in the annual Union resettlement plan provided for in point (a) of Article 7(2) and details about the *Member States that choose to participate* in the targeted Union resettlement scheme;

#### *Justification*

*Participation to the Framework should be voluntary. The Member States should be able to decide, how many persons they resettle, instead of an obligation to resettle a certain share of the persons to be resettled to the EU.*

## Amendment 15

### Proposal for a regulation

#### Article 17 – paragraph 1 – point 3

Regulation EU No 516/2014

Article 17 – paragraph 1



*Text proposed by the Commission*

1. In addition to their allocation calculated in accordance with point (a) of Article 15(1), Member States shall receive for each resettled person in accordance with a targeted Union resettlement scheme a lump sum of EUR 10,000.

*Amendment*

1. In addition to their allocation calculated in accordance with point (a) of Article 15(1), Member States shall receive for each resettled person in accordance with a targeted Union resettlement scheme a lump sum of EUR 10,000. ***All financial resources allocated are addressed to resettlement purposes and not other actions financed by Regulation (EU) No 516/2014, such as funding of Immigration Detention Centres.***

## PROCEDURE – COMMITTEE ASKED FOR OPINION

<b>Title</b>	Union Resettlement Framework
<b>References</b>	COM(2016)0468 – C8-0325/2016 – 2016/0225(COD)
<b>Committee responsible</b> Date announced in plenary	LIBE 12.9.2016
<b>Opinion by</b> Date announced in plenary	BUDG 12.9.2016
<b>Rapporteur</b> Date appointed	Gérard Deprez 31.8.2016
<b>Date adopted</b>	24.4.2017
<b>Result of final vote</b>	+: 25 –: 4 0: 1
<b>Members present for the final vote</b>	Lefteris Christoforou, Gérard Deprez, José Manuel Fernandes, Eider Gardiazabal Rubial, Ingeborg Gräßle, Bernd Kölmel, Zbigniew Kuźmiuk, Clare Moody, Siegfried Mureşan, Jan Olbrycht, Paul Rübig, Petri Sarvamaa, Jordi Solé, Patricija Šulin, Monika Vana, Daniele Viotti, Tiemo Wölken, Marco Zanni, Stanisław Żółtek
<b>Substitutes present for the final vote</b>	Nicola Caputo, Ivana Maletić, Pier Antonio Panzeri, Nils Torvalds, Marco Valli, Derek Vaughan, Rainer Wieland, Tomáš Zdechovský
<b>Substitutes under Rule 200(2) present for the final vote</b>	Inés Ayala Sender, Karin Kadenbach, Ramón Luis Valcárcel Siso

## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

25	+
ALDE	Gérard Deprez, Nils Torvalds
ECR	Zbigniew Kuźmiuk
EFDD	Marco Valli
PPE	Lefteris Christoforou, José Manuel Fernandes, Ingeborg Gräßle, Ivana Maletić, Siegfried Mureşan, Jan Olbrycht, Paul Rübig, Petri Sarvamaa, Patricija Šulin, Ramón Luis Valcárcel Siso, Rainer Wieland, Tomáš Zdechovský
S&D	Inés Ayala Sender, Nicola Caputo, Eider Gardiazabal Rubial, Karin Kadenbach, Clare Moody, Pier Antonio Panzeri, Derek Vaughan, Daniele Viotti, Tiemo Wölken

4	-
ECR	Bernd Kölmel
ENF	Marco Zanni, Stanisław Żółtek
Verts/ALE	Monika Vana

1	0
Verts/ALE	Jordi Solé

**Key to symbols:**

+ : in favour

- : against

0 : abstention

## PROCEDURE – COMMITTEE RESPONSIBLE

<b>Title</b>	Union Resettlement Framework			
<b>References</b>	COM(2016)0468 – C8-0325/2016 – 2016/0225(COD)			
<b>Date submitted to Parliament</b>	13.7.2016			
<b>Committee responsible</b> Date announced in plenary	LIBE 12.9.2016			
<b>Committees asked for opinions</b> Date announced in plenary	AFET 12.9.2016	DEVE 12.9.2016	BUDG 12.9.2016	EMPL 12.9.2016
<b>Not delivering opinions</b> Date of decision	DEVE 7.9.2016	EMPL 1.9.2016		
<b>Rapporteurs</b> Date appointed	Malin Björk 7.11.2016			
<b>Discussed in committee</b>	8.9.2016			
<b>Date adopted</b>	12.10.2017			
<b>Result of final vote</b>	+	37		
	-	20		
	0	2		
<b>Members present for the final vote</b>	Asim Ahmedov Ademov, Jan Philipp Albrecht, Gerard Batten, Heinz K. Becker, Malin Björk, Michał Boni, Caterina Chinnici, Rachida Dati, Frank Engel, Cornelia Ernst, Raymond Finch, Lorenzo Fontana, Kinga Gál, Ana Gomes, Nathalie Griesbeck, Sylvie Guillaume, Monika Hohlmeier, Sophia in 't Veld, Dietmar Köster, Barbara Kudrycka, Cécile Kashetu Kyenge, Marju Lauristin, Juan Fernando López Aguilar, Monica Macovei, Roberta Metsola, Claude Moraes, József Nagy, Soraya Post, Judith Sargentini, Birgit Sippel, Branislav Škripek, Csaba Sógor, Traian Ungureanu, Bodil Valero, Marie-Christine Vergiat, Udo Voigt, Kristina Winberg, Tomáš Zdechovský, Auke Zijlstra			
<b>Substitutes present for the final vote</b>	Carlos Coelho, Ignazio Corrao, Gérard Deprez, Anna Hedh, Marek Jurek, Sylvia-Yvonne Kaufmann, Ska Keller, Jeroen Lenaers, Andrejs Mamikins, Barbara Spinelli, Anders Primdahl Vistisen			
<b>Substitutes under Rule 200(2) present for the final vote</b>	Beatriz Becerra Basterrechea, Francesc Gambús, Czesław Hoc, Christelle Lechevalier, Olle Ludvigsson, Maria Noichl, Stanisław Ożóg, José Ignacio Salafranca Sánchez-Neyra, Lieve Wierinck			

## FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

37	+
ALDE	Beatriz Becerra Basterrechea, Gérard Deprez, Nathalie Griesbeck, Sophia in 't Veld, Lieve Wierinck,
EFDD	Ignazio Corrao
GUE/NGL	Malin Björk, Cornelia Ernst, Barbara Spinelli, Marie-Christine Vergiat
PPE	Asim Ahmedov Ademov, Michał Boni, Carlos Coelho, Frank Engel, Francesc Gambús, Jeroen Lenaers, Roberta Metsola, José Ignacio Salafranca Sánchez-Neyra
S&D	Caterina Chinnici, Ana Gomes, Sylvie Guillaume, Anna Hedh, Sylvia-Yvonne Kaufmann, Cécile Kashetu Kyenge, Dietmar Köster, Marju Lauristin, Olle Ludvigsson, Juan Fernando López Aguilar, Andrejs Mamikins, Claude Moraes, Maria Noichl, Soraya Post, Birgit Sippel
Verts/ALE	Jan Philipp Albrecht, Ska Keller, Judith Sargentini, Bodil Valero

20	-
ECR	Czesław Hoc, Marek Jurek, Monica Macovei, Stanisław Ożóg, , Branislav Škripek, Anders Primdahl Vistisen
EFDD	Gerard Batten, Raymond Finch, Kristina Winberg
ENF	Lorenzo Fontana, Christelle Lechevalier, Auke Zijlstra
NI	Udo Voigt
PPE	Heinz K. Becker, Rachida Dati, Kinga Gál, Monika Hohlmeier, Csaba Sógor, Traian Ungureanu, Tomáš Zdechovský

2	0
PPE	Barbara Kudrycka, József Nagy

Key to symbols:

+ : in favour

- : against

0 : abstention