

## COUNCIL OF THE EUROPEAN UNION

Brussels, 6 July 2012

12090/12

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**LIMITE** 

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#### **NOTE**

from: Presidency

to: Permanent Representatives Committee (Part II)

On: 11 July 2012

No. prev. doc.: 11466/12 ASILE 97 CODEC 1686 No. Cion prop.: 11214/11 ASILE 46 CODEC 981

Subject: Amended proposal for a Directive of the European Parliament and of the Council

laying down standards for the reception of asylum seekers (recast) [First reading]

- Analysis of draft compromise text resulting from the fifth trilogue with a view to

a possible agreement

### Introduction

The fifth trilogue on the recast of the Reception Conditions Directive took place on 27 June 2012. The former Danish Presidency has conducted the negotiations on the basis of the negotiating mandate the Committee of Permanent Representatives endorsed on 21 March 2012 and in light of the further guidance given on 14 June. The result of the trilogue is reflected in the fourth column of the table which appears in the annex.

#### Compromise package

The result of the fifth trilogue is an overall compromise package containing the elements below.

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1. Concerning the <u>special reception needs of vulnerable persons</u>, the European Parliament insists on deleting in Article 22 the word "concerned". The Parliament fears that this word could result in Member States limiting assessments on special reception needs. In this context also recital (14) is modified so as to refer to the reception of "persons with special reception needs" instead of to "groups with special reception needs".

In return, the Parliament would be able to accept in Article 22 a new paragraph 2 which specifies that the assessment needs not take the form of an administrative procedure, as well as that the assessment needs to be executed "within a reasonable period of time after an application for international protection". Moreover, the Parliament could accept the Council text for Article 11(1) on detention of vulnerable persons as well as the provision in Article 11(2) that unaccompanied minors "shall only be detained in exceptional circumstances" not insisting anymore that unaccompanied minors shall never be detained.

- 2. Concerning the provisions on <u>detention</u>, the package contains compromises on provisions regarding grounds for detention, the review of a detention order and the detention of applicants for asylum and other third country nationals.
  - As regards the <u>detention grounds</u> contained in Article 8(3)(d), the first ground on persons that apply for asylum after having been apprehended for illegal stay would be deleted while the second ground would be further specified in two ways, firstly, that removal must be done under the Return Directive and, secondly, that Member States must substantiate on the basis of objective criteria that reasonable ground exist to believe that the applicant only makes the application to frustrate removal. In this context, the Presidency notes that the word "already" is deleted for the phrase "when he/she is already detained subject to a return procedure".

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- On the basis of the compromise on Article 9(2) concerning the review of the detention order made by administrative authorities, Member States are allowed a judicial review *ex officio* and/or on the request of the applicant for asylum. With a view to underlining that the applicant has a right to an effective remedy, the provision in paragraph 3 requiring a Member State to immediately inform an applicant about the reasons for detention, the procedures for challenging the detention order and the possibility to request free legal assistance and representation, is transferred to paragraph 2. In addition it is specified that this information needs to be given in writing.
- As regards Article 10(1), the Parliament would be able to accept that <u>applicants for</u> asylum in detention shall be "as far as possible" accommodated separately from other <u>third country nationals</u>.
- 3. Concerning Article 15 on access to the labour market, the Parliament would be ready to accept the Council text with as only amendment an access period of 9 months instead of 12 months. Moreover, the Parliament would accept not to refer in recital (19) to the examination period laid down in the Asylum Procedures Directive.
- 4. Article 20 on <u>reduction or withdrawal of material reception conditions</u> and the corresponding recital (21) would remain as presented to the Committee of Permanent Representatives on 21 June.
- 5. The Parliament would be able to accept inserting the phrase "in so far as such aid is necessary to ensure <u>effective access to justice</u>" in Article 26(2).
- 6. Parliament would be able to accept the Council text on monitoring and reporting laid down in Article 28 and the Annex giving up on more frequent and more extensive <u>reporting</u> obligations.

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#### Conclusion

The Presidency is convinced that the compromise suggestions which result from the fifth trilogue is a balanced package that deserves the support of Council, in particular in light of the European Council's commitment to establish a Common European Asylum System by 2012. Against that background, the Presidency invites the Committee of Permanent Representatives to examine the compromise package with a view to mandating him to inform the representatives of the European Parliament that the Council can give its endorsement. Provided that the LIBE Committee also supports the package, the LIBE Chair will then be in a position to inform the Chair of the Committee of Permanent Representatives that he will recommend that the Council Position in first reading be accepted without amendments in Parliament's second reading.

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# Amended proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL laying down standards for the reception of asylum seekers (Recast)

The columns of the table reflect respectively:

- 1. the amended Commission proposal of 7 June 2011.
- 2. the "European Parliament's additional considerations" which are based upon its first reading position on the <u>initial</u> Commission proposal and the amendments of the approach of the LIBE rapporteur and the shadow rapporteurs on the <u>amended</u> Commission proposal. The differences between the EP additional considerations and the amended Commission proposal are indicated in *bold italics* whereby lawyer-linguistic changes are indicated in *italics* only.
- 4. the compromise package resulting from the fifth trilogue on 27 June 2012 (changes to the Council Position are indicated in **bold**).

Amended proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL laying down standards for the reception of asylum seekers (Recast)

Commission Proposal	EP text	Council Position	Compromise package
revised Com proposal (doc 11214/11)			resulting from 5th trilogue
2008/0244 (COD)		2008/0244 (COD)	
Amended proposal for a		Amended proposal for a	Identical
DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL		DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	
laying down standards for the reception of asylum seekers  (Recast)		laying down minimum standards for the reception of asylum seekers (Recast)	

			Identical
THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION, Having regard to the Treaty on the Functioning of the European Union, and in particular point 2(f) of Article 78 thereof, Having regard to the proposal from the European Commission, Having regard to the opinion of the European Economic and Social Committee <sup>1</sup> , Having regard to the opinion of the Committee of the Regions <sup>2</sup> ,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION, Having regard to the Treaty on the Functioning of the European Union, and in particular point 2(f) of Article 78 thereof, Having regard to the proposal from the European Commission, Having regard to the opinion of the European Economic and Social Committee,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION, Having regard to the ☑ Treaty on the Functioning of the European Union ☑, and in particular ☑ point 2(f) of Article 78 ☑ thereof, Having regard to the proposal from the European Commission, Having regard to the opinion of the European Economic and Social Committee³, Having regard to the opinion of the Committee of the Regions⁴, Acting in accordance with the	Identical
Acting in accordance with the ordinary	Having regard to the opinion	Acting in accordance with the	
Acting in accordance with the ordinary legislative procedure,	·	Acting in accordance with the ordinary legislative procedure,	
Whereas:	of the Committee of the Regions,		

OJ C , , p. . OJ C , , p. . OJ C , , p. . OJ C , , p. .

		Acting in accordance with the ordinary legislative procedure, Whereas:	Whereas:	
(1)	A number of substantive changes are to be made to Council Directive 2003/9/EC of 27 January 2003 laying down minimum standards for the reception of asylum seekers <sup>1</sup> . In the interests of clarity, that Directive should be recast.	(1) A number of substantive changes are to be made to Council Directive 2003/9/EC of 27 January 2003 laying down minimum standards for the reception of asylum seekers. In the interests of clarity, that Directive should be recast.	(1) A number of substantive changes are to be made to Council Directive 2003/9/EC of 27 January 2003 laying down minimum standards for the reception of asylum seekers <sup>2</sup> . In the interests of clarity, that Directive should be recast.	Identical
(2)	A common policy on asylum, including a Common European Asylum System, is a constituent part of the European Union's objective of progressively establishing an area of freedom, security and justice open to those who, forced by circumstances, legitimately seek protection in the   including a Common Union's objective of progressively establishing an area of freedom, security and justice open to those who, forced by circumstances, legitimately seek protection in the  including a Common European Union's objective of progressively establishing an area of freedom, security and justice open to those who, forced by circumstances, legitimately seek protection in the objective of progressively establishing an area of freedom, security and justice open to those who, forced by circumstances, legitimately seek protection in the objective of progressively establishing an area of freedom, security and justice open to those who, forced by circumstances, legitimately seek protection in the objective of progressively establishing an area of freedom, security and justice open to those who, forced by circumstances, legitimately seek protection in the objective open of those who, forced by circumstances, legitimately seek protection in the objective open of the objective open of those who, forced by circumstances, legitimately seek protection in the objective open open open open open open open ope	asylum, including a	(2) A common policy on asylum, including a Common European Asylum System, is a constituent part of the European Union's objective of progressively establishing an area of freedom, security and justice open to those who, forced by circumstances, legitimately seek protection in the ⊠ European Union ⊠ Community. ➡ It should be governed by the principle of	Identical

OJ L 31, 6.2.2003, p. 18. OJ L 31, 6.2.2003, p. 18.

responsibility, including its financial implications, between the Member States. ←	legitimately seek protection in the European Union. It should be governed by the principle of solidarity and fair sharing of responsibility, including its financial implications, between the Member States.	solidarity and fair sharing of responsibility, including its financial implications, between the Member States.	
(3) At its special meeting in Tampere on 15 and 16 October 1999, the European Council agreed to work towards establishing a Common European Asylum System, based on the full and inclusive application of the Geneva Convention relating to the Status of Refugees of 28 July 1951, as supplemented by the New York Protocol of 31 January 1967, thus maintaining the principle of non-refoulement. ➡ The first phase of a Common European Asylum System was achieved through the adoption of relevant legal instruments foreseen in the Treaties, including Directive 2003/9/EC. ⇐	in Tampere on 15 and 16 October 1999, the European Council agreed to work towards establishing a Common European Asylum System, based on the full and inclusive application of the Geneva Convention relating to the Status of Refugees of 28 July 1951, as supplemented by the New York Protocol of 31 January 1967, thus maintaining the principle of non-refoulement. The first phase of a Common European Asylum	At its special meeting in Tampere on 15 and 16 October 1999, the European Council agreed to work towards establishing a Common European Asylum System, based on the full and inclusive application of the Geneva Convention relating to the Status of Refugees of 28 July 1951, as supplemented by the New York Protocol of 31 January 1967, thus maintaining the principle of non-refoulement. ➡ The first phase of a Common European Asylum System was achieved through the adoption of relevant legal instruments foreseen in the Treaties, including Directive	Identical

	System was achieved through the adoption of relevant legal instruments foreseen in the Treaties, including Directive 2003/9/EC.	2003/9/EC. ←	
The Tampere Conclusions  provide that a Common  European Asylum System  should include, in the short  term, common minimum		The Tampere Conclusions  provide that a Common  European Asylum System  should include, in the short  term, common minimum	
eonditions of reception of asylum seekers.		eonditions of reception of asylum seekers.	
The establishment of minimum standards for the reception of asylum seekers is a further step towards a European asylum policy.		The establishment of minimum standards for the reception of asylum seekers is a further step towards a European asylum policy.	
(4) The European Council, at its meeting of 4 November 2004, adopted The Hague Programme which set the objectives to be implemented in the area of freedom, security and justice in	(4) The European Council, at its meeting of 4 November 2004, adopted The Hague Programme which set the objectives to be	(4) The European Council, at its meeting of 4 November 2004, adopted The Hague Programme which set the objectives to be implemented in the area of freedom, security	Identical

	the period 2005-2010. In this respect, The Hague Programme invited the European Commission to conclude the evaluation of the first-phase instruments and to submit the second-phase instruments and measures to the Council and the European Parliament.	implemented in the area of freedom, security and justice in the period 2005-2010. In this respect, The Hague Programme invited the European Commission to conclude the evaluation of the first-phase instruments and to submit the second-phase instruments and measures to the Council and the European Parliament.	and justice in the period 2005-2010. In this respect, The Hague Programme invited the European Commission to conclude the evaluation of the first-phase instruments and to submit the second-phase instruments and measures to the Council and the European Parliament.	
(5)	The European Council at its meeting of 10-11 December 2009 adopted the Stockholm programme which reconfirmed the commitment to establishing a common area of protection and solidarity based on a common asylum procedure and a uniform status for those granted international protection based on high protection standards and fair and effective procedures by 2012. The Stockholm Programme further provides that it is crucial that individuals, regardless of the Member State in which their application for asylum is made,	(5) The European Council at its meeting of 10-11 December 2009 adopted the Stockholm programme which reconfirmed the commitment to establishing a common area of protection and solidarity based on a common asylum procedure and a uniform status for those granted international protection based on high protection standards and fair and	(5) The European Council at its meeting of 10-11 December 2009 adopted the Stockholm programme which reconfirmed the commitment to establishing a common area of protection and solidarity based on a common asylum procedure and a uniform status for those granted international protection based on high protection standards and fair and effective procedures by 2012. The Stockholm Programme further provides that it is crucial that individuals, regardless of the Member State in which their	Identical

are offered an equivalent le treatment as regards reconditions.		are offered an equivalent level of treatment as regards reception conditions.	
European Asylum Su Office, established by Regu (EU) No 439/2010 of European Parliament and Council <sup>1</sup> , should be mobili- provide adequate support Member States' efforts relat the implementation of standards set in the second	the poort to the poort ation the European Asylum Support Office, established by Regulation (EU) No the A39/2010 of the European Parliament the phase should be mobilised to provide adequate support to the Member	Refugee Fund and of the European Asylum Support Office, established by Regulation (EU) No 439/2010 of the European Parliament and of the Council <sup>2</sup> , should be mobilised to provide adequate support to the Member States' efforts relating to the implementation of the standards set in the second phase of the Common European Asylum System, in particular to those Member	Identical

OJ L 132, 29.5.2010, p.11. OJ L 132, 29.5.2010, p.11.

their asylum systems, due in particular to their geographical or demographic situation.	the second phase of the Common European Asylum System, in particular to those Member States which are faced with specific and disproportionate pressures on their asylum systems, due in particular to their geographical or demographic situation.	specific and disproportionate pressures on their asylum systems, due in particular to their geographical or demographic situation.	
	(6a) In order to cover improvements in standards for the reception of asylum seekers there should be a proportionate increase in the funds made available by the European Union in order to provide adequate support for the costs of such improvements, especially in the case of Member States which are facing specific and disproportionate pressures on their asylum systems, due in		EP AM not included

	particular to their geographical or demographic situation.		
	(6b) Article 80 of the Treaty on the Functioning of the European Union provides that the policies of the Union set out in the Chapter on border checks, asylum and immigration and their implementation are to be governed by the principle of solidarity and fair sharing of responsibility, including its financial implications, between the Member States, and that, whenever necessary, Union acts under the said Chapter are to contain appropriate measures to give effect to that principle.		EP AM not included
(7) In the light of the results of the evaluations undertaken on the implementation of the first phase instruments, it is appropriate, at	(7) In the light of the results of the evaluations undertaken on the implementation	(7) In the light of the results of the evaluations undertaken on the implementation of the first phase instruments, it is	Identical

	this stage, to confirm the principles underlying Directive 2003/9/EC with a view to ensuring improved reception conditions for asylum seekers.	of the first phase instruments, it is appropriate, at this stage, to confirm the principles underlying Directive 2003/9/EC with a view to ensuring improved reception conditions for asylum seekers.	appropriate, at this stage, to confirm the principles underlying Directive 2003/9/EC with a view to ensuring improved reception conditions for asylum seekers.	
(8)	In order to ensure equal treatment of asylum seekers throughout the Union, this Directive should apply during all stages and types of procedures concerning applications for international protection and in all locations and facilities hosting asylum seekers.	(8) In order to ensure equal treatment of asylum seekers throughout the Union, this Directive should apply during all stages and types of procedures concerning applications for international protection and in all locations and facilities hosting asylum seekers.	treatment of asylum seekers throughout the Union, this Directive should apply □[] □ □ as long as applicants are allowed to remain on the territory as asylum seekers.	treatment of asylum seekers throughout the Union, this Directive should apply during all stages and types of procedures concerning applications for international protection and in all locations and facilities hosting asylum seekers and. □ [] □ as long as applicants are allowed to remain on the territory as asylum seekers.
(9)	Member States should seek to ensure full compliance with the principles of the best interests of	(9) Member States should seek to ensure full compliance with the	(9) Member States should seek to ensure full compliance with the principles of the best interests	Identical

	the child and the importance of family unity, in the application of this Directive, in line with the Charter of Fundamental Rights of the European Union, the 1989 United Nations Convention on the Rights of the Child and the European Convention for the Protection of Human Rights and Fundamental Freedoms respectively.		principles of the best interests of the child and the importance of family unity, in the application of this Directive, in line with the Charter of Fundamental Rights of the European Union, the 1989 United Nations Convention on the Rights of the Child and the European Convention for the Protection of Human Rights and Fundamental Freedoms respectively.		of the child and the importance of family unity, in the application of this Directive, in line with the Charter of Fundamental Rights of the European Union, the 1989 United Nations Convention on the Rights of the Child and the European Convention for the Protection of Human Rights and Fundamental Freedoms respectively.	
(10)	With respect to the treatment of persons falling within the scope of this Directive, Member States are bound by obligations under instruments of international law to which they are party and which prohibit discrimination.	(10)	With respect to the treatment of persons falling within the scope of this Directive, Member States are bound by obligations under instruments of international law to which they are party.	(10)	With respect to the treatment of persons falling within the scope of this Directive, Member States are bound by obligations under instruments of international law to which they are party and which prohibit discrimination.	Identical
(11)	Minimum Sstandards for the reception of asylum seekers that will normally suffice to ensure them a dignified standard of	(11)	Standards for the reception of asylum seekers that will suffice to ensure them a	(11)	Minimum Setandards for the reception of asylum seekers that will normally suffice to ensure them a dignified	Identical

	living and comparable living conditions in all Member States should be laid down.	dignified stand living and compliving condition Member States be laid down.	nparable c s in all i	standard of living and comparable living conditions in all Member States should be laid down.	
(12)	The harmonisation of conditions for the reception of asylum seekers should help to limit the secondary movements of asylum seekers influenced by the variety of conditions for their reception.	(12) The harmonisa conditions for reception of seekers should limit the see movements of seekers influen the variety conditions for reception.	r the asylum a help to condary asylum b ced by of	The harmonisation of conditions for the reception of asylum seekers should help to limit the secondary movements of asylum seekers influenced by the variety of conditions for their reception.	Identical
(13)	In view of ensuring equal treatment amongst all applicants for international protection as well as in order to guarantee consistency with current EU asylum acquis, in particular with Directive [//EU] [the Qualification Directive], it is appropriate to extend the scope of this Directive in order to include applicants for subsidiary protection.	acquis, in pa with D 2011/95/EU c	among s for otection order to ocy with asylum orticular orrective of the cliament uncil of coll on or the	In view of ensuring equal treatment amongst all applicants for international protection as well as in order to guarantee consistency with current EU asylum acquis, in particular with Directive [//EU] [the Qualification Directive], it is appropriate to extend the scope of this Directive in order to include applicants for subsidiary protection.	of ensuring equal treatment amongst all applicants for international protection as well as in order to guarantee consistency with current EU asylum acquis, in particular with Directive [//EU] [the Qualification Directive], it is appropriate to extend the scope of this

	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 <sup>1</sup> , it is appropriate to extend the scope of this Directive in order to include applicants for subsidiary protection.		Directive in order to include applicants for subsidiary protection.
and monitoring of persons ⇔  Reception of groups with special  ⇒ reception ⇔ needs should be  ⇒ a primary concern of national authorities in order to ensure that their reception is ⇔ specifically designed to meet ⋉ their special reception ⋈ those needs.	(14) The immediate identification and monitoring of persons with special reception needs should be a primary concern of national authorities in order to ensure that their reception conditions are specifically designed to meet their special reception needs.	Pecception of groups  Reception of groups  Reception of groups  reception ⇔ needs  should be ⇔ a primary concern  of national authorities in order  to ensure that their reception  is ⇔ specifically designed to  meet ⊗ their  special reception ⊗ those  needs.	(14) □ [] □ Reception of groups □ Reception of groups persons □ with special □ reception □ needs should be □ a primary concern of national authorities in order to ensure that their reception is □ specifically designed to meet □ their special reception □ those needs.

<sup>&</sup>lt;sup>1</sup> OJ L 337 of 20.12.2011, p. 9.

12090/12 ANNEX (15)Detention of asylum seekers should be applied in line with the underlying principle that a person should not be held in detention for the sole reason that are seeking international protection, notably in accordance with Article 31 of the Geneva Convention relating to the Status of Refugees of 28 July 1951. In particular, Member States should not impose penalties on asylum seekers on account of illegal entry or presence and any restrictions to movement should be necessary. In this respect, detention of asylum seekers should only be possible under very clearly defined exceptional circumstances laid down in this Directive and subject to the principle of necessity and proportionality with regard both to the manner and to the purpose of such detention. Where an asylum seeker is held in detention he/she should be able to have effective access to the necessary procedural guarantees such as judicial remedy before a national court.

Detention of asylum (15)seekers should applied in line with the underlying principle that a person should not be held in detention for the sole reason that is he/she seeking international protection, notably in accordance with the international legal obligations of the Member States, and particularly Article 31 of the Geneva Convention relating to the Status of Refugees of 28 July 1951. In particular, Member should States not impose penalties asylum seekers on account of illegal entry or presence and any restrictions onmovement should be In this necessary. respect, detention of asylum seekers should only be possible under very clearly defined

(15)Detention of asylum seekers should be applied in line with the underlying principle that a person should not be held in detention for the sole reason that are seeking international protection, notably accordance with Article 31 of Geneva Convention relating to the Status of Refugees of 28 July 1951. ⊃[...] C ⊃ Detention C of asylum seekers should only be possible under very clearly defined exceptional circumstances laid down in this Directive and subject to the principle of necessity and proportionality with regard both to the manner and to the purpose of such detention. Where an asylum seeker is held in detention he/she should be able to have effective access to the necessary procedural guarantees such as judicial remedy before a national court.

(15)Detention of asylum seekers should applied in line with the underlying principle that a person should not be held in detention for the sole reason that are seeking international protection, notably in accordance with the international legal obligations of the Member States, and particularly Article 31 the Geneva Convention relating to the Status of Refugees of 28 July 1951. ⊃ [...] € → Detention of asylum seekers should only be possible under very clearly defined exceptional laid circumstances down in this Directive and subject to the principle of necessity proportionality and with regard both to the manner and to the

exceptional circumstances laid down in this Directive and subject to the principles of necessity and proportionality with regard both to the manner and to the purpose of such detention. Where asylum seekers are held in detention they should be able to have effective access to the necessary procedural guarantees such as judicial remedy before a national court.	purpose of such detention. Where an asylum seeker is held in detention he/she should be able to have effective access to the necessary procedural guarantees such as judicial remedy before a national court.
(15a) With regards to administrative procedures related to the grounds for detention set out in Article 8(3), the notion of 'due diligence' at least requires that Member States take concrete and meaningful steps to ensure that the time needed to verify the grounds for detention	(15a) With regards to administrative procedures related to the grounds for detention set out in Article 8(3), the notion of 'due diligence' at least requires that Member States take concrete and meaningful steps to ensure that the time needed to verify the grounds for detention

		is as short as possible, and that a real prospect exists that such verification can be carried out successfully in the shortest possible time		is as short as possible, and that a real prospect exists that such verification can be carried out successfully in the shortest possible time. Detention shall not exceed the time reasonably needed to complete the relevant procedures
			set out in this Directive are without prejudice to other grounds for detention applicable in the national legal order unrelated to the third country national's or stateless person's application for international protection.	detention set out in this Directive are without prejudice to other grounds for detention, including detention grounds in the framework of criminal proceedings, applicable in the national legal order unrelated to the third country national's or stateless person's application for international protection.
(16)	Reception of aApplicants who are	(16) Applicants who are in	(16) Reception of aApplicants who	(16) Reception of

	in detention ⇒ should be treated with full respect of human dignity and their reception ⇔ should be specifically designed to meet their needs in that situation. ⇒ In particular, Member States should ensure that Article 37 of the 1989 UN Convention on the Rights of the Child is applied. ⇔		detention should be treated with full respect for human dignity and their reception conditions should be specifically designed to meet their needs in that situation. In particular, Member States should ensure compliance with Article 37 of the 1989 UN Convention on the Rights of the Child.		are in detention ⇒ should be treated with full respect of human dignity and their reception ⇒ should be specifically designed to meet their needs in that situation. ⇒ In particular, Member States should ensure that Article 37 of the 1989 UN Convention on the Rights of the Child is applied. ⇔	eApplicants who are in detention ⇒ should be treated with full respect of human dignity and their reception ⇔ should be specifically designed to meet their needs in that situation. ⇒ In particular, Member States should ensure that Article 37 of the 1989 UN Convention on the Rights of the Child is applied.
(17)	There may be cases where it is not possible in practice to immediately ensure certain reception guarantees in detention, for example due to the geographic location or the specific structure of the detention facility. However any derogation to these guarantees should be of a temporary nature and applied only under the circumstances set	[]		(17)	There may be cases where it is not possible in practice to immediately ensure certain reception guarantees in detention, for example due to the geographic location or the specific structure of the detention facility. However any derogation to these guarantees should be of a temporary nature and applied	Take Council text for recital (17)
	out in this Directive. Derogations should only be applied in exceptional circumstances; they should be duly justified, taking				only under the circumstances set out in this Directive.  Derogations should only be applied in exceptional	

into consideration the circumstances of each case including the level of severity of the derogation applied, its duration and its impact on the concerned individual.		circumstances; they should be duly justified, taking into consideration the circumstances of each case including the level of severity of the derogation applied, its duration and its impact on the concerned individual.	
	(17a) In most cases alternatives to detention are available which can better ensure asylum seekers' physical and psychological integrity and which are less costly for Member States. Member States shall lay down a presumption against detention of asylum seekers into national law, leaving it as an option only to be taken in the last resort, after all non-custodial alternative measures to detention have been exhausted. Non-custodial alternative measures to detention may include regular		(17a) Detention of asylum seekers should be a measure of last resort and may be applied only after all non-custodial alternative measures to detention have been duly examined in order to better ensure the asylum seeker's physical and psychological integrity. Any alternative measure to detention must respect the fundamental human rights of asylum seekers.

			reporting to the authorities, deposit of a financial guarantee, obligation to stay at an assigned residence, and assignment to community supervision. Any alternative measure to detention must respect the fundamental human rights of asylum seekers. Such alternatives to detention should be further explored and data should be made available about Member States' current practices in this regard.			
(18)	In order to ensure compliance with the minimum procedural guarantees consisting in the opportunity to contact organisations or groups of persons that provide legal assistance, information should be provided on such organisations and groups of persons.	(18)	In order to ensure compliance with the procedural safeguards consisting in the opportunity to contact organisations or groups of persons that provide legal assistance, information should be provided on such organisations and	(18)	In order to ensure compliance with the minimum procedural guarantees consisting in the opportunity to contact organisations or groups of persons that provide legal assistance, information should be provided on such organisations and groups of persons.	EP suggestions for linguistic changes not admissible

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groups of persons.	
Nousing arrangements, Member States should take due account of the best interests of the child, as well as of the particular circumstances of the dependency on the applicant for international protection of close relatives who are already present in the Member State and who are not family members of that applicant. In exceptional circumstances, where the close relative of the applicant for international protection is a married minor but not accompanied by his or her spouse, the best interests of the minor may be seen to lie with his or her original family.	Related to Article 2(c), 18(4a) and 23(5).  (18a). When deciding on housing arrangements, Member States should take due account of the best interests of the child, as well as of the particular circumstances of the applicant if he/she is dependent on family members or other close relatives such as unmarried minor siblings already present in the Member State.

(19)	In order to promote asylum-seekers' self-sufficiency and to limit wide discrepancies between Member States, it is essential to provide clear rules on the access of asylum seekers to the labour market. These rules should be consistent with the rules on the duration of the examination procedure as stipulated in Directive [//EU/] [Asylum Procedures Directive].	(19)	In order to promote asylum-seekers' self-sufficiency and to limit wide discrepancies between Member States, it is essential to provide clear rules on the access of asylum seekers to the labour market. These rules should be consistent with the rules on the duration of the examination procedure as stipulated in Directive [//EU/] [Asylum Procedures Directive].	[(19)	In order to promote asylum-seekers' self-sufficiency and to limit wide discrepancies between Member States, it is essential to provide clear rules on the access of asylum seekers to the labour market.	Take Council text for recital (19)
(20)	To ensure that the material support provided to asylum seekers is in line with the principles set out in this Directive, it is necessary that Member States determine the level of such support on the basis of relevant and measurable points of reference.	(20)	To ensure that the material support provided to asylum seekers is in line with the principles set out in this Directive, it is necessary that Member States determine the level of such support on the basis of relevant and measurable points of reference which ensure an adequate and dignified standard	(20)	To ensure that the material support provided to asylum seekers is in line with the principles set out in this Directive, it is necessary that Member States determine the level of such support on the basis of relevant $\sum_{n=1}^{\infty} C_n$	Related to Article 17(5).  (20) To ensure that the material support provided to asylum seekers is in line with the principles set out in this Directive, it is necessary that Member States determine the level of such support on the basis of relevant

			of living. The process of determining the level of support and the points of reference should be transparent and publicly accessible.			not entail that the amount granted should be the same as for nationals. Member States may grant less favourable treatment to asylum seekers compared to nationals as specified in this Directive.
(21)	The possibility of abuse of the reception system should be restricted by ⊠ specifying the circumstances in which ⊠ laying down cases for the reduction or withdrawal of reception conditions for asylum seekers ⊠ may be reduced or such reception withdrawn ⊠ ➡ while at the same time ensuring a dignified standard of living for all asylum seekers ⇐.	(21)	The possibility of abuse of the reception system should be restricted by specifying the circumstances in which reception conditions for asylum seekers may be reduced or such reception withdrawn while at the same time ensuring a dignified standard of living for all asylum seekers.	(21)	The possibility of abuse of the reception system should be restricted by ⊠ specifying the circumstances in which ⊠ laying down cases for the reduction or withdrawal of reception conditions for asylum seekers ⊠ may be reduced or such reception withdrawn ⊠ ➡ while at the same time ensuring a dignified standard of living for all asylum seekers ⇐.	In combination with Article 20.  (21) The possibility of abuse of the reception system should be restricted by ⊠ specifying the circumstances in which ⊠ laying down eases for the reduction or withdrawal of reception conditions for asylum seekers ⊠ may be reduced or such reception withdrawn ⊠ ⇒ while at the same time ensuring a dignified standard of living for

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						all asylum seekers ←.
(22)	The efficiency of national reception systems and cooperation among Member States in the field of reception of asylum seekers should be secured.	(22)	The efficiency of national reception systems and cooperation among Member States in the field of reception of asylum seekers should be secured.	(22)	The efficiency of national reception systems and cooperation among Member States in the field of reception of asylum seekers should be secured.	Identical.
(23)	Appropriate coordination should be encouraged between the competent authorities as regards the reception of asylum seekers, and harmonious relationships between local communities and accommodation centres should therefore be promoted.	(23)	Appropriate coordination should be encouraged between the competent authorities as regards the reception of asylum seekers, and harmonious relationships between local communities and accommodation centres should therefore be promoted.	(23)	Appropriate coordination should be encouraged between the competent authorities as regards the reception of asylum seekers, and harmonious relationships between local communities and accommodation centres should therefore be promoted.	Identical.
(24)	It is in the very nature of minimum standards that Member States Should Ahave the power to introduce or maintain more favourable provisions for third-country nationals and stateless persons who ask for international protection from a	(24)	Member States should have the power to introduce or maintain more favourable provisions for third-country nationals and stateless persons who ask for international	(24)	It is in the very nature of minimum standards that Member States ☒ should ☒ have the power to introduce or maintain more favourable provisions for third-country nationals and stateless persons who ask for international	Identical

	Member State.	protection from a Member State.		protection from a Member State.	
(25)	In this spirit, Member States are also invited to apply the provisions of this Directive in connection with procedures for deciding on applications for forms of protection other than that emanating from ⇒ Directive [//EU] [The Qualification Directive] ⇔ the Geneva Convention for third country nationals and stateless persons.	States are also invited to apply the provisions of this Directive in	(25)	In this spirit, Member States are also invited to apply the provisions of this Directive in connection with procedures for deciding on applications for forms of protection other than that emanating from   Directive [//EU] [The Qualification Directive]   Geneva Convention for third country nationals and stateless persons.	Take Council text for recital (25)
(26)	The implementation of this Directive should be evaluated at regular intervals.	(26) The implementation of this Directive should be evaluated at regular intervals.	(26)	The implementation of this Directive should be evaluated at regular intervals.	Identical
(27)	Since the objectives of the proposed action, namely to establish minimum standards on the reception of asylum seekers in Member States, cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale and effects of the proposed action, be better achieved by the Summunity, the Union Community may adopt measures	this Directive, namely to establish standards on the reception of asylum seekers in Member States, cannot be sufficiently achieved by the Member States	(27)	Since the objectives of the proposed action, namely to establish minimum standards on the reception of asylum seekers in Member States, cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale and effects of the proposed action, be better achieved by the $\boxtimes$ Union $\boxtimes$ Community, the $\boxtimes$ Union $\boxtimes$	EP suggestions for linguistic changes not admissible.

in accordance with the principles of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives.	achieved at Union level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve that objective.	Community may adopt measures in accordance with the principles of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives.	
		Joint Political Declaration of Member States and the Commission on explanatory documents of 28 September 2011, Member States have undertaken to accompany, in justified cases, the notification of their transposition measures with one or more documents explaining the relationship between the components of a directive and the corresponding parts of national transposition instruments. With regard to this Directive, the legislator considers the transmission of	Take Council text for recital (27a).

		such documents to be	
		such documents to be justified.	
In accordance with Article 3 of the		In accordance with Article 3 of the	
Protocol on the position of the United		Protocol on the position of the United	
Kingdom and Ireland, annexed to the		Kingdom and Ireland, annexed to the	
Treaty on European Union and to the		Treaty on European Union and to the	
Treaty establishing the European		Treaty establishing the European	
Community, the United Kingdom gave		Community, the United Kingdom	
notice, by letter of 18 August 2001, of its		gave notice, by letter of 18 August	
wish to take part in the adoption and		2001, of its wish to take part in the	
application of this Directive.		adoption and application of this	
		<del>Directive.</del>	
In accordance with Article 1 of the said		In accordance with Article 1 of the	
Protocol Ireland, is not participating in		said Protocol Ireland, is not	
the adoption of this Directive.		participating in the adoption of this	
Consequently, and without prejudice to		Directive. Consequently, and without	
Article 4 of the aforementioned Protocol,		prejudice to Article 4 of the	
the provisions of this Directive do not		aforementioned Protocol, the	
apply to Ireland.		provisions of this Directive do not	
		apply to Ireland.	
(28) In accordance with Article 4a(1)	(28) In accordance with	(28) In accordance with	Take Council text for recital
of Protocol No. 21 on the position	Article 4a(1) of	$\bigcirc$ [] $\bigcirc$ Articles 1, 2	(28)
of the United Kingdom and	Protocol No. 21 on the	and C Article C 4a(1) of	

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	Ireland in respect of the Area of Freedom, Security and Justice, annexed to the Treaty on European Union, and to the Treaty on the Functioning of the European Union and without prejudice to paragraph 2 of that Article, so long as the United Kingdom has not notified its wish to accept this measure, in accordance with Article 4 of that Protocol, it is not bound by it and continues to be bound by Directive 2003/9/EC.		position of the United Kingdom and Ireland in respect of the Area of Freedom, Security and Justice, annexed to the Treaty on European Union, and to the Treaty on the Functioning of the European Union and without prejudice to paragraph 2 of that Article, so long as the United Kingdom has not notified its wish to accept this measure, in accordance with Article 4 of that Protocol, it is not bound by it and continues to be bound by Directive 2003/9/EC.		Protocol No. 21 on the position of the United Kingdom and Ireland in respect of the Area of Freedom, Security and Justice, annexed to the Treaty on European Union, and to the Treaty on the Functioning of the European Union \(\begin{align*}\cdot \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\	
(29)	In accordance with Article 1 of the said Protocol, <u>Ireland</u> is not taking part in the adoption of this Directive. Without prejudice to Article 4 of that Protocol, Ireland is therefore not bound by this Directive.	(29)	In accordance with Article 1 of the said Protocol, Ireland is not taking part in the adoption of this Directive. Without prejudice to Article 4 of that Protocol, Ireland is therefore not bound by this Directive.	(29)	In accordance with Article 1 of the said Protocol, <u>Ireland</u> is not taking part in the adoption of this Directive. Without prejudice to Article 4 of that Protocol, Ireland is therefore not bound by this Directive.	Identical

(30)	In accordance with Articles 1 and 2 of the Protocol on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union establishing the European Community, Denmark does not take part in the adoption of this Directive and is not bound by it or subject to its application.	(30)	In accordance with Articles 1 and 2 of the Protocol on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark does not take part in the adoption of this Directive and is not bound by it or subject to its application.	(30)	In accordance with Articles 1 and 2 of the Protocol on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union establishing the European Community, Denmark does not take part in the adoption of this Directive and is not bound by it or subject to its application.	Identi	cal
(31)	This Directive respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union. In particular, this Directive seeks to ensure full respect for human dignity and to promote the application of Articles 1 ⇒, 6, 7, ⇔ and 18 ⇒, 21, 24 and 47 ⇔ of the said Charter ⇒ and has to be implemented accordingly ⇔.	(31)	This Directive respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union (the Charter). In particular, this Directive seeks to ensure full respect for human dignity and to promote the application of Articles 1, 4, 6, 7, 18, 21, 24 and 47 of the Charter and should be implemented	(31)	This Directive respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union. In particular, this Directive seeks to ensure full respect for human dignity and to promote the application of Articles 1 ⇒, 6, 7, ⇔ and 18 ⇒, 21, 24 and 47 ⇔ of the said Charter ⇒ and has to be implemented accordingly ⇔.	(31)	This Directive respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union. In particular, this Directive seeks to ensure full respect for human dignity and to promote the application of Articles 1 ⇒, 4, 6, 7, ⇔ and 18 ⇒, 21, 24 and 47 ⇔ of the said Charter ⇒ and has to be implemented

			accordingly.			accordingly ←.
(32)	The obligation to transpose this Directive into national law should be confined to those provisions which represent a substantive change as compared with the earlier Directive. The obligation to transpose the provisions which are unchanged arises under the earlier Directive.	(32)	The obligation to transpose this Directive into national law should be confined to those provisions which represent a substantive change as compared with the earlier Directive. The obligation to transpose the provisions which are unchanged arises under the earlier Directive.	(32)	The obligation to transpose this Directive into national law should be confined to those provisions which represent a substantive change as compared with the earlier Directive. The obligation to transpose the provisions which are unchanged arises under the earlier Directive.	Identical
(33)	This Directive should be without prejudice to the obligations of the Member States relating to the time-limit for transposition into national law of the Directive set out in Annex II, Part B.	(33)	This Directive should be without prejudice to the obligations of the Member States relating to the time-limit for transposition into national law of <i>this</i> Directive set out in Annex II, Part B.	(33)	This Directive should be without prejudice to the obligations of the Member States relating to the time-limit for transposition into national law of the Directive set out in Annex II, Part B.	Identical

HAVE ADOPTED THIS DIRECTIVE:	HAVE ADOPTED THIS DIRECTIVE:	HAVE ADOPTED THIS DIRECTIVE:	
CHAPTER I	CHAPTER I	CHAPTER I	
PURPOSE, DEFINITIONS AND SCOPE	PURPOSE, DEFINITIONS AND SCOPE	PURPOSE, DEFINITIONS AND SCOPE	
Article 1	Article 1	Article 1	
Purpose	Purpose	Purpose	
The purpose of this Directive is to lay down minimum standards for the reception of asylum seekers in Member States.	The purpose of this Directive is to lay down standards for the reception of asylum seekers in Member States.	The purpose of this Directive is to lay down minimum standards for the reception of asylum seekers in Member States.	Identical
Article 2	Article 2	Article 2	
Definitions	Definitions	Definitions	
For the purposes of this Directive:	For the purposes of this	For the purposes of this Directive:	Identical

	Directive:		
(a) "Geneva Convention" shall		(a) "Geneva Convention" shall	
mean the Convention of 28 July		mean the Convention of 28	
1951 relating to the status of		July 1951 relating to the	
refugees, as amended by the		status of refugees, as	
New York Protocol of 31		amended by the New York	
<del>January 1967;</del>		Protocol of 31 January 1967;	
(b) "application for asylum" shall		(b) "application for asylum" shall	
mean the application made by a		mean the application made by	
third-country national or a		a third-country national or a	
stateless person which can be		stateless person which can be	
understood as a request for		understood as a request for	
international protection from a		international protection from	
Member State, under the		a Member State, under the	
Geneva Convention. Any		Geneva Convention. Any	
application for international		application for international	
protection is presumed to be an		protection is presumed to be	
application for asylum unless a		an application for asylum	
third-country national or a		unless a third-country	
stateless person explicitly		national or a stateless person	
requests another kind of		explicitly requests another	

	protection that can be applied for separately;				kind of protection that can be applied for separately;	
(a)	"application for international protection" means an application for international protection as defined in point (h) of Article 2 of Directive [//EU] [the Qualification Directive];	(a)	"application for international protection" means an application for international protection as defined in point (h) of Article 2 of Directive 2011/95/EU;	(a)	"application for international protection" means an application for international protection as defined in point (h) of Article 2 of Directive [//EU] [the Qualification Directive];	Identical
<u>(b)<del>(e)</del></u>	"applicant" ⊠, "applicant for international protection" ⊠ or "asylum seeker" shall mean  ⊠ means ⊠ a third country national or a stateless person who has made an application for asylum ⇒ international protection ⇔ in respect of which a final decision has not	(b)	"applicant", "applicant for international protection" or "asylum seeker" means a third country national or a stateless person who has made an application for international protection in respect	<u>(b)<del>(e)</del></u>	"applicant" ▷, "applicant for international protection" ☒ or "asylum seeker" shall mean ☒ a third country national or a stateless person who has made an application for asylum ▷ international protection ⇨ in respect of which a final decision has not	Identical

	yet been taken;	decisi	ich a final ion has not yet		yet been taken;		
( <u>c</u> )( <del>d</del> )	"family members" shall mean  in means in so far as the family already existed in the country of origin, the following members of the applicant's family who are present in the same Member State in relation to the application for asylum international protection in the same members."  international	(c) "fami mean family in the origin members applied who a same relation applied internal internal means."	ally members" s, in so far as the y already existed country of n, the following bers of the cant's family are present in the Member State in on to the cation for national ction:	(c) <del>(d)</del>	"family members" shall mean  implication for asylum international  protection  implication for    Shall mean	with A	2(c) in combination rticle 18 (4a) and 23 ital (18a).  "family members"  shall mean  ital mean  it

	[]	⊃[]¢	⊃ <u>[]</u>
the spouse of the asylum seeker or his or her unmarried partner in a stable relationship, where the legislation or practice of the Member State concerned treats unmarried couples in a way comparable to married couples under its law relating to aliens  third country nationals  :	- the spouse of the asylum seeker or his or her unmarried partner in a stable relationship, where the legislation or practice of the Member State concerned treats unmarried couples in a way comparable to married couples under its law relating to third	the spouse of the asylum seeker or his or her unmarried partner in a stable relationship, where the legislation or practice of the Member State concerned treats unmarried couples in a way comparable to married couples under its law relating to aliens  third country nationals (**);	the spouse of the asylum seeker or his or her unmarried partner in a stable relationship, where the legislation or practice of the Member State concerned treats unmarried couples in a way comparable to married couples under its law relating to aliens
	country		≥ third

	nationals;		country nationals ⋘ ;
(ii) _ the minor children of the	- the minor	(ii) _ the minor children of	(ii) _ the minor
eouple ⊠ couples ⊠	children of	the couple	children of <del>the</del>
referred to in the first	couples referred		<del>couple</del>
indent point (i) or of the	to in the first	to in the first indent	⋉ couples <⊠
applicant, on condition	indent or of the	point (i) or of the	referred to in the
that they are unmarried	applicant, on	applicant <mark>⊃ for</mark>	<u>first indent</u> <del>point</del>
and dependent and	condition that	international	(i) or of the
regardless of whether they	they are	protection <b>C</b> , on	applicant <b>⊃</b> <u>for</u>
were born in or out of	unmarried and	condition that they are	international
wedlock or adopted as	regardless of	unmarried <del>and</del>	protection <b>C</b> , on
defined under the national	whether they	<del>dependent</del> and	condition that
law;	were born in or	regardless of whether	they are
	out of wedlock	they were born in or out	unmarried <del>and</del>
	or adopted as	of wedlock or adopted	dependent and
	defined under	as defined under the	regardless of
	the national law;	national law;	whether they
			were born in or
			out of wedlock
			or adopted as

			defined under the national law;
the married minor children of couples referred to in the first indent of point (i) or of the applicant, regardless of whether they were born in or out of wedlock or adopted as defined under the national law, provided they are not accompanied by their spouses and it is in their best interests to consider them as family members;	- the married minor children of couples referred to in the first indent of point (i) above or of the applicant, regardless of whether they were born in or out of wedlock or adopted as defined under the national law, provided they are not accompanied by their spouses and it is in their best interests to consider them as family members;	⊃]©	<b>⊃</b> [] <b>©</b>
(ii) when the applicant is an unmarried minor:	[]	<u>⊃[]</u> C	<u>⊃[]</u> C

the father, mother, regardless of whether the applicant was born in or out of wedlock or adopted as defined under the national law, or the adult responsible for the applicant whether by law or by the national practice of the Member State concerned;	- the father, mother, or another adult responsible for the applicant for international protection whether by law or by the practice of the Member State concerned, when the latter is a minor and unmarried;	the father, mother  []] Cor  []_another C  []] Cadult  responsible for the applicant []_for  international  protection C whether  by law or by the  national practice of the  Member State  concerned []_, when the  latter is a minor and  unmarried. C	the father, mother  [] Cor another C  [] Cadult responsible for the applicant for international protection whether by law or by the national practice of the Member State concerned for when the latter is a minor and unmarried. C
the minor siblings of the applicant, regardless of whether they were born in or out of wedlock or adopted as defined under the national law, provided they are unmarried or	[]	<u>ammarreu.</u> □	⊅[]℃

married but not accompanied by their spouses and it is in their best interests to be considered family members;			
	(vi) dependent adults with special needs;		EP AM not included
(iii) when the applicant is a married minor, the persons referred to in point (ii) provided the applicant is not accompanied by his/her spouse and it is in the best interests of the applicant or his/her siblings to consider the persons referred to in point (ii) as family members.	[]	⊃[]©	⊅[] <b>©</b>

<del>(e)</del>	"refugee" shall mean a person who fulfils the requirements of Article 1(A) of the Geneva Convention;		(e) "refugee" shall mean a person who fulfils the requirements of Article 1(A) of the Geneva Convention;
(f)	"refugee status" shall mean the status granted by a Member State to a person who is a refugee and is admitted as such to the territory of that Member State;		(f) "refugee status" shall mean the status granted by a Member State to a person who is a refugee and is admitted as such to the territory of that Member State;
<del>(g)</del>	"procedures" and "appeals", shall means the procedures and appeals established by Member States in their national law;		(g) "procedures" and "appeals", shall means the procedures and appeals established by Member States in their national law;
(d)	"minor" means a third-country national or stateless person below the age of 18 years;	(d) "minor" means a third-country national or stateless person below the age of 18	(d) "minor" means a third- country national or stateless person below the age of 18

			years;		years;	
(e) <del>(h)</del>	"unaccompanied minors shall	(e)	"unaccompanied	<u>(e)<del>(h)</del></u>	"unaccompanied minor <u>s</u> "	Identical
	mean ⊗ means ⊗ ⇒ a		minor" means a minor		$\frac{1}{2}$ shall mean $\boxtimes$ means $\boxtimes$ $\Rightarrow$ a	
	minor		who arrives in the		minor	
	<del>of eighteen</del> who <u>arrive</u>		territory of the		age of eighteen who arrive	
	arrives		Member States			
	the Member States		unaccompanied by an		of the Member States	
	unaccompanied by an adult		adult responsible for		unaccompanied by an adult	
	responsible for them him/her		him/her whether by		responsible for them him/her	
	whether by law or by		law or by the national		whether by law or by	
	national practice of the Member		practice of the		national practice of the	
	State concerned ← <del>custom</del> , and		Member State		Member State concerned ←	
	for as long as they are		concerned, and for as		eustom, and for as long as	
	➤ he/she is < not effectively		long as he/she is not		they are	
	taken into the care of such a		effectively taken into		effectively taken into the care	
	person; it shall include minors		the care of such a		of such a person; it shall	
	ĭ includes a minor ⟨ who		person; it includes a		include minors   includes a	
	≥ is < <del>are</del> left		minor who is left		minor ⊗ who ⊗ is ⊗ <del>are</del>	
	unaccompanied after they have		unaccompanied after		left unaccompanied after they	
	be/she has      □ entered the		he/she has entered the		have   he/she has    have   he/she has     he/she has     he/she has     he/she has     he/she has     he/she has     he/she has     he/she has      he/she has      he/she has      he/she has      he/she has       he/she has	
	territory of Member States;		territory of the		entered the territory of	

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			Member States;		Member States;	
<u>(f)<del>(i)</del></u>	"reception conditions" shall mean ☒ means ☒ the full set of measures that Member States grant to asylum seeker in accordance with this Directive;	(f)	"reception conditions" means the full set of measures that Member States apply to asylum seekers in accordance with this Directive;	<u>(f)<del>(i)</del></u>	"reception conditions" shall mean ⋈ means ⋈ the full set of measures that Member States grant to asylum seeker in accordance with this Directive;	EP suggestion for linguistic change not admissible
(g) <del>(i)</del>	"material reception conditions"  shall mean ☒ means ☒ the  reception conditions that  include housing, food and  clothing provided in kind, or as  financial allowances or in  vouchers, ➡ or a combination  of the three ⇐ , and a daily  expenses allowance;	(g)	"material reception conditions" means the reception conditions that include housing, food and clothing provided in kind, or as financial allowances or in vouchers, or a combination of the three, and a daily <i>expense</i> allowance;	(g) <del>(i)</del>	"material reception conditions" shall mean  i means i the reception conditions that include housing, food and clothing provided in kind, or as financial allowances or in vouchers, ⇒ or a combination of the three i, and a daily expenses allowance;	Identical
<u>(h)<del>(k)</del></u>	"detention" shall mean	(h)	"detention" means	(h) <del>(k)</del>	"detention" <del>shall mean</del>	Identical

	★ means		confinement of an asylum seeker by a Member State within a particular place, where the applicant is deprived of his or her freedom of movement;		means confinement of an asylum seeker by a  Member State within a  particular place, where the applicant is deprived of his or her freedom of movement;	
<u>(i)<del>(1)</del></u>	"accommodation centre" shall mean ⊠ means ⊠ any place used for collective housing of asylum seekers;  ±	(i)	"accommodation centre" means any place used for collective housing of asylum seekers;	( <u>i)<del>(l)</del></u>	"accommodation centre" shall mean ⊠ means ⊠ any place used for collective housing of asylum seekers;  ±	Identical
(j)	"representative" means a person or an organisation appointed by the competent bodies to act as a legal guardian in order to assist and represent an unaccompanied minor in procedures provided for in this Directive with a view to	(j)	"representative" means a person or an organisation appointed by the competent bodies to act as a legal guardian in order to assist and represent an	(j)	"representative" means a person or an organisation appointed by the competent bodies $\bigcirc$ [] $\bigcirc$ in order to assist and represent an unaccompanied minor in procedures provided for in this Directive with a view to	Article 2(j) in combination with Article 24(1).  (j) "representative" means a person or an organisation appointed by the competent bodies  [] in order to

ensuring the child's best	unaccompanied minor	ensuring the child's best	assist and represent an
interests and exercising legal	in procedures	interests and exercising legal	unaccompanied
capacity for the minor where	provided for in this	capacity for the minor where	minor in procedures
necessary. Where an	Directive with a view	necessary. Where an	provided for in this
organisation acts as a	to ensuring the child's	organisation ⊃ <u>is</u>	Directive with a view
representative, it shall appoint a	best interests and	appointed C ⊃ [] Cas a	to ensuring the child's
person responsible for carrying	exercising legal	representative, it shall	best interests and
out the duties of the legal	capacity for the minor	○ designate C ⊃ [] Ca	exercising legal
guardian in respect of the minor,	where necessary.	person responsible for	capacity for the minor
in accordance with this	Where an organisation	carrying out the duties of	where necessary.
Directive;	acts as a	<u> this organisation</u>	Where an organisation
	representative, it shall	○[] Cin respect of the	○ is appointed ○
	appoint a person	minor, in accordance with	<b>⊃</b> [] <b>C</b> as a
	responsible for	this Directive;	representative, it shall
	carrying out the duties		○ <u>designate</u> C
	of the legal guardian		<b>⊃</b> [] <b>C</b> a person
	in respect of the		responsible for
	minor, in accordance		carrying out the duties
	with this Directive.		of <b>1</b> this
	The organisation		organisation ©
	must ensure that the		○[] Cin respect of
	"representative" has		the minor, in

	sufficient resources to represent the minor and has the chance to develop a relationship based on mutual trust with the minor;		accordance with this Directive;
(k) "applicant with special reception needs" means a vulnerable applicant, in line with Article 21, who is in need of special guarantees in order to benefit from the rights and comply with the obligations provided for in this Directive.	(k) "applicant with special reception needs" means a vulnerable applicant, in line with Article 21, who is in need of special guarantees in order to benefit from the rights and comply with the obligations provided for in this Directive.	(k) "applicant with special reception needs" means a vulnerable applicant, in line with Article 21, who is in need of special guarantees in order to benefit from the rights and comply with the obligations provided for in this Directive.	Identical

Article 3	Article 3	Article 3	
Scope	Scope	Scope	
1. This Directive shall apply to all third country nationals and stateless persons who make an application for asylum  ⇒ international protection ⇔ at the border, or in the territory.  ⇒ including at the border, ≪ ⇒ in the territorial waters or in the transit zones, ⇔ of a Member State, as long as they are allowed to remain on the territory as asylum seekers, as well as to family members, if they are covered by such application for ⇒ international protection ⇔ asylum according to the national law.	1. This Directive shall apply to all third country nationals and stateless persons who make an application for international protection in the territory, including at the border, in the territorial waters or in the transit zones, of a Member State, as long as they are allowed to remain on the territory as asylum seekers, as well as to family members, if they are	1. This Directive shall apply to all third country nationals and stateless persons who make an application for asylum  ⇒ international protection ⇒ at the border, or in the territory. ⇒ including at the border, ⟨∑ ⇒ in the territorial waters or in the transit zones, ⇒ of a Member State, as long as they are allowed to remain on the territory as asylum seekers, as well as to family members, if they are covered by such application for ⇒ international	EP suggestion for linguistic change not admissible.

2.	This Directive shall not apply in cases of requests for diplomatic or territorial asylum submitted to representations of Member States.	2.	covered by such application for international protection according to the <i>applicable</i> national law.  This Directive shall not apply <i>to</i> requests for diplomatic or territorial asylum submitted to representations of	2.	protection  asylum according to the national law.  This Directive shall not apply in cases of requests for diplomatic or territorial asylum submitted to representations of Member States.	EP suggestion for linguistic change not admissible.
3.	This Directive shall not apply when the provisions of Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of	3.	Member States.  This Directive shall not apply when the provisions of Council Directive 2001/55/EC of 20 July 2001 on minimum standards	3.	This Directive shall not apply when the provisions of Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection	Identical
			•			

	measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof are applied.		protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof are applied.		of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof <sup>2</sup> are applied.	
4.	Member States may decide to apply this Directive in connection with procedures for deciding on applications for kinds of protection other than that emanating from  ⇒ Directive [//EU] [the Qualification Directive] ← the	4.	Member States may decide to apply this Directive in connection with procedures for deciding on applications for kinds of protection other	4.	Member States may decide to apply this Directive in connection with procedures for deciding on applications for kinds of protection other than that emanating from   ⇒ Directive [//EU] [the Qualification Directive]   □	EP suggestion on "those applicable" not admissible.

OJ L 212, 7.8.2001, p. 12. OJ L 212, 7.8.2001, p. 12.

Geneva Convention for third- country nationals or stateless persons who are found not to be refugees.	than those applicable under Directive 2011/95/EU.	the Geneva Convention for third-country nationals or stateless persons who are found not to be refugees.	
Article 4	Article 4	Article 4	
More favourable provisions	More favourable provisions	More favourable provisions	
Member States may introduce or retain	Member States may introduce	Member States may introduce or	Identical
more favourable provisions in the field	or retain more favourable	retain more favourable provisions in	
of reception conditions for asylum	provisions in the field of	the field of reception conditions for	
seekers and other close relatives of the	reception conditions for	asylum seekers and other close	
applicant who are present in the same	asylum seekers and other close	relatives of the applicant who are	
Member State when they are dependent	relatives of asylum seekers	present in the same Member State	
on him or for humanitarian reasons	who are present in the same	when they are dependent on him or for	
insofar as these provisions are	Member State when they are	humanitarian reasons insofar as these	
compatible with this Directive.	dependent on the asylum	provisions are compatible with this	
	seeker or for humanitarian	Directive.	
	reasons insofar as those		
	provisions are compatible with		

CHAPTER II		CHAPTER II	CHAPTER II	
GENERAL PROVISIONS ON RECEPTION CONDITIONS		GENERAL PROVISIONS ON RECEPTION CONDITIONS	GENERAL PROVISIONS ON RECEPTION CONDITIONS	
	Article 5	Article 5	Article 5	
	Information	Information	Information	
1.	Member States shall inform asylum seekers, within a reasonable time not exceeding fifteen days after they have lodged their application for ⇒ international protection ⇔ international protection ⇔ asylum with the competent authority, of at least any established benefits and of the obligations with which they	1. Member States shall inform asylum seekers, within a reasonable time not exceeding fifteen days after they have lodged their application for international protection, of at least any established	1. Member States shall inform asylum seekers, within a reasonable time not exceeding fifteen days after they have lodged their application for  ⇒ international protection ⇒ asylum with the competent authority, of at least any established benefits and of	Identical

must comply relating to	benefits and of the	the obligations with which	
reception conditions.	obligations with	they must comply relating to	
	which they must	reception conditions.	
	comply relating to		
	reception conditions.		
Member States shall ensure that	Member States shall	Member States shall ensure	Identical
applicants are provided with	ensure that applicants	that applicants are provided	
information on organisations or	are provided with	with information on	
groups of persons that provide	information on	organisations or groups of	
specific legal assistance and	organisations or	persons that provide specific	
organisations that might be able	groups of persons that	legal assistance and	
to help or inform them	provide specific legal	organisations that might be	
concerning the available	assistance and	able to help or inform them	
reception conditions, including	organisations that	concerning the available	
health care.	might be able to help	reception conditions,	
	or inform them	including health care.	
	concerning the		
	available reception		
	conditions, including		
	health care.		
2. Member States shall ensure that	2. Member States shall	2. Member States shall ensure	Take Council text for

the information referred to in paragraph 1 is in writing and, as far as possible, in a language that the applicants ⇒ understand or ⇔ may ⋈ are ⋈ reasonably be supposed to understand.  Where appropriate, this	ensure that the information referred to in paragraph 1 is in writing and, in a language that the applicants understand or <i>may</i> reasonably <i>be</i>	that the information referred to in paragraph 1 is in writing and, as far as possible₁ in a language that the applicants  ⇒ understand or ⇔ may  ⇒ are ⊗ reasonably be supposed to understand.	paragraph 2.
information may also be supplied orally.  Article 6	presumed to understand. Where appropriate, this information may also be supplied orally.  Article 6	Where appropriate, this information may also be supplied orally.  Article 6	
<b>Documentation</b>	Documentation	Documentation	
1. Member States shall ensure that, within three days after an application ⇒ for international protection ⇔ is lodged with the competent authority, the	Member States shall     ensure that, within     three days after an     application for     international	1. Member States shall ensure that, within three days after an application ⇒ for international protection ⇔ is lodged with the competent	Identical

applicant is provided with a document issued in his or her own name certifying his or her	protection is lodged, the applicant is provided with a	authority, the applicant is provided with a document issued in his or her own name	
status as an asylum seeker or testifying that he or she is allowed to stay in the territory of the Member State while his or her application is pending or being examined.	document issued in his or her own name certifying his or her status as an asylum seeker or testifying that he or she is allowed to stay in the territory of the Member State while his or her application is pending or being examined.	certifying his or her status as an asylum seeker or testifying that he or she is allowed to stay in the territory of the Member State while his or her application is pending or being examined.	
If the holder is not free to move within all or a part of the territory of the Member State, the document shall also certify this fact.	If the holder of the document referred to in the first subparagraph is not free to move within all or a part of the	If the holder is not free to move within all or a part of the territory of the Member State, the document shall also certify this fact.	EP suggestions for linguistic change not admissible.

			territory of the			
			Member State, the			
			document shall also			
			certify this fact.			
2.	Member States may exclude	2.	Member States may	2.	Member States may exclude	EP suggestion for linguistic
	application of this Article when		exclude application of		application of this Article	change not admissible.
	the asylum seeker is in		this Article when an		when the asylum seeker is in	
	detention and during the		asylum seeker is in		detention and during the	
	examination of an application		detention and during		examination of an application	
	for $\Rightarrow$ international protection $\Leftarrow$		the examination of an		for    international	
	asylum made at the border or		application for		protection	
	within the context of a		international		the border or within the	
	procedure to decide on the right		protection made at the		context of a procedure to	
	of the applicant <del>legally</del> to enter		border or within the		decide on the right of the	
	the territory of a Member State.		context of a procedure		applicant <del>legally</del> to enter the	
	In specific cases, during the		to decide on the right		territory of a Member State.	
	examination of an application		of the applicant to		In specific cases, during the	
	for $\Rightarrow$ international protection $\Leftarrow$		enter the territory of a		examination of an application	
	asylum, Member States may		Member State. In		for   international	
	provide applicants with other		specific cases, during		protection	
	evidence equivalent to the		the examination of an		Member States may provide	

	document referred to in		application for		applicants with other	
	paragraph 1.		international		evidence equivalent to the	
			protection, Member		document referred to in	
			States may provide		paragraph 1.	
			applicants with other			
			evidence equivalent to			
			the document referred			
			to in paragraph 1.			
3.	The document referred to in	3.	The document	3.	The document referred to in	Identical
	paragraph 1 need not certify the		referred to in		paragraph 1 need not certify	
	identity of the asylum seeker.		paragraph 1 need not		the identity of the asylum	
			certify the identity of		seeker.	
			the asylum seeker.			
4.	Member States shall adopt the	4.	Member States shall	4.	Member States shall adopt	Take Council text for
	necessary measures to provide		adopt the necessary		the necessary measures to	paragraph 4
	asylum seekers with the		measures to provide		provide asylum seekers with	
	document referred to in		asylum seekers with		the document referred to in	
	paragraph 1, which must be		the document referred		paragraph 1, which must be	
	valid for as long as they are		to in paragraph 1,		valid for as long as they are	
	authorised to remain in the		which must be valid		authorised to remain in the	
	territory of the Member State		for as long as they are		territory of the Member State	

	concerned <del>or at the border</del> thereof.		authorised to remain in the territory <i>or at</i> the border of the Member State concerned.		concerned <del>or at the border</del> thereof.		
5.	Member States may provide asylum seekers with a travel document when serious humanitarian reasons arise that require their presence in another State.	5.	Member States may provide asylum seekers with a travel document when serious humanitarian reasons arise that require their presence in another State.	5.	Member States may provide asylum seekers with a travel document when serious humanitarian reasons arise that require their presence in another State.	Identica	al
6.	Member States shall not impose any documentation or other administrative requirements on asylum seekers before granting the rights to which they are entitled under this Directive for the sole reason that they are applicants for international	6.	Member States shall not impose any documentation or other administrative requirements on asylum seekers before granting the rights to which they are	⊋[]	C	6.	Member States shall not impose any unnecessary or disproportionate documentation or other administrative requirements on asylum seekers before

	protection.	entitled under this Directive for the sole reason that they are applicants for international protection.		granting the rights to which they are entitled under this Directive for the sole reason that they are applicants for international protection.
	Article 7	Article 7	Article 7	
Resid	lence and freedom of movement	Residence and freedom of movement	Residence and freedom of movement	
1.	Asylum seekers may move freely within the territory of the host Member State or within an area assigned to them by that Member State. The assigned area shall not affect the unalienable sphere of private life and shall allow sufficient	1. Asylum seekers may move freely within the territory of the host Member State or within an area assigned to them by that Member State.  The assigned area	1. Asylum seekers may move freely within the territory of the host Member State or within an area assigned to them by that Member State.  The assigned area shall not affect the unalienable sphere of private life and shall allow	Take Council text for paragraph 1.

	scope for guaranteeing access to		shall not affect the		sufficient scope for	
	all benefits under this Directive.		unalienable sphere of		guaranteeing access to all	
			private life and shall		benefits under this Directive.	
			allow sufficient scope			
			for ensuring access to			
			all benefits under this			
			Directive.			
						Identical
2.	Member States may decide on	2.	Member States may	2.	Member States may decide	Identical
	the residence of the asylum		decide on the		on the residence of the	
	seeker for reasons of public		residence of the		asylum seeker for reasons of	
	interest, public order or, when		asylum seeker for		public interest, public order	
	necessary, for the swift		reasons of public		or, when necessary, for the	
	processing and effective		interest, public order		swift processing and effective	
	monitoring of his or her		or, when necessary,		monitoring of his or her	
	application		for the swift		application ⇒ for	
	protection ←.		processing and		international protection ←.	
			effective monitoring			
			of his or her			
			application for			
			international			
			protection.			
			1			

2. When it proves necessary, for example for legal reasons or reasons of public order,  Member States may confine an applicant to a particular place in accordance with their national law.		3. When it proves necessary, for example for legal reasons or reasons of public order,  Member States may confine an applicant to a particular place in accordance with their national law.	
3.4 Member States may make provision of the material reception conditions subject to actual residence by the applicants in a specific place, to be determined by the Member States. Such a decision, which may be of a general nature, shall be taken individually and established by national legislation.	3. Member States may make provision of the material reception conditions subject to actual residence by the applicants in a specific place, to be determined by the Member States. Such a decision, which may be of a general nature, shall be taken individually and established by	3.4. Member States may make provision of the material reception conditions subject to actual residence by the applicants in a specific place, to be determined by the Member States. Such a decision, which may be of a general nature, shall be taken individually and established by national legislation.	Identical

			national legislation.			
		4.	When it proves necessary, for example for legal reasons or reasons of public policy, Member States may confine an applicant to a specific place in accordance with their national law.			EP AM not taken up EP given provisions on detention.
4. <del>5.</del>	Member States shall provide for the possibility of granting applicants temporary permission to leave the place of residence mentioned in paragraphs 2 and 43 and/or the assigned area mentioned in paragraph 1.  Decisions shall be taken individually, objectively and impartially and reasons shall be	4.	Member States shall provide for the possibility of granting applicants temporary permission to leave the place of residence referred to in paragraphs 2 and 3 and/or the assigned area referred to in	4. <del>5.</del>	Member States shall provide for the possibility of granting applicants temporary permission to leave the place of residence mentioned in paragraphs 2 and <u>43</u> and/or the assigned area mentioned in paragraph 1. Decisions shall be taken individually, objectively and impartially	EP suggestions for linguistic changes not admissible.

	given if they are negative.		paragraph 1.  Decisions shall be taken individually, objectively and impartially and reasons shall be given		and reasons shall be given if they are negative.	
	The applicant shall not require permission to keep appointments with authorities and courts if his or her appearance is necessary.		The applicant shall not require permission to keep appointments with authorities and courts if his or her appearance is necessary.		The applicant shall not require permission to keep appointments with authorities and courts if his or her appearance is necessary.	Identical
<u>5.€.</u>	Member States shall require applicants to inform the competent authorities of their current address and notify any change of address to such authorities as soon as possible.	5.	Member States shall require applicants to inform the competent authorities of their current address and notify any change of address to such	<u>5.⊕</u>	Member States shall require applicants to inform the competent authorities of their current address and notify any change of address to such authorities as soon as	Identical

	authorities as soon as possible.	possible.	
Article 8	Article 8	Article 8	
Detention	Detention	Detention	
1. Member States shall not hold a person in detention for the sole reason that he/she is an applicant for international protection in accordance with Directive [//EU] [the Asylum Procedures Directive].	1. Member States shall not hold a person in detention for the sole reason that he/she is an applicant for international protection in accordance with Directive [//EU] [the Asylum Procedures Directive].	1. Member States shall not hold a person in detention for the sole reason that he/she is an applicant for international protection in accordance with Directive [//EU] [the Asylum Procedures Directive].	Identical
2. When it proves necessary and on the basis of an individual assessment of each case,	2. When it proves necessary and on the basis of an individual	2. When it proves necessary and on the basis of an individual assessment of each case,	Identical

Member States may detain applicant, if other less confident alternative measures can applied effectively.	case, Men ot be may detain applicant, coercive a measures	mber States appli-	ther States may detain an cant, if other less cive alternative measures ot be applied effectively.	
3. Without prejudice to Artiand to detention in the framework of criminal proceedings, an applicant only be detained:	Article 11  Directive  5 of the Education framework proceeding	and Article ECHR and to in the rk of criminal ngs, an may only be	<u>An</u> C applicant only be detained:	applicant may only be detained:
(a) in order to determine verify his/her identificationality;	y or dete	ermine or ify his/her ntity or	in order to determine or verify his/her identity or nationality;	(a) in order to determine or verify his/her identity or

	nationality;		nationality;
(b) in order to determine,	(b) in order to	(b) in order to determine	(b) in order to
within the context of a	determine,	<b>⊃</b> […] <b>C</b> the elements	determine
preliminary interview, the	within the	on which the	<b>□</b> [] <b>©</b> the
elements on which the	context of a	application for	elements on
application for	preliminary	international protection	which the
international protection is	interview, the	is based which could	application for
based which could not be	elements on	not be obtained in the	international
obtained in the absence of	which the	absence of detention	protection is
detention;	application for	, in particular when	based which
	international	there is a risk of	could not be
	protection is	absconding <b>C</b> ;	obtained in the
	based which		absence of
	could not be		detention $\bigcirc$ , in
	obtained in the		particular when
	absence of		there is a risk of
	detention;		<u>absconding</u> <b>€</b> ;
(c) in the context of a	(c) in the context of	(c) in the context of a	(c) in the context of
procedure, to decide on	a procedure, to	procedure, to decide on	a procedure, to
the right to enter the	decide on the	the right to enter the	decide on the
	right to enter the		right to enter the

territory;	territory;	territory;	territory;
		○ (d) ○ When the Member	<b>⊃</b> (d) <b>→</b> When the Member
		State can substantiate	State can
		that the applicant	substantiate that the
		without delay for no	applicant without
		justifiable reason has	delay for no
		not turned to the	<del>justifiable reason has</del>
		competent authorities to	not turned to the
		request for asylum, but	<u>competent</u>
		- although there is	<u>authorities to</u>
		effective access to	request for asylum,
		apply for asylum - has	<u>but - although there</u>
		only made the	<u>is effective access to</u>
		application after being	<del>apply for asylum -</del>
		apprehended on	has only made the
		grounds of an illegal	application after
		stay, or	being apprehended
			on grounds of an
			<u>illegal stay, or</u>

when he/she is	when he/she is
□ <u>already</u> □ <u>detained</u>	⊃ <u>already</u> C
subject to a return	detained subject to
procedure © in order to	a return procedure C
prepare the return	under Directive
and/or carry on the	2008/115/EC in order
removal process and	to prepare the return
there are reasonable	and/or carry on the
grounds to believe	removal process and
that $\bigcirc$ $\bigcirc$ [] $\bigcirc$ he/she	the Member State
makes $\bigcirc$ the $\bigcirc$	can substantiate on
□ [] □ application	the basis of objective
for international	criteria, including
protection merely in	that he/she already
order to delay or	had the opportunity
frustrate the	to access the asylum
enforcement of	procedure, that
<b>○</b> the <b>○ ○</b> [] <b>○</b>	there are
return $\bigcirc$ decision $\bigcirc$	reasonable grounds to
<b>3</b> [] <b>C</b> ; <b>C</b>	believe that C
	<b>○</b> [] <b>○</b> he/she
	makes 5 the C
	makes vine

			for international  protection merely in  order to delay or  frustrate the  enforcement of  the co[] c  return odecision c  o[] c; c
(d) when protection of national security or public order so requires.	(d) when protection of national security or public order so requires.	(⊃e ⊂ ⊃[] ⊂) when protection of national security or public order so requires.	when  protection of  national security  or public order  so requires.
			(f) in accordance with ○ Article 27 of ○ Regulation (EC) No [/]

These grounds shall be laid down in national law.	These grounds shall be laid down in national law and shall be regularly reported to the Commission, EASO and the European Parliament.		[Dublin  Regulation  □[] □ □  □[] □ □ Grounds  □ □ for detention □  shall be laid down in  national law.
4. Member States shall ensure that rules concerning alternatives to	4. Member States shall ensure that rules	4. Member States shall ensure that <b>②</b> any <b>ℂ</b> rules	4. Member States shall ensure that <del>→ any ←</del>
detention, such as regular	concerning	concerning alternatives to	rules concerning
reporting to the authorities, the	alternatives to	detention, such as regular	alternatives to
deposit of a financial guarantee,	detention, such as	reporting to the authorities,	detention, such as
or an obligation to stay at an	regular reporting to	the deposit of a financial	regular reporting to
assigned place, are laid down in	the authorities, the	guarantee, or an obligation to	the authorities, the
national law.	deposit of a financial	stay at an assigned place, are	deposit of a financial
	guarantee, or an	laid down in national law.	guarantee, or an
	obligation to stay at		obligation to stay at

Article 9	an assigned place, are laid down in national law.  Article 9	Article 9	an assigned place, are laid down in national law.  Article 9 paragraphs (1) to (4)
Guarantees for detained asylum seekers	Guarantees for detained asylum seekers	Guarantees for detained asylum seekers	in combination with recital (15a) EP on review of the detention order.
1. Detention shall be for as short a period as possible and shall only be maintained for as long as the grounds set out in Article 8(3) are applicable.	1. Detention shall be ordered for the shortest period possible. In particular, the period of detention pursuant to Article 8(2) (a), (b) or (c) shall not exceed the time reasonably needed to complete the	1. Detention shall be for as short a period as possible and shall only be maintained for as long as the grounds set out in Article 8(3) are applicable.	1. Detention shall be for as short a period as possible and shall only be maintained for as long as the grounds set out in Article 8(3) are applicable.

administrative	
procedures required	
in order to obtain	
information on the	ļ
asylum seeker's	ļ
nationality or identity	
or on the elements on	
which his application	
is based, or to	
complete the relevant	
procedure with a view	
to deciding on his/her	
right to enter the	
territory. The average	
period of detention	
and the reasons for	
detention shall be	
regularly reported to	
the Commission,	
EASO and the	
European	
Parliament.	

Administrative procedures relevant to the grounds set out in Article 8(3) shall be executed with due diligence. Delays in the administrative procedures that cannot be attributed to the asylum seeker shall not justify a continuation of detention.		Administrative procedures relevant to the grounds set out in Article 8(3) shall be executed with due diligence. Delays in the administrative procedures that cannot be attributed to the asylum seeker shall not justify a continuation of detention.		Administrative procedures relevant to the grounds set out in Article 8(3) shall be executed with due diligence. Delays in the administrative procedures that cannot be attributed to the asylum seeker shall not justify a continuation of detention.	Identica	
Detention shall be ordered by judicial or administrative authorities. Where detention is ordered by administrative authorities, it shall be confirmed by judicial authorities within 72 hours from the beginning of the detention. Where the judicial	2.	Detention shall be ordered by judicial [] authorities. In urgent cases it may be ordered by administrative authorities, in which case the detention	2.	Detention shall be ordered by judicial or administrative authorities. Where detention is ordered by administrative authorities,   Member States shall provide for a speedy judicial review of the lawfulness of detention	2.	Detention shall be ordered by judicial or administrative authorities. Where detention is ordered by administrative authorities,  Member States

authority finds detention to be	<i>order</i> shall be	conducted ex officio and/or	shall provide for a
unlawful, or there is no decision	confirmed by judicial	on the request of the	speedy judicial review
within 72 hours, the asylum	authorities within 72	applicant. The review of	of the lawfulness of
seeker concerned shall be	hours from the	the lawfulness of detention	detention conducted
released immediately.	beginning of the	shall be decided on as	ex officio and/or on
	detention. Where the	speedily as possible from the	the request of the
	judicial authority	beginning of detention in the	applicant. The
	finds detention to be	case of the ex officio review.	review of the
	unlawful, or there is	In the case of a review on the	lawfulness of
	no decision within	request of the applicant, the	detention shall be
	that 72 hour period,	lawfulness of the detention	decided on as speedily
	the asylum seeker	shall be subject to a review to	as possible from the
	concerned shall be	be decided on as speedily as	beginning of detention
	released immediately.	possible after the launch of	in the case of the ex
		the relevant proceedings. To	officio review. In the
		this end, © Member States	case of a review on
		shall define in national law a	the request of the
		⊃[] © period within	applicant, the
		which the ex officio review	lawfulness of the
		and/or the review on request	detention shall be
		of the applicant shall be	subject to a review to
		conducted. ©	be decided on as

speedily as possible
after the launch of the
relevant proceedings.
To this end, C
Member States shall
define in national law
a ⊃ [] ⊂ period
within which the ex
officio review and/or
the review on request
of the applicant shall
be conducted.
<b>⊃</b> <u>Detained asylum</u>
seekers shall
immediately be
informed in writing
of the reasons for
detention and the
procedures laid
down in national law
for challenging the
detention order and
WITH WITH

				the possibility to request free legal assistance and representation  [] C, in a language they understand  [] C or are C  [] C reasonably supposed to understand.  [] C.
			□[] □ □ The applicant □ concerned shall be released immediately □ if the detention is not lawful □.	applicant concerned shall be released immediately if the detention is not lawful c.
3.	Detention shall be ordered in writing. The detention order	3. Detention shall be ordered in writing.	3. Detention shall be ordered in writing. The detention order	3. Detention shall be ordered in writing.

1 11 1		1 11 1	
shall state the reasons in fact	The detention order	shall state the reasons in fact	The detention order
and in law on which it is based	shall state the reasons	and in law on which it is	shall state the reasons
and the procedures laid down in	in fact and in law on	based <b>D</b> . <b>C</b>	in fact and in law on
national law for challenging it,	which it is based,		which it is based
in a language the asylum seeker	shall specify the		⊃ <u>.</u> ⊂
understands or is reasonably	maximum period of		
supposed to understand. It shall	detention and the		
immediately be provided to the	procedures laid down		
detained asylum seeker.	in national law for		
	challenging it, in a		
	language the asylum		
	seeker understands or		
	is reasonably		
	supposed to		
	understand. It shall		
	immediately be		
	provided to the		
	detained asylum		
	seeker.		
			<b>→</b> Detained asylum seekers
		<b>○</b> <u>Detained asylum seekers</u>	shall immediately be
		shall immediately be	informed of the reasons for
			into med of the reasons for

				informed of the reasons for  detention and the procedures  laid down in national law for  challenging the detention  order C ⊃ [] C, in a  language ⊃ they  understand C ⊃ [] C or  ⊇ are C ⊃ [] Creasonably  supposed to understand.  ⊃ [] C.	detention and the procedures  laid down in national law for challenging the detention order ← → [] ←, in a language → they understand ← → [] ← or → are ← → [] ← reasonably supposed to understand. → [] ←.
4. Detention shall be a judicial authorisintervals of times officio or on requasylum seeker con particular whenex prolonged duration circumstances are information become which may affect of detention.	ty at reasonable either ex uest by the encerned, in ver it is of a on or relevant ise or new emes available	Detention shall be reviewed by a judicial authority at reasonable intervals of time, either ex officio or on request by the asylum seeker concerned, in particular whenever it is of a prolonged duration or relevant	4.	Detention shall be reviewed by a judicial authority at reasonable intervals of time,  □ [] □ ex officio □ and/ □ or on request by the asylum seeker concerned, in particular whenever it is of a prolonged duration or relevant circumstances arise or new information becomes available which may affect	Take Council text for paragraph 4.

	circumstances arise or new information becomes available which may affect the lawfulness of detention.	the lawfulness of detention.	
of the detention order, Member States shall ensure that asylum seekers have access to free legal assistance and representation, where they cannot afford the costs involved and in so far as it is necessary to ensure their effective access to justice.	5. [] Member States shall ensure that asylum seekers have access to free legal assistance and representation, where they cannot afford the costs involved and in so far as it is necessary to ensure their effective access to justice.	5.	5.
Legal assistance and representation shall include, at least, the preparation of the	Legal assistance and representation shall include, at least, the	This shall include, at least, the preparation of the required procedural	This shall include, at least, the preparation of the required procedural documents and

required procedural documents and representation before the judicial authorities.

Legal assistance and representation may be restricted to legal advisers or counsellors specifically designated by national law to assist and represent asylum seekers.

preparation of the required procedural documents and representation before the judicial authorities.

Legal assistance and representation may be provided by specialised, suitably qualified and impartial legal advisers, counsellors or NGOs specifically designated by national law to assist and represent asylum seekers.

in the hearing before the judicial authorities on behalf of the applicant.

Free legal assistance and representation shall be provided by such persons as admitted or permitted under national law.

before the judicial authorities

on behalf of the

applicant. © ©

Free legal assistance and representation shall be provided by such suitably qualified persons as admitted or permitted under national law whose interests do not conflict or could not potentially conflict with those of the asylum seekers.

<u>Member States may also</u><u>provide that free legal</u><u>assistance and representation</u>

Take Council text for paragraph 6

are granted: C	
(a) only to those who lack	
<pre>sufficient resources; and/or </pre>	
(b) only through the	
services provided by legal advisers or other	
counsellors specifically	
designated by national law to assist and	
represent applicants for	
international protection.	
<u>⊃[]</u> ¢	
<u>⊃[…]</u> C	
D_D_7 C D_[] C. Member States  may also:   C	<b>⊃</b> <u>7</u> <b>⊂ ⊃</b> <u>[]</u> <b>C</b> .  Member States
may also	may also: C
(a) impose monetary and	<b>⊃</b> (a)impose

⊃[] <b>c</b> time limits	monetary and/or
on the provision of free	<u> </u>
legal assistance and	limits on the
representation,	provision of free
provided that such	legal assistance
limits do not arbitrarily	<u>and</u>
restrict access to the	representation,
provision of legal	provided that
⊃[…] ⊂ assistance	such limits do
and representation; ©	not arbitrarily
	restrict access to
	the provision of
	assistance and
	representation;
	_C
(b)provide that, as regards	(b) provide that, as
fees and other costs,	regards fees and
the treatment of	other costs, the
applicants shall not be	treatment of
more favorable than the	applicants shall
more the oracle than the	

accorded to their  nationals in matters  pertaining to legal  assistance ⊃ [] ⊂  ⊂	not be more  favorable than  the treatment  generally  accorded to  their nationals  in matters  pertaining to  legal assistance
may demand to be reimbursed wholly or partially for any expenses granted if and when the applicant's financial situation has improved considerably or if the decision to grant such benefits was taken on the basis of false information supplied by the applicant.   Member States  Member States	Take Council text for paragraph 8.

Procedures for access to legal assistance and representation in such cases shall be laid down in national law.	Procedures for access to legal assistance and representation in such cases shall be laid down in national law.	access to legal assistance and representation in ⊃ [] ⊂  Such ⊂ cases ⊃ as referred to above ⊂  ⊃ [] ⊂ shall be laid down in national law. ⊂ ⊃ [] ⊂	Take Council text for paragraph 9.
Article 10	Article 10	Article 10	
<b>Conditions of detention</b>	Detention conditions	<b>Conditions of detention</b>	
1. Detention shall only take place	1. Member States shall	1. Detention shall ⊃ [] C	1. Detention shall
in specialised detention	not detain asylum	take place <b>⊃</b> as a rule <b>⊂</b> in	<b>⊃</b> [] <b>C</b> take place
facilities.	seekers in prison	specialised detention	oas a rule
	accommodation.	facilities.	specialised detention
	Detention shall only	Member State ⊃ [] <b>C</b> -	facilities.  Where a
	take place in	cannot provide	Member State
	specialised detention	accommodation in a	○[] C cannot
	facilities.	specialised detention facility	provide
		and is obliged to resort to	accommodation in a
		prison accommodation, the	specialised detention

		asylum seeker in detention shall be kept separately from ordinary prisoners.	facility and is obliged to resort to prison accommodation, the asylum seeker in detention shall be kept separately from ordinary prisoners. © and the detention conditions provided in this Directive shall apply.
Asylum seekers in detention shall be kept separately from other third country nationals who have not lodged an application for international protection unless it is necessary to ensure family unity and the	Asylum seekers in detention shall be <i>held</i> separately from other third country nationals who have not lodged an application for international	<u>⊅[…]</u> C	As far as possible, asylum seekers in detention shall be kept separately from other third country nationals who have not lodged an application for international protection.

	applicant consents thereto.		protection unless it is necessary to ensure family unity and the applicant consents			When asylum seekers cannot be detained separately from other third country nationals, the Member State
			thereto.			shall ensure that the detention conditions provided in this Directive apply.
2.	Detained asylum seekers shall have access to open-air spaces.	2.	Detained asylum seekers shall have access to open-air spaces.	2.	Detained asylum seekers shall have access to open-air spaces.	Identical
3.	Member States shall ensure that persons representing the United Nations High Commissioner for Refugees have the possibility to communicate with applicants and to have access to detention facilities. This also applies to an organisation which is working in the territory of the Member	3.	Member States shall ensure that persons representing the United Nations High Commissioner for Refugees have the possibility to communicate with and visit applicants in	3.	Member States shall ensure that persons representing the United Nations High Commissioner for Refugees have the possibility to communicate with applicants and to have access to detention facilities. This also applies to an organisation	3. Member States shall ensure that persons representing the United Nations High Commissioner for Refugees have the possibility to communicate with and visit applicants in

State concerned on behalf of the	conditions that fully	which is working in the	conditions that
United Nations High	respect privacy in	territory of the Member State	respect privacy and
Commissioner for Refugees	detention facilities.	concerned on behalf of the	to have access to
pursuant to an agreement with	This also applies to an	<b>United Nations High</b>	detention facilities.
that Member State.	organisation which is	Commissioner for Refugees	This also applies to an
	working in the	pursuant to an agreement	organisation which is
	territory of the	with that Member State.	working in the
	Member State		territory of the
	concerned on behalf		Member State
	of the United Nations		concerned on behalf
	High Commissioner		of the United Nations
	for Refugees pursuant		High Commissioner
	to an agreement with		for Refugees pursuant
	that Member State.		to an agreement with
			that Member State.
4. Member States shall ensure that	4. Member States shall	4. Member States shall ensure	4. Member States shall
family members, legal advisers	ensure that family	that family members, legal	ensure that family
or counsellors and persons	members, legal	advisers or counsellors and	members, legal
representing relevant non-	advisers or	persons representing relevant	advisers or
governmental organisations	counsellors, <i>legal</i>	non-governmental	counsellors and
recognised by the Member State	representatives and	organisations recognised by	persons representing

concerned, have the possibility	persons representing	the Member State concerned,	relevant non-
to communicate with applicants	relevant non-	have the possibility to	governmental
and have access to detention	governmental	communicate with applicants	organisations
facilities. Limits to access may	organisations []	and have access to detention	recognised by the
be imposed only where, by	have the possibility to	facilities. Limits to access	Member State
virtue of national law, they are	communicate with	may be imposed only where,	concerned, have the
objectively necessary for the	and visit applicants in	by virtue of national law, they	possibility to
security, public order or	conditions that fully	are objectively necessary for	communicate with
administrative management of	respect privacy.	the security, public order or	and visit applicants in
the detention facility, provided		administrative management	conditions that
that access is not thereby		of the detention facility,	respect privacy and
severely limited or rendered		provided that access is not	have access to
impossible.		thereby severely limited or	detention facilities.
		rendered impossible.	
			Limits to access may be
			imposed only where,
			by virtue of national
			law, they are
			objectively necessary
			for the security, public
			order or
			administrative
ı	I		ı

	3. Member States shall ensure that asylum		management of the detention facility, provided that access is not thereby severely limited or rendered impossible.  EP AM not taken up because already covered by Article 19.
	seekers held in detention have access to appropriate medical treatment and psychological counselling where appropriate.		
5. Member States shall ensure that asylum seekers in detention are systematically provided with information which explains the rules applied in the facility and sets out their rights and	5. Member States shall ensure that asylum seekers in detention are systematically provided with information which	5. Member States shall ensure that asylum seekers in detention are systematically provided with information which explains the rules applied in the facility and sets	Take Council text for paragraph 5.

obligations in a language they	explains the rules	out their rights and	
understand or are reasonably	applied in the facility	obligations in a language they	
supposed to understand.	and sets out their	understand or are reasonably	
	rights and obligations	supposed to understand.	
	in a language which	<u> Member States may</u>	
	they understand or	derogate from this obligation	
	may reasonably be	in duly justified cases and for	
	<i>presumed</i> to	a reasonable period which	
	understand.	shall be as short as possible	
		when the asylum seeker is	
		detained at a border or in a	
		transit zone <b>3</b> . This	
		derogation shall not apply in	
		<b>C</b> ⊃ [] <b>C</b> cases referred	
		to in Article 43 of Directive	
		[//EU] [the Asylum	
		Procedures Directive]. C-	
			<u></u> C
6. In duly justified cases and for a	[]	⊃[] €	
reasonable period which shall			
be as short as possible Member			
States may derogate:			

(a)	from the first	[]	⊃[] €	⊃[]€
	subparagraph of			
	paragraph 1 where			
	accommodation in			
	specialised detention			
	facilities is temporarily			
	not available and, as a			
	consequence, Member			
	States are obliged to resort			
	to prison accommodation,			
	provided that asylum			
	seekers in detention are			
	kept separately from			
	ordinary prisoners;			
	unaccompanied minors			
	shall not, however, be			
	kept in prison			
	accommodation;			
(b)	from paragraph 5 when	[]	<u>⊃[]</u> C	<u>⊃[]</u> C
	the asylum seeker is			
	detained at a border post			

or in a transit zone with the exception of cases referred to in Article 43 of Directive [//EU] [the Asylum Procedures Directive].			
Article 11	Article 11	Article 11	
Detention of vulnerable persons and persons with special reception needs	Detention of vulnerable persons and persons with special reception needs	Detention of vulnerable persons and persons with special reception needs	
1. In all cases, vulnerable persons shall not be detained unless it is established that their health, including their mental health, and well-being, will not significantly deteriorate as a result of the detention.	1. In all cases, vulnerable persons shall not be detained unless it is established following an individual examination of their situation by a qualified and	1.    The health, including the mental health, of applicants  in detention    in detention	Take Council text for paragraph 1.

**LIMITE** 

	independent  professional that their health, including their mental health, and well-being, will not significantly deteriorate as a result of the detention.		
Where vulnerable persons are detained, Member States shall ensure regular monitoring and adequate support taking into account their particular situation including their health.	Where vulnerable persons are detained, Member States shall ensure regular monitoring and adequate support taking into account their particular situation including their health.	Where vulnerable persons are detained, Member States shall ensure regular monitoring and adequate support taking into account their particular situation including their health.	Identical
2. Minors shall not be detained unless it is established in an individual case that it is in the	2. Minors shall not be detained unless it is <i>in</i> their best interests, as	2. Minors ⊃ shall only ⊂  ⊃ [] ⊂ ⊃ [] ⊂ be  detained ⊃ ⊃ [] ⊂ as a	2. Minors ⊃ shall only ⊂ ⊃ [] ⊂  ⊃ [] ⊂ be detained

minor's best interests, as	prescribed in Article	measure of last resort and	<b>D_D</b> [] <b>C</b> as a
prescribed in Article 23(2).	23(2) and only after	for the shortest period of	measure of last resort
	taking into	time C C D [] C	and <b>after having</b>
	consideration the	⊃ <u>[]</u>	established that
	findings of the		other less coercive
	individual		alternative measures
	examination of their		cannot be applied
	situation in		effectively. It shall be
	accordance with		and $\supset$ for the shortest
	paragraph 5 of this		period of time C
	Article.		<u> </u>
			and all efforts shall
			be made to release
			the detained minors
			and place them in
			accommodation
			suitable for minors
Detention of minors shall be a	Detention of minors	<u>Unaccompanied minors</u>	<u> Unaccompanied</u>
measure of last resort, after	shall be a measure of	shall be detained only in	minors shall be
having established that other	last resort, after	⊃[] C ⊃ particular C	detained only in
less coercive alternative	having established	circumstances. All efforts	⊃ <u>[]</u> C

measures cannot be applied	that other less	shall be made to release the	<b>○</b> <u>exceptional</u>
effectively. It shall be for as	coercive alternative	detained unaccompanied	<del>particular</del> C
short a period as possible and all	measures cannot be	minor as soon as possible.	circumstances. All
efforts shall be made to release	applied effectively. It	⊃ <u>[]</u> C ⊃	efforts shall be made
the detained minors and place	shall be for as short a		to release the detained
them in accommodation suitable	period as possible and		unaccompanied minor
for minors.	all efforts shall be		as soon as possible.
	made to release the		<u></u> c
	detained minors and		
	place them in		
	accommodation		
	suitable for minors.		
		The minor's best interests, as	The minor's best
		prescribed in Article 23(2),	interests, as
		shall be a primary	prescribed in Article
		consideration.	23(2), shall be a
			primary consideration.
			_ <b>C</b>
		<u> Unaccompanied minors</u>	<u>○ Unaccompanied</u>
		shall not be kept in prison	minors shall not be
			kept in prison

		accommodation.	accommodation.
Detention of unaccompanied			Unaccompanied minors shall as far as possible be provided with accommodation in institutions provided with personnel and facilities which take into account the needs of persons of their age.  EP AM not taken up because
Detention of unaccompanied	Unaccompanied	⊅[] €	already covered elsewhere in
minors shall be resorted to only in particularly exceptional	minors shall never be detained. Where		this paragraph (leisure
cases.	minors are detained		activities) respectively in
	they shall have the		Article 10(2) (open air
	possibility of		activities).
	engaging in leisure-		
	activities, including		
	play and recreational		

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Where minors are detained, they shall have the possibility to engage in leisure-activities, including play and recreational activities appropriate to their age.	activities appropriate to their age, and open-air activities.  Where minors are detained, they shall have the possibility of engaging in leisure- activities, including play and recreational activities appropriate to their age, and open-air activities.	Where minors are detained, they shall have the possibility to engage in leisure-activities, including play and recreational activities appropriate to their age.	EP AM not taken up because already covered in Article 10(2).  Where minors are detained, they shall have the possibility to engage in leisure-activities, including play and recreational activities appropriate to their age.
Minors shall have access to open-air spaces.	Minors shall have access to open-air spaces.	⊃[]€	⊃[] €
Where unaccompanied minors are detained, Member States	[]	Where unaccompanied minors are detained, Member	Where unaccompanied minors are detained, Member States shall ensure that they are

3.	shall ensure that they are accommodated separately from adults.  Detained families shall be provided with separate	3.	Detained families shall be provided with	3.	States shall ensure that they are accommodated separately from adults.  Detained families shall be provided with separate	accommodated separately from adults.  Take Council text for paragraph 3
	accommodation guaranteeing adequate privacy.		separate accommodation ensuring adequate privacy.		accommodation guaranteeing adequate privacy.	
4.	Where female asylum seekers are detained, Member States shall ensure that they are accommodated separately from male asylum seekers, unless these are family members and all concerned individuals consent thereto.	4.	Where female asylum seekers are detained, Member States shall ensure that they are accommodated separately from male asylum seekers, unless <i>they</i> are family members and all concerned individuals consent thereto.	4.	Where female asylum seekers are detained, Member States shall ensure that they are accommodated separately from male asylum seekers, unless these are family members and all concerned individuals consent thereto.	Take Council text for paragraph 4.

	Exceptions may also apply for the use of common spaces designed for recreational or social activities including the provision of meals.		Exceptions may also apply for the use of common spaces designed for recreational or social activities including the provision of meals. When using these common spaces Member States shall ensure the physical and psychological integrity of female asylum seekers.		Exceptions may also apply for the use of common spaces designed for recreational or social activities including the provision of meals.	
5.	In duly justified cases and for a reasonable period that shall be as short as possible Member States may derogate from the fourth subparagraph of paragraph 2, paragraph 3 and the first subparagraph of	5.	In duly justified cases and for a reasonable period that shall be as short as possible Member States may derogate from the fourth subparagraph	5.	In duly justified cases and for a reasonable period that shall be as short as possible  Member States may derogate from the fourth subparagraph of paragraph 2, paragraph 3 and the first subparagraph of	Identical

paragraph 4, when the asylum	of paragraph 2,	paragraph 4, when the asylum	
seeker is detained at a border	paragraph 3 and the	seeker is detained at a border	
post or in a transit zone, with	first subparagraph of	post or in a transit zone, with	
the exception of cases referred	paragraph 4, when the	the exception of cases	
to in Article 43 of Directive	asylum seeker is	referred to in Article 43 of	
[//EU] [the Asylum	detained at a border	Directive [//EU] [the	
Procedures Directive].	post or in a transit	Asylum Procedures	
	zone, with the	Directive].	
	exception of cases		
	referred to in Article		
	43 of Directive		
	[//EU] [the		
	Asylum Procedures		
	Directive].		
<i>Article <u>12</u> </i>	Article 12	Article <u>12 </u> €	
=		==	
T	F '11'	F	
Families	Families	Families	
Member States shall take appropriate	Member States shall take	Member States shall take appropriate	EP suggestions for linguistic
measures to maintain as far as possible	appropriate measures to	measures to maintain as far as possible	changes not admissible.
family unity as present within their	maintain as far as possible the	family unity as present within their	

territory, if applicants are provided with	family unity of asylum seekers	territory, if applicants are provided	
housing by the Member State concerned.	present <i>in</i> their territory, if <i>they</i>	with housing by the Member State	
Such measures shall be implemented	are provided with housing by	concerned. Such measures shall be	
with the asylum seeker's agreement.	the Member State concerned.	implemented with the asylum seeker's	
	Such measures shall be	agreement.	
	implemented with the asylum		
	seeker's agreement.		
Article <u>13</u> <u>₽</u>	Article 13	Article <u>13 €</u>	
Medical screening	Medical screening	Medical screening	
Member States may require medical	Member States may require	Member States may require medical	Identical
screening for applicants on public health	medical screening for	screening for applicants on public	
grounds.	applicants on public health	health grounds.	
	grounds.		
Article <u>14</u> <del>10</del>	Article 14	Article <u>14</u> <del>10</del>	
Schooling and education of minors	Schooling and education of minors	Schooling and education of minors	
Member States shall grant to	1. Member States shall	Member States shall grant to	EP AM not admissible

minor children of asylum seekers and to asylum seekers who are minors access to the education system under similar conditions as nationals of the host Member State for so long as an expulsion measure against them or their parents is not actually enforced. Such education may be provided in accommodation centres.

grant to minor children of asylum seekers and to asylum seekers who are minors access to the education system under similar conditions as nationals of the host Member State for so long as an expulsion measure against them or their parents is not actually enforced. Such education may be provided in accommodation centres. Member States shall support full access to education systems and support the

minor children of asylum seekers and to asylum seekers who are minors access to the education system under similar conditions as nationals of the host Member State for so long as an expulsion measure against them or their parents is not actually enforced. Such education may be provided in accommodation centres.

	minor in learning the language of the Member State, hence contributing to its integration in the host society.		
The Member State concerned may stipulate that such access must be confined to the State education system.	The Member State concerned may stipulate that such access must be confined to the State education system.	The Member State concerned may stipulate that such access must be confined to the State education system.	Identical
Minors shall be younger than the age of legal majority in the Member State in which the application for asylum was lodged or is being examined. Member States shall not withdraw secondary education for the sole reason that the minor has reached the age of	Member States shall not withdraw secondary education for the sole reason that the minor has reached the age of majority.	Minors shall be younger than the age of legal majority in the Member State in which the application for asylum was lodged or is being examined. Member States shall not withdraw secondary education for the sole reason that the minor has	Identical

majo	ority.				reached the age of majority.		
shall than the a  ⇒ in prote lodg the r  This one	l not be postponed for more three months from the date application for international action ⇔ asylum was ged by ⇒ or on behalf of ⇔ minor or the minor's parents. A period may be extended to year where specific cation is provided in order to litate access to the education em.	2.	Access to the education system shall be ensured as soon as possible once the application for international protection has been lodged by or on behalf of the minor and, in any event, shall not be postponed for more than three months from the date on which the application for international protection was lodged [].	2.	Access to the education system shall not be postponed for more than three months from the date the application for ⇒ international protection ⇔ asylum was lodged by ⇒ or on behalf of ⇔ the minor or the minor's parents. This period may be extended to one year where specific education is provided in order to facilitate access to the education system.	2.	Access to the education system shall not be postponed for more than three months from the date the application for ⇒ international protection ⇔ asylum was lodged by ⇒ or on behalf of ⇔ the minor or the minor's parents. This period may be extended to one year where specific education is provided in order to facilitate access to the education system.

	Preparatory classes, including language classes, shall be provided to minors where it is necessary to facilitate their access and integration to the national education system.		Preparatory classes, including language classes, shall be provided to minors [] to facilitate their access and integration to the national education system.		Preparatory classes, including language classes, shall be provided to minors where it is necessary to facilitate their access $\left[ \ldots \right]$ to the national education system $access$ as set out in paragraph 1 $access$ .	Preparatory classes, including language classes, shall be provided to minors where it is necessary to facilitate their access and participation to the national education system as set out in paragraph 1
3.	Where access to the education system as set out in paragraph 1 is not possible due to the specific situation of the minor, the Member State ⇒ shall ⇔ may offer other education arrangements ⇒ in accordance with national law and	3.	Where access to the education system as set out in paragraph 1 is not possible due to the specific situation of the minor, the Member State shall offer other	3.	Where access to the education system as set out in paragraph 1 is not possible due to the specific situation of the minor, the Member State ⇒ shall ⇔ may offer other education arrangements ⇒ in accordance with	Take Council text for paragraph 3.

ticle <u>15</u> <u>#</u>
nployment
er States shall  nine a period of time, g from the date on an application for n was lodged during an applicant shall not ecess to the labour t.
per States shall ensure  1. Member States shall ensure that applicants have access to have access to the

months following the date when	labour market no later	than <b>1</b> [] <b>2 1</b> 2 <b>5</b>	labour market no later
the application for international	than six months	months following the date	than $\bigcirc [] \bigcirc \bigcirc 9$
protection was lodged.	following the date	when the application for	12 © months
	when the application	international protection was	following the date
	for international	lodged of if a first instance	when the application
	protection was	decision by the competent	for international
	lodged.	authority has not been taken	protection was lodged
		and this delay cannot be	<b>⊃</b> if a first instance
		attributed to the applicant C.	decision by the
			competent authority
			has not been taken
			and this delay cannot
			be attributed to the
			applicant <b>C</b> .
M. I. G.	[]		<b>D</b> [] <b>C</b>
Member States may extend that		⊃ <u>[]</u>	
time limit for a period not			
exceeding a further six months,			
in the cases provided for in			
points (b) and (c) of Article			
31(3)of Directive [//EU]			
[the Asylum Procedures			

Directive].			
2. If a decision at first instance has not been taken within one year of the presentation of an application for asylum and this delay cannot be attributed to the applicant. Member States shall decide the conditions for granting access to the labour market for the applicant ⇒, in accordance with their national law, while ensuring asylum seekers have effective access to the labour market. ⇐.	ember States shall cide the conditions or granting access to e labour market for e applicant, in cordance with their tional legislation, thout unduly stricting asylum ekers' access to the bour market. Tember States shall port to the commission, EASO and the European arliament about the alities of asylum ekers access to the bour market in a o-year period.	If a decision at first instance has not been taken within one year of the presentation of an application for asylum and this delay cannot be attributed to the applicant, Member States shall decide the conditions for granting access to the labour market for the applicant ➡, in accordance with their national law, while ensuring asylum seekers have effective access to the labour market. ➡	Take Council text for paragraph 2.

					For reasons of labour market policies, Member States may give priority to EU citizens and nationals of States parties to the Agreement on the European Economic Area and also to legally resident third-country nationals.	Take Council text for paragraph 2.
3.	Access to the labour market shall not be withdrawn during appeals procedures, where an appeal against a negative decision in a regular procedure has suspensive effect, until such time as a negative decision on the appeal is notified.	3.	Access to the labour market shall not be withdrawn during appeals procedures, where an appeal against a negative decision in an ordinary procedure has suspensive effect, until such time as a negative decision on the appeal is issued.	3.	Access to the labour market shall not be withdrawn during appeals procedures, where an appeal against a negative decision in a regular procedure has suspensive effect, until such time as a negative decision on the appeal is notified.	EP suggestions on linguistic changes not admissible.  Take Council text for paragraph 3.

4. For reasons of labour market  policies, Member States may give priority to EU citizens and nationals of States parties to the Agreement on the European Economic Area and also to legally resident third-country nationals.		4. For reasons of labour market  policies, Member States may give priority to EU citizens and nationals of States parties to the Agreement on the European Economic Area and also to legally resident third- country nationals.	
Article <u>16</u> <del>12</del>	Article 16	Article <u>16</u> <del>12</del>	Identical
Vocational training	Vocational training	Vocational training	
Member States may allow asylum	Member States may allow	Member States may allow asylum	
seekers access to vocational training	asylum seekers access to	seekers access to vocational training	
irrespective of whether they have access	vocational training irrespective	irrespective of whether they have	
to the labour market.	of whether they have access to	access to the labour market.	
	the labour market.		
Access to vocational training relating to	Access to vocational training	Access to vocational training relating	
		to an employment contract shall	
an employment contract shall depend on	relating to an employment	to an employment contract shan	
an employment contract shall depend on the extent to which the applicant has	contract shall depend on the	depend on the extent to which the	

accor	dance with Article <u>15 <del>11</del></u> .	has access to the labour market in accordance with Article 15.	market in accordance with Article $\underline{15}$ $\underline{\underline{15}}$ .	
	Article <u>17</u> <del><u>13</u></del>	Article 17	Article <u>17</u> <del><u>13</u></del>	
Gei	neral rules on material reception conditions and health care	General rules on material reception conditions and health care	General rules on material reception conditions and health care	
1.	Member States shall ensure that material reception conditions are available to applicants when they make their application for asylum ⇒ international protection ←.	ensure that material	1. Member States shall ensure that material reception conditions are available to applicants when they make their application for asylum  ⇒ international protection ←.	Identical
2.	Member States shall ⊠ ensure that ⊠ make provisions on material reception conditions ⊠ provide an adequate ⊠ to ensure a standard of	2. Member States shall ensure that material reception conditions provide an adequate standard of living for	2. Member States shall  i ensure that i make  provisions on material  reception conditions  i provide an adequate i	EP suggestions on linguistic changes not admissible.

living international protection, which guarantees their subsistence and protects their physical and mental health in adequate for the health of applicants and capable of ensuring their subsistence.	applicants, which ensures their subsistence and protects their physical and mental health.	to ensure a standard of living > for applicants for international protection, which guarantees their subsistence and protects their physical and mental health < adequate for the health of applicants and capable of ensuring their subsistence.	
Member States shall ensure that that standard of living is met in the specific situation of  ⇒ vulnerable ← persons who  have special needs, in accordance with Article  ⇒ 21 ← 17/4, as well as in relation to the situation of persons who are in detention.	Member States shall ensure that <i>such a</i> standard of living is <i>provided</i> in the specific situation of vulnerable persons, in accordance with Article 21, as well as in relation to the situation of persons who are in detention.	Member States shall ensure that that standard of living is met in the specific situation of ⇒ vulnerable ⇔ persons who have special needs, in accordance with Article ⇒ 21 ⇔ ‡‡, as well as in relation to the situation of persons who are in detention.	EP suggestions on linguistic changes not admissible.

3.	Member States may make the provision of all or some of the material reception conditions	3.	Member States may make the provision of all or some of the	3.	Member States may make the provision of all or some of the material reception	EP suggestions on linguistic changes not admissible.
	and health care subject to the condition that applicants do not have sufficient means to have a standard of living adequate for their health and to enable their subsistence.		material reception conditions and health care subject to the condition that applicants do not have sufficient means to have a standard of living adequate for their health and to ensure their subsistence.		conditions and health care subject to the condition that applicants do not have sufficient means to have a standard of living adequate for their health and to enable their subsistence.	
4.	Member States may require applicants to cover or contribute to the cost of the material reception conditions and of the health care provided for in this Directive, pursuant to the provision of paragraph 3, if the	4.	Member States may require applicants to cover or contribute to the cost of the material reception conditions and of the health care provided	4.	Member States may require applicants to cover or contribute to the cost of the material reception conditions and of the health care provided for in this Directive, pursuant to the provision of	Identical

applicants have sufficient	for in this Directive,	paragraph 3, if the applicants	
resources, for example if they	pursuant to the	have sufficient resources, for	
have been working for a	provision of	example if they have been	
reasonable period of time.	paragraph 3, if the	working for a reasonable	
	applicants have	period of time.	
	sufficient resources,		
	for example if they		
	have been working for		
	a reasonable period of		
	time.		
If it transpires that an applicant	If it transpires that an	If it transpires that an	EP suggestions on linguistic
had sufficient means to cover	applicant had	applicant had sufficient	changes not admissible.
material reception conditions	sufficient means to	means to cover material	
and health care at the time when	cover material	reception conditions and	
these basic needs were being	reception conditions	health care at the time when	
covered, Member States may	and health care at the	these basic needs were being	
ask the asylum seeker for a	time when those basic	covered, Member States may	
refund.	needs were being <i>met</i> ,	ask the asylum seeker for a	
	Member States may	refund.	
	ask the asylum seeker		
	for a refund.		

5. Material reception conditions  may be provided in kind, or in  the form of financial allowances  or vouchers or in a combination  of these provisions		5. Material reception conditions  may be provided in kind, or  in the form of financial  allowances or vouchers or in  a combination of these  provisions	
Where Member States provide material reception conditions in the form of financial allowances or vouchers, the amount thereof shall be determined in accordance with the principles set out in this Article.		Where Member States  provide material reception  conditions in the form of  financial allowances or  vouchers, the amount thereof  shall be determined in  accordance with the  principles set out in this  Article.	
	5. Material reception conditions may be provided in kind or in the form of financial allowances or		EP AM not taken up because already adequately covered by definition 2(g).

	vouchers or in a combination of the three elements.		
material reception conditions in the form of financial allowances and vouchers, the amount thereof shall be determined on the basis of the point(s) of reference established by the Member State concerned either by law or practice to ensure adequate standards of living for nationals, such as the minimum level of social welfare assistance. Member States may grant less favourable treatment to asylum applicants compared to nationals in this respect, where it is duly justified.	5. Where Member States provide material reception conditions in the form of financial allowances and vouchers, the amount thereof shall be determined on the basis of the point(s) of reference established by the Member State concerned either by law or practice to ensure adequate standards of living for nationals. This shall at least cover adequate	provide material reception conditions in the form of financial allowances and vouchers, the amount thereof shall be determined on the basis of the \(\sigma_{}\) \(\sigma_{\text{evel(s)}}\) \(\text{evel(s)}\)	Article 17(5) in combination with recital (20).  Take Council text for paragraph 5.

accommodation,	where material support is	
food, and, where	partially provided in kind or	
applicable, education,	where the abovementioned	
as well as health care	$\bigcirc$ [] $\bigcirc$ $\bigcirc$ level(s) $\bigcirc$ ,	
in accordance with	applied for nationals, aim to	
this Directive. This	ensure a standard of living	
does not entail that	higher than what is prescribed	
the amount granted	for asylum seekers under this	
should be the same as	<u>Directive</u> <b>C</b> .	
for nationals.		
Member States may		
grant less favourable		
treatment to asylum		
applicants compared		
to nationals in this		
respect [].		

Article <u>18</u> <u><del>14</del></u>	Article 18	Article <u>18</u> <del><u>14</u></del>	
Modalities for material reception conditions	Modalities for material reception conditions	Modalities for material reception conditions	
1. Where housing is provided in kind, it should take one or a combination of the following forms:	1. Where housing is provided in kind, it should take one or a combination of the following forms:	1. Where housing is provided in kind, it should take one or a combination of the following forms:	Identical
(a) premises used for the purpose of housing applicants during the examination of an application for ⇒ international protection ⇔ asylum lodged ⇒ made ⇔ at the border ⇒ or in transit zones ⇔;	(a) premises used for the purpose of housing applicants during the examination of an application for international protection made at the border or in transit zones	(a) premises used for the purpose of housing applicants during the examination of an application for ⇒ international protection ⇔ asylum lodged ⇒ made ⇔ at the border ⇒ or in transit zones ⇔;	EP AM not admissible.

			for a maximum  period of four  weeks;			
	(b) accommodation centres which guarantee an adequate standard of living;	(b)	accommodation centres which guarantee an adequate standard of living;		(b) accommodation centres which guarantee an adequate standard of living;	Identical
	(c) private houses, flats, hotels or other premises adapted for housing applicants.	(c)	private houses, flats, hotels or other premises adapted for housing applicants.		(c) private houses, flats, hotels or other premises adapted for housing applicants.	Identical
2.	⇒ Without prejudice to any specific conditions of detention as stipulated in Articles 10 and 11, ⇔ ≫ in relation to housing referred to in paragraph 1(a), (b)	any s cond deter	specific litions of ntion as stipulated rticles 10 and 11,	2.	⇒ Without prejudice to any specific conditions of detention as stipulated in Articles 10 and 11, ⇔ ≫ in relation to housing referred to	Identical

and (c), ⟨⊠ Member States shall ensure that applicants provided with the housing referred to in paragraph 1(a), (b) and (c) are assured:	in relation to housing referred to in paragraph 1(a), (b) and (c), Member States shall ensure that:	in paragraph 1(a), (b) and (c),  Member States shall ensure that applicants provided with the housing referred to in paragraph 1(a), (b) and (c) are assured:	
(a) ⊠ applicants are guaranteed ⊠ protection of their family life;	(a) applicants are guaranteed protection of their family life;	(a) ⊠ applicants are guaranteed ⊠ protection of their family life;	Identical
(b) ⊠ applicants have ⊠ the possibility of communicating with relatives, legal advisers ⇒ or counsellors ⇔,	(b) applicants have the possibility of communicating with relatives, legal advisers or counsellors, persons representing the United Nations High	the possibility of communicating with relatives, legal advisers ⇒ or counsellors ⇐,  ⇒ persons representing ☒ and representatives of United Nations High Commissioner for Refugees (UNHCR)	Identical

⇒ other relevant national,	Commissioner	and       other relevant	
international and non-	for Refugees	national, international	
	_		
governmental	(UNHCR) and	and non-governmental	
organisations and	other relevant	organisations and	
bodies ← <del>non</del>	national,	bodies ← <del>non</del>	
<del>governmental</del>	international	<del>governmental</del>	
organisations (NGOs)	and non-	organisations (NGOs)	
recognised by Member	governmental	recognised by Member	
States.	organisations	States.	
	and bodies.		
			Identical
$(c)$ $\Rightarrow$ Family members $\Leftarrow$ ,	(c) Family	$(c)$ $\Rightarrow$ Family members $\Leftarrow$ ,	Identical
legal <u>advisers</u> <del>advisors</del> or	members, legal	legal <u>advisers</u> <del>advisors</del>	
counsellors <u>of asylum</u>	advisers or	or counsellors <u>of</u>	
<u>seekers</u> , ⊠ persons	counsellors,	<u>asylum seekers,</u>	
representing 🖾 and	persons	persons	
representatives of the	representing the	representing 🗵 and	
United Nations High	United Nations	<u>representatives of</u> the	
Commissioner for	High	United Nations High	
Refugees	Commissioner	Commissioner for	
⊠ (UNHCR) ⊠	for Refugees	Refugees	
≥ and ≥ <u>e</u>	(UNHCR) and		

⇒ relevant ← non-	relevant non-	🗵 and 🗵 💇	
governmental	governmental	⇒ relevant ← non-	
organisations <del>designated</del>	organisations	governmental	
by the latter and	recognised by	organisations	
recognised by the Member	the Member	designated by the latter	
State concerned	State concerned	and recognised by the	
ĭ are ⟨ <u>shall be</u>	are granted	Member State	
granted access <u>to</u>	access in order	concerned ⋈ are 🗵	
accommodation centres	to assist the said	<del>shall be</del> granted access	
and other housing	asylum seekers.	<u>to accommodation</u>	
<u>facilities</u> in order to assist	Limits on such	eentres and other	
the said asylum seekers.	access may be	<u>housing facilities</u> in	
Limits on such access	imposed only on	order to assist the said	
may be imposed only on	grounds relating	asylum seekers. Limits	
grounds relating to the	to the security	on such access may be	
security of <b>⋈</b> these	of these	imposed only on	
premises ≤ the centres	premises and of	grounds relating to the	
and facilities and of the	the asylum	security of <b>⋈</b> these	
asylum seekers.	seekers.	premises ⟨ ± <del>he centres</del>	
		and facilities and of the	
		asylum seekers.	

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3.	Member States shall take into	3.	Member States shall	3.	Member States shall take into	Identica	ıl
	consideration gender and age		take into		consideration gender and age		
	specific concerns and the		consideration gender		specific concerns and the		
	situation of vulnerable persons		and age specific		situation of vulnerable		
	in relation to applicants within		concerns and the		persons in relation to		
	the premises and		situation of vulnerable		applicants within the		
	accommodation centres referred		persons in relation to		premises and accommodation		
	to in paragraph 1(a) and (b).		applicants within the		centres referred to in		
			premises and		paragraph 1(a) and (b).		
			accommodation				
			centres referred to in				
			paragraph 1(a) and				
			(b).				
<u>4.</u>	Member States shall	4.	Member States shall	<u>4.</u>	Member States shall <b>⋈</b> take	<u>4.</u>	Member States shall
	appropriate measures to prevent		take appropriate		appropriate measures to		<b>⋈</b> take appropriate
			measures to prevent		prevent 🖾 <del>pay particular</del>		measures to prevent
	the prevention of assault ⇒		assault and gender		attention to the prevention of		⊠ <del>pay particular</del>
	and gender based violence		based violence		assault $\Rightarrow$ and gender based		attention to the
	including sexual assault, ←		including sexual		violence including sexual		<del>prevention of</del> assault
	within the premises and		assault, within the		assault, $\Leftarrow$ within the		⇒ and gender based
	accommodation centres referred		premises and		premises and accommodation		violence including

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to in paragraph 1(a) and (b).	accommodation centres referred to in paragraph 1(a) and (b).	centres referred to in paragraph 1(a) and (b).	sexual assault and harassment,  within the premises and accommodation centres referred to in
			paragraph 1(a) and (b).
			In combination with Article 2(c) and 23(5) and recital (18a).
			4a. Member State shall ensure as far as possible that
			dependent adult applicants with special reception
			needs are accommodated together with close
			adult relatives who are already present

						in the same Member State and who are responsible for them whether by law or by the national practice of the Member State concerned.
3.	Member States shall ensure, if appropriate, that minor children of applicants or applicants who are minors are lodged with their parents or with the adult family member responsible for them whether by law or by custom.			<u>3.</u>	Member States shall ensure.  if appropriate, that minor  children of applicants or  applicants who are minors are  lodged with their parents or  with the adult family member  responsible for them whether  by law or by custom.	
<u>5. 4.</u>	Member States shall ensure that transfers of applicants from one housing facility to another take place only when necessary.  Member States shall provide for	5.	Member States shall ensure that transfers of applicants from one housing facility to another take place	<u>5.4.</u>	Member States shall ensure that transfers of applicants from one housing facility to another take place only when necessary. Member States	Identical

**LIMITE** 

	the possibility for applicants to		only when necessary.		shall provide for the	
	inform their legal		Member States shall		possibility for applicants to	
	advisers <del>advisors</del> ⇒ or		provide for the		inform their legal	
	counsellors    of the transfer		possibility for		advisers <del>advisors</del> ⇒ or	
	and of their new address.		•		counsellors ← of the transfer	
	and of their new address.		applicants to inform			
			their legal advisers or		and of their new address.	
			counsellors of the			
			transfer and of their			
			new address.			
6. <del>5.</del>	Persons working in	6.	Persons working in	6. <del>5.</del>	Persons working in	EP suggestions for linguistic
<u> </u>	accommodation centres shall be	0.	accommodation	0.5.	accommodation centres shall	changes not admissible.
						-
	adequately trained and shall be		centres shall be		be adequately trained and	
	bound by the confidentiality		adequately trained and		shall be bound by the	
	principle as defined in the		shall be bound by the		confidentiality principle as	
	national law in relation to any		confidentiality		defined in the national law in	
	information they obtain in the		principle as defined in		relation to any information	
	course of their work.		the national law in		they obtain in the course of	
			relation to any		their work.	
			information which			
			they obtain in the			
			course of their work.			

<u>7. <del>6.</del></u>	Member States may involve	7.	Member States may	7. <del>6.</del>	Member States may involve	Identical
	applicants in managing the		involve applicants in		applicants in managing the	
	material resources and non-		managing the material		material resources and non-	
	material aspects of life in the		resources and non-		material aspects of life in the	
	centre through an advisory		material aspects of		centre through an advisory	
	board or council representing		life in the centre		board or council representing	
	residents.		through an advisory		residents.	
			board or council			
			representing residents.			
			representing residents.			
<del>7.</del>	Legal advisors or counsellors of			<del>7.</del>	Legal advisors or counsellors	
	asylum seekers and				of asylum seekers and	
	representatives of the United				representatives of the United	
	Nations High Commissioner for				Nations High Commissioner	
	Refugees or non-governmental				for Refugees or non-	
	organisations designated by the				governmental organisations	
	latter and recognised by the				designated by the latter and	
	Member State concerned shall				recognised by the Member	
	<u>be granted access to</u>				State concerned shall be	
	accommodation centres and				granted access to	
	other housing facilities in order				accommodation centres and	
	to assist the said asylum				other housing facilities in	

	seekers. Limits on such access may be imposed only on grounds relating to the security of the centres and facilities and of the asylum seekers.				order to assist the said asylum seekers. Limits on such access may be imposed only on grounds relating to the security of the centres and	
					<u>facilities and of the asylum</u> <u>seekers.</u>	
8.	➡ In duly justified cases, ⇐  Member States may exceptionally set modalities for material reception conditions different from those provided for in this Article, for a reasonable period which shall be as short as possible, when:	8.	In duly justified cases, Member States may exceptionally lay down rules for material reception conditions which are different from those provided for in this Article, for a reasonable period which shall be as short as possible, when:	8.	➡ In duly justified cases, ⇐  Member States may exceptionally set modalities for material reception conditions different from those provided for in this Article, for a reasonable period which shall be as short as possible, when:	EP suggestions for linguistic changes not admissible.
	(a) = an initial assessment of		(a) an assessment		(a) = an initial assessment of	Identical

the specific needs of the	of the specific	the specific needs of the	
applicant is required ⇒,	needs of the	applicant is required	
in accordance with Article	applicant is	⇒, in accordance with	
22 ← ,	required, in	Article 22 ←,	
	accordance with		
	Article 22,		
- material reception		- material reception	Identical
conditions, as provided		conditions, as provided	
for in this Article, are not		for in this Article, are	
<del>available in a certain</del>		<del>not available in a</del>	
<del>geographical area,</del>		certain geographical	
		area,	
(b) housing capacities	(b) housing	(b) housing capacities	Identical
normally available are	capacities	normally available are	
temporarily exhausted <sub>₹</sub>	normally	temporarily exhausted $_{\overline{2}}$	
	available are		
	temporarily		
	exhausted.		
the asylum seeker is in		- the asylum seeker is in	
detention or confined to		detention or confined to	

	border posts.  These different conditions shall cover in any case basic needs.	Such different conditions shall cover in any case basic needs.	border posts.  These different conditions shall cover in any case basic needs.	EP suggestion for linguistic change not admissible.
	Article <u>19</u> <del>15</del>	Article 19	Article <u>19</u> <del>15</del>	
	Health care	Health care	Health care	
1.	Member States shall ensure that applicants receive the necessary health care which shall include, at least, emergency care and essential treatment of illness   ⇒ or post traumatic disorders   .	1. Member States shall ensure that applicants receive the necessary health care which shall include, at least, emergency care and essential treatment of illness or <i>mental disorders</i> .	1. Member States shall ensure that applicants receive the necessary health care which shall include, at least, emergency care and essential treatment of illness  □[] □ □.	1. Member States shall ensure that applicants receive the necessary health care which shall include, at least, emergency care and essential treatment of illness and serious mental disorders.

2.	Member States shall provide	2.	Member States shall	2.	Member States shall provide	Take Council text of paragraph
	necessary medical or other		provide the necessary		necessary medical or other	2.
	assistance to applicants who		medical or other		assistance to applicants who	
	have special ⇒ reception ⇔		assistance to		have special    reception	
	needs, ⇒ including appropriate		applicants who have		needs, ⇒ including	
	mental health care where		special reception		appropriate mental health	
	needed ←.		needs, including		care where needed ←.	
			appropriate mental			
			health care where			
			required.			
			Article 20			
		Vi	ictims of torture			
		Member	States shall ensure			EP AM for new Article not
		that vic	etims of torture are			admissible.
			directed to a care appropriate to their			
		situation				

CHAPTER III	CHAPTER III	CHAPTER III	
REDUCTION OR WITHDRAWAL OF	REDUCTION OR WITHDRAWAL OF MATERIAL RECEPTION CONDITIONS	REDUCTION OR WITHDRAWAL OF	Article 20 in combination with recital (21).
Article <u>20</u> <u><del>16</del></u>	Article 20	Article <u>20</u> <del><u>16</u></del>	
Reduction or withdrawal of  material Treception conditions	Reduction or withdrawal of material reception conditions	Reduction or withdrawal of	
1. Member States may reduce or withdraw ⋈ material ⋈ reception conditions in the following cases:	1. Member States may reduce [] - but never eliminate all - material reception conditions	1. Member States may reduce or withdraw ⋈ material ⋈ reception conditions in the following eases:	1. Member States may reduce or in exceptional and duly justified cases withdraw  image: in the following cases:

(a) where an asylum seeker:	where an asylum seeker:	(a) where an asylum seeker:	Identical
(a) = abandons the place of residence determined by the competent authority without informing it or, if requested, without permission, or	(a) abandons the place of residence determined by the competent authority without informing it or, if requested, without permission, or	(a) = abandons the place of residence determined by the competent authority without informing it or, if requested, without permission, or	Identical
(b) = does not comply with reporting duties or with requests to provide information or to appear for personal interviews concerning the asylum procedure during a	(b) does not comply with reporting duties or with requests to provide information or to appear for	(b) = does not comply with reporting duties or with requests to provide information or to appear for personal interviews concerning the asylum procedure	Identical

reasonable period laid	personal	during a reasonable	
down in national law, or	interviews	period laid down in	
	concerning the	national law, or	
	asylum		
	procedure		
	during a		
	reasonable		
	period laid		
	down in		
	national law, or		
$\underline{(c)} = \text{has } \frac{\text{already}}{\text{already}} \text{ lodged } \Rightarrow \text{a}$	(c) has lodged a	$\underline{(c)} = \text{has } \frac{\text{already}}{\text{already}} \text{ lodged } \Rightarrow \text{ a}$	<u>(c)</u> = has <del>already</del>
subsequent application as	subsequent	subsequent application	lodged ⇒ a
defined in Article 2(q) of	application as	as defined in Article	subsequent
[//EU] [the Asylum	defined in	2(q) of [//EU] [the	application as
Procedures Directive] ←	Article 2(q) of	<b>Asylum Procedures</b>	defined in
an application in the same	[//EU] [the	Directive] ← an	Article 2(q) of
$ \underline{\text{Member State.}}_{\underline{\square}} \boxtimes, \underline{\text{or}} \boxtimes $	Asylum	application in the same	[//EU] [the
	Procedures	Member State.	Asylum
	Directive], or	$\boxtimes,\underline{\mathrm{or}} \boxtimes$	Procedures
			Directive]
			application in

			the same  Member State.   ★, or ★
★ (d) has concealed financial resources and has therefore unduly benefited from material reception conditions. < □	[]	<ul> <li>★ (d) has concealed financial resources and has therefore unduly benefited from material reception conditions.</li> </ul>	[]
<ul> <li>In relation to cases (a) and</li> <li>(b), &lt;  when the applicant is traced or voluntarily reports to the competent authority, a duly motivated decision, based on the reasons for the disappearance, shall be taken on the reinstallation of the grant of some or all of the</li> <li>material &lt; reception</li> <li>conditions &lt; withdrawn or</li> </ul>	[] When the applicant is traced or voluntarily reports to the competent authority, a duly motivated decision, based on the reasons for the disappearance, shall be taken on the reintroduction of the grant of some or all of	In relation to cases (a) and (b), ✓	<ul> <li>In relation to cases         <ul> <li>(a) and</li> <li>(b),</li></ul></li></ul>
conditions ⊠ withdrawn or	grant of some or all of the material reception	<ul><li></li></ul>	shall be taken on the reinstallation of the

reduced <b>⊠</b> ;.	conditions [] reduced.	reduced ≪I;.	grant of some or all of the ⋈ material ⋈ reception conditions ⋈ withdrawn or reduced ⋈;.
(b) where an applicant has concealed financial resources and has therefore unduly benefited from material reception conditions.	2. Member States may reduce or withdraw material reception conditions where an applicant has concealed financial resources, and has therefore unduly benefited from material reception conditions.	(b) where an applicant has concealed financial resources and has therefore unduly benefited from material reception conditions.	(b) where an applicant has concealed financial resources and has therefore unduly benefited from material reception conditions.
If it transpires that an applicant had sufficient means to cover material reception conditions and health care at the time when these basic needs were being		If it transpires that an applicant had sufficient means to cover material reception conditions and health care at the time when	

covered, Member States may  ask the asylum seeker for a  refund.	these basic needs were being covered, Member States may ask the asylum seeker for a refund.	
2. Member States may refuse conditions in cases where an asylum seeker has failed to demonstrate that the asylum claim was made as soon as reasonably practicable after arrival in that Member State.	2. Member States may refuse conditions in cases where an asylum seeker has failed to demonstrate that the asylum claim was made as soon as reasonably practicable after arrival in that Member State.	
	<ul> <li>D [] C material reception</li> <li>conditions D [] C when</li> <li>the applicant D [] C,</li> <li>without good reason, has not</li> <li>filed an application for</li> <li>asylum as soon as possible</li> <li>D after arrival in that</li> <li>Member State C.</li> </ul>	also reduce ⊃ [] ⊂  material reception  conditions ⊃ [] ⊂  when they can  establish that the  applicant, for no  justifiable ⊃ [] ⊂,  without good-reason,  has not lodged filed

an application for asylum as soon as reasonably practicable possible after arrival in that Member State C.  J[] CC  3. Member States may reduce or withdraw material reception
reasonably practicable possible  after arrival in that Member State C.  a.  Member States may reduce or withdraw
practicable possible  after arrival in that  Member State C.  a.  Member States may reduce or withdraw
Dafter arrival in that  Member State C.  □ [] □ □  3. Member States may reduce or withdraw
Member State C.  D[] CC  3. Member States may reduce or withdraw
3. Member States may reduce or withdraw
3. Member States may reduce or withdraw
reduce or withdraw
material reception
conditions where an
applicant has
concealed financial
resources, and has
therefore unduly
benefited from
material reception
conditions.
2. 2. Member States may determine 3. Member States may 3. C 1 Member States D 43. C 1 C
sanctions applicable to serious determine the may determine sanctions Member States
breaching of the rules of the sanctions applicable applicable to serious may determine

accommodation centres as well as to seriously violent behaviour.	to serious <i>breaches</i> of the rules of the accommodation centres as well as to seriously violent behaviour.	breaching of the rules of the accommodation centres as well as to seriously violent behaviour.	sanctions applicable to serious breaching of the rules of the accommodation centres as well as to seriously violent behaviour.
3. 4 Decisions for reduction, withdrawal or refusal of  important in the material in the mate	4. Decisions for the reduction, withdrawal or refusal of material reception conditions or sanctions referred to in paragraphs 1, 2 and 3 shall be taken individually, objectively and impartially and reasons shall be given. Decisions shall be based on the particular situation of	Decisions for reduction, withdrawal or refusal of ⊠ material ⊠ reception conditions or sanctions referred to in paragraphs 1, ½ and ½ 2 shall be taken individually, objectively and impartially and reasons shall be given.  Decisions shall be based on the particular situation of the person concerned, especially with regard to persons covered by Article ⇒ 21 ⇔	Decisions for reduction or; withdrawal or refusal of ⊠ material ⊠ reception conditions or sanctions referred to in paragraphs 1,2,  3, and 4 ≥ and ≥ 2 shall be taken individually, objectively and impartially and reasons shall be given.

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proportionality. Member States 17, taking into account the Decisions shall be the person concerned, shall under all circumstances especially with regard principle of proportionality. based on the Member States shall under all ensure access to emergency to persons covered by particular situation of Article 21, taking into the person concerned, circumstances ensure access with Article 19 ←. especially with regard account the principle to <del>emergency</del> health care ⇒ in accordance with Article 19 of proportionality. to persons covered by ҉. Article  $\Rightarrow$  21  $\Leftarrow$   $\frac{17}{4}$ , Member States shall taking into account under all the principle of circumstances ensure subsistence and proportionality. access to health care Member States shall in accordance with under all Article 19. circumstances ensure access to emergency health care ⇒ in accordance with Article 19 and shall ensure a dignified standard of living for all asylum seekers.⇔.

4. 5. Member States shall ensure that material reception conditions are not withdrawn or reduced before a <u>negative</u> decision is taken ⊠ in accordance with paragraph 3 ⊠.

Member States shall ensure that material reception conditions are not withdrawn or reduced before a decision is taken in accordance with paragraph 4.

5.

shall ensure that material reception conditions are not withdrawn or reduced before a negative decision is taken

in accordance with paragraph 3 ⟨∑.

⊃<u>65.</u> C ⊃ [...] C =

Member States
shall ensure that
material reception
conditions are not
withdrawn or reduced
before a <u>negative</u>
decision is taken

in accordance with
paragraph 3 5 ≪I.

	CHAPTER IV	CHAPTER IV	CHAPTER IV		
PROVISIONS FOR  ⇒ VULNERABLE  PERSONS ←  PERSONS WITH SPECIAL  NEEDS		PROVISIONS FOR VULNERABLE PERSONS	PROVISIONS FOR  ⇒ VULNERABLE  PERSONS ⇔ <del>PERSONS</del> <del>WITH SPECIAL NEEDS</del>		
	Article <u>21</u> <del>12</del>	Article 21	Article <u>21</u> <del>12</del>		
	General principle	General principle	General principle		
±	Member States shall take into account the specific situation of vulnerable persons such as minors, unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children ⇒, victims of trafficking, persons with serious physical illnesses, mental illnesses, or post-	Member States shall take into account the specific situation of vulnerable persons such as minors, unaccompanied minors, disabled people, elderly people, pregnant women, single parents	Member States shall take into account the specific situation of vulnerable persons such as minors, unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children ⇒, victims of trafficking, persons with serious ⊃[] ⊂ illnesses,	<u>±</u>	Member States shall take into account the specific situation of vulnerable persons such as minors, unaccompanied minors, disabled people, elderly people, pregnant women, single parents

traumatic disorders, 

and
persons who have been
subjected to torture, rape or
other serious forms of
psychological, physical or
sexual violence, in the national
legislation implementing 

this
Directive 

the provisions of
Chapter II relating to material
reception conditions and health
eare.

with minor children. victims of trafficking, victims of female genital mutilation, persons with serious physical illnesses *and* mental [...] disorders, and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence, in the national legislation implementing this Directive.

mental disorders □
□[...] □, □ and persons
who have been subjected to
torture, rape or other serious
forms of psychological,
physical or sexual violence,
in the national legislation
implementing □ this
Directive □ the provisions of
Chapter II relating to material
reception conditions and
health care.

⇒, victims of trafficking, persons with serious ⊃ [...] ⊂ illnesses, **⊃** [...] **⊂⊃** persons with mental disorders C persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence, such as victims of female genital mutilation, in the national legislation 

with minor children

			provisions of Chapter H relating to material reception conditions and health care.
2. Paragraph 1 shall apply only to  persons found to have special  needs after an individual  evaluation of their situation.		2. Paragraph 1 shall apply only to persons found to have special needs after an individual evaluation of their situation.	
Article 22	Article 22	Article 22	
Identification of the special reception needs of vulnerable persons	Identification of the special reception needs of vulnerable persons	□[] C □Assessment C of the special reception needs of vulnerable persons	
1. Member States shall establish mechanisms with a view to identifying whether the applicant is a vulnerable person and, if so, has special reception	1. Member States shall establish mechanisms in national legislation with a view to identifying whether	1.	1.

needs, also indicating the nature	the applicant is a	⊃[] C ⊃ assessment C	effectively
of such needs. Those	vulnerable person	in order to identify <b>C</b>	implement Article
mechanisms shall be initiated	and, if so, has special	whether	21, Member States
within a reasonable time after	reception needs, also	<b>⊃</b> [] <b>C⊃⊃</b> [] <b>C</b> the	shall <b>assess</b> − <del>•</del> <del>carry</del>
an application for international	indicating the nature	applicant has C ⊃[] C	<del>out €-⊅ […] €an</del>
protection is made. Member	of such needs. Those	special reception needs. 2 If	individual → [] ←
States shall ensure that these	mechanisms should	the applicant has special	<del>→ assessment ← → in</del>
special reception needs are also	also ensure the	reception needs, Member	order to identify C
addressed, in accordance with	identification of	States shall also indicate the	whether
the provisions of this Directive,	applicants in need of	nature of such needs. ©	
if they become apparent at a	special procedural		the <b>applicant</b>
later stage in the asylum	guarantees, as		<del>concerned</del> is an
procedure.	provided for in		applicant with has C
	Articles 2(d) and 24		<b>⊃</b> [] <b>C</b> special
	of Directive		reception needs. <del>  If</del>
	[//EU] [the		the applicant has
	Procedure Directive].		special reception
	<i>They</i> shall be initiated		needs, Member States
	as soon as an		shall also indicate the
	application for		nature of such needs.
	international		C
	protection is lodged.		

Member States shall		
ensure that these		
special reception		
needs are also		
addressed, in		
accordance with the		
provisions of this		
Directive, if they		
become apparent at a		
later stage in the		
asylum procedure.		
		⊃ [] CC ⊃ [] C This
	⊃ <u>assessment</u> C⊃[] C	⇒ assessment ⊂
	c shall be initiated within a	<b>⊃</b> [] <b>C C</b> shall be
	reasonable time after an	initiated within a
	application for international	reasonable <b>period of</b>
	protection is made <b>⊃</b> and	time after an
	may be integrated into	application for
	existing national	international
	⊃ procedures C ⊃ [] C C	protection is made

		that these special reception needs are also addressed, in accordance with the provisions of this Directive, if they become apparent at a later stage in the asylum procedure.	integrated into existing national procedures  []  []  Member States shall ensure that these special reception needs are also addressed, in accordance with the provisions of this Directive, if they become apparent at a later stage in the asylum procedure.
Member States shall ensure	Member States shall	Member States shall ensure	Member States shall
adequate support for persons	ensure adequate	that the support provided	ensure 2 that the
with special reception needs	support for persons	to applicants with special	support provided to
throughout the duration of the	with special reception	reception needs © <u>in</u>	applicants with
asylum procedure and shall	needs throughout the	accordance with this	special reception

provide for appropriat		duration of the asylum procedure and shall provide for appropriate monitoring of their situation.		Directive C [] C takes into account their C [] C special reception needs throughout the duration of the asylum procedure and shall provide for appropriate monitoring of their situation.		needs © in accordance with this Directive ©  [] © takes into account their ©  [] © special reception needs throughout the duration of the asylum procedure and shall provide for appropriate monitoring of their situation.
2. The identification med provided for in paragrashall be without prejude assessment of internat protection needs pursu Directive [//EU]	aph 1 lice to the lional ant to	The identification mechanisms provided for in paragraph 1 shall be without prejudice to the assessment of	2.	The D[] C  assessment CD[] C  provided for in paragraph 1  shall be without prejudice to  the assessment of  international protection needs	2.	The assessment referred to in paragraph 1 needs not take the form of an administrative procedure.

Qualification Directive].	international	pursuant to Directive	3. Only vulnerable
	protection needs	[//EU] [the Qualification	persons, in
	pursuant to Directive	Directive].	accordance with
	2011/95/EU.		Article 21 may be
			considered to have
			special reception
			needs and thus
			benefit from the
			specific support
			provided in
			accordance with this
			Directive.
			Directive.
			<b>4.</b> The ⊃[] <b>C</b>
			⇒ assessment C⊃ [
			] © provided for in
			paragraph 1 shall be
			without prejudice to
			the assessment of
			international
			protection needs
			pursuant to Directive

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				[//EU] [the Qualification Directive].
	Article <u>23</u> <del><u>18</u></del>	Article 23	Article <u>23</u> <del><u>18</u></del>	
	Minors	Minors	Minors	
1.	The best interests of the child shall be a primary consideration for Member States when implementing the provisions of this Directive that involve minors.   ⇒ Member States shall ensure a standard of living adequate for the minor's physical, mental, spiritual, moral and social	1. The best interests of the child shall be a primary consideration for Member States when implementing the provisions of this Directive applicable to minors. Member States shall ensure a standard of living	1. The best interests of the child shall be a primary consideration for Member States when implementing the provisions of this Directive that involve minors.  ⇒ Member States shall ensure a standard of living adequate for the minor's physical, mental, spiritual,	EP suggestions for linguistic changes not admissible.
	development. ←	adequate for the minor's physical,	moral and social development. ←	

2. In assessing the best interests of the child, Member States shall in particular take due account of	mental, spiritual, moral and social development.  2. In assessing the best interests of the child, Member States shall	2. In assessing the best interests of the child, Member States shall in particular take due	Identical
the following factors:  (a) family reunification	in particular take due account of the following factors:  (a) family	factors:  (a) family reunification	Identical
possibilities;	reunification possibilities;	possibilities;	
(b) the minor's well-being and social development, taking into particular consideration the minor's ethnic, religious, cultural and linguistic background;	(b) the minor's well-being and social development, taking into particular consideration the minor's	(b) the minor's well-being and social development  □[] □;	(b) the minor's well-being and social development, taking into particular consideration the minor's

(c) safety and security	ethnic, religious, cultural and linguistic background;  (c) safety and	(c) safety and security	background;  Identical
considerations, in  particular where there is a  risk of the minor being a  victim of trafficking;	security considerations, in particular where there is a risk of the minor being a victim of trafficking;	considerations, in  particular where there is a risk of the minor being a victim of trafficking;	
(d) the views of the minor in accordance with his/her age and maturity.	(d) the views of the minor in accordance with his/her age and maturity.	(d) the views of the minor in accordance with his/her age and maturity.	Identical
3. Member States shall ensure that minors have access to leisure-activities, including play and	3. Member States shall ensure that minors have access to leisure-	3. Member States shall ensure that minors have access to leisure-activities, including	Take Council text of paragraph 3.

	recreational activities appropriate to their age within the premises and accommodation centres referred to in Article 18(1)(a) and (b) and to open-air activities.		activities, including play and recreational activities appropriate to their age within the premises and accommodation centres referred to in Article 18(1)(a) and		play and recreational activities appropriate to their age within the premises and accommodation centres referred to in Article 18(1)(a) and (b) and to open-air activities.	
4.2	Member States shall ensure	4	(b), to open-air activities <i>and to education</i> .  Member States shall	4.2	Member States shall ensure	EP suggestions for linguistic
<u>4. <del>2.</del></u>	member States snall ensure access to rehabilitation services for minors who have been victims of any form of abuse, neglect, exploitation, torture or cruel, inhuman and degrading treatment, or who have suffered from armed conflicts, and ensure that appropriate mental health care is developed and	4.	ensure access to rehabilitation services for minors who have been victims of any form of abuse, neglect, exploitation, torture or cruel, inhuman <i>or</i> degrading treatment, or who	<u>4. <del>2.</del></u>	access to rehabilitation services for minors who have been victims of any form of abuse, neglect, exploitation, torture or cruel, inhuman and degrading treatment, or who have suffered from armed conflicts, and ensure that appropriate mental health	changes not admissible.

qualified counselling is provided when needed.	have suffered from armed conflicts, and ensure that appropriate mental health care [] and qualified counselling are provided when needed.	care is developed and qualified counselling is provided when needed.	
5. Member States shall ensure, if appropriate, that minor children of applicants or applicants who are minors are lodged with their parents or with the adult family member responsible for them whether by law or by custom ⇒ the national practice of the Member States concerned, provided this is in the best interests of the minors concerned ⇔.	5. Member States shall ensure, that minor children of applicants or applicants who are minors, whether they are unmarried or married but not accompanied by their spouse, are lodged with their parents or with the adult family member responsible for them whether by	5. Member States shall ensure,  if appropriate, that minor  children of applicants or  applicants who are minors are lodged with their parents  their unmarried minor  children © or with the adult  [] © responsible for them whether by law or by  custom ⇒ the national practice of the Member States concerned, provided this is in the best interests of the	Article 23(5) in combination with Article 2(c), 18(4a) and recital (18a).  5. Member States shall ensure, if appropriate, that minor children of applicants or applicants or applicants who are minors are lodged with their parents at their unmarried minor siblings or with the adult ault

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	law or the national practice of the Member States concerned, provided this is in the best interests of the minors concerned.	minors concerned ←.	responsible for them whether by law or by custom ⇒ the national practice of the Member States concerned, provided this is in the best interests of the minors concerned ←.
Article <u>24</u> <del><u>19</u></del>	Article 24	Article <u>24</u> <del><u>19</u></del>	
Unaccompanied minors	Unaccompanied minors	Unaccompanied minors	
1. Member States shall as soon as possible take measures to ensure the necessary representation of unaccompanied minors by legal guardianship or, where necessary, representation by an organisation which is responsible for the care and	1. Member States shall  [] take measures to ensure the necessary representation of unaccompanied minors by legal guardians to enable them to benefit from	1. Member States shall as soon as possible take measures to ensure the necessary representation of unaccompanied minors by legal guardianship or, where necessary, representation by an organisation which is	Article 24(1) in combination with Article 2(j).  1. Member States shall as soon as possible take measures to ensure the necessary representation of unaccompanied

well-being of minors, or by any other appropriate representation ⇒ that a representative represents and assists the unaccompanied minor to enable him/her to benefit from the rights and comply with the obligations provided for in this Directive. The representative shall have the necessary expertise in the field of childcare and shall perform his/her duties in accordance with the principle of the best interests of the child, as 

the rights and comply with the obligations provided for in this Directive. A guardian shall be appointed to advise and protect the child and to ensure that all decisions are taken in the child's best interests. The unaccompanied minor shall be informed immediately of the appointment of the guardian. A guardian should have the necessary expertise in the field of childcare so as to ensure that the interests of the child are protected and that

responsible for the care and well-being of minors, or by any other appropriate representation ⇒ that a representative represents and assists the unaccompanied minor to enable him/her to benefit from the rights and comply with the obligations provided for in this Directive. The representative shall have the necessary expertise in the field of childcare and shall perform his/her duties in accordance with the principle of the best interests of the child, as prescribed in Article 23(2). ←

guardianship or, where necessary. representation by an organisation which is responsible for the care and well-being of minors, or by any other appropriate representation ⇒ that a representative represents and assists the unaccompanied minor to enable him/her to benefit from the rights and comply with the obligations provided for in this Directive. The unaccompanied

minors by legal

the child's legal, social, health, psychological, material and educational needs are appropriately met. Agencies or individuals whose interests could potentially conflict with those of the child shall not be eligible to become guardians. Regular assessments shall be made by the appropriate authorities. In order to establish a level of trust with the unaccompanied minor and to ensure

minor shall be informed immediately of the appointment of the representative. The representative shall have the necessary expertise in the field of childcare and shall perform his/her duties in accordance with the principle of the best interests of the child, as prescribed in Article  $23(2) \Leftrightarrow$  and shall have the necessary expertise to that end. In order to ensure the minor's well-being and social

development

	continuity during the procedure, Member States should try to ensure that the same guardian is responsible for the unaccompanied minor during the entire procedure.		mentioned in point b of that Article, a change of the person acting as representative shall only take place when necessary. Organisations or individuals whose interests conflict or could potentially conflict with those of the unaccompanied minor shall not be eligible to become representatives.
Regular assessments shall be made by the appropriate authorities.	[]	Regular assessments shall be made by the appropriate authorities.	Regular assessments shall be made by the appropriate authorities, including

			as regards the availability of the necessary means for representing the unaccompanied minor.
2. Unaccompanied minors who make an application for  ⇒ international protection ⇔  asylum shall, from the moment they are admitted to the territory to the moment they are obliged to leave the host Member State in which the application for ⇒ international protection ⇔ asylum was made or is being examined, be placed:	2. Unaccompanied minors who make an application for international protection shall, from the moment when they are admitted to the territory to the moment when they are obliged to leave the territory of the Member State in which the application for international protection was made	2. Unaccompanied minors who make an application for  ⇒ international protection ⇔  asylum shall, from the moment they are admitted to the territory to the moment they are obliged to leave the host Member State in which the application for  ⇒ international protection ⇔ asylum was made or is being examined, be placed:	EP suggestions for linguistic changes not admissible.

	or is being examined, be placed:		
(a) with adult relatives;	(a) with adult relatives;	(a) with adult relatives;	Identical
(b) with a foster-family;	(b) with a foster- family;	(b) with a foster-family;	Identical
(c) in accommodation centres with special provisions for minors;	(c) in  accommodation  centres with  special facilities  for minors;	(c) in accommodation centres with special provisions for minors;	Identical
(d) in other accommodation suitable for minors.	(d) in other accommodation suitable for minors.	(d) in other accommodation suitable for minors.	Identical
Member States may place unaccompanied minors aged 16 or over in accommodation centres for adult asylum	Member States may place unaccompanied minors aged 16 or over in	Member States may place unaccompanied minors aged 16 or over in accommodation centres for adult asylum	Identical

	residence of unaccompanied minors shall be		
minors shall be limited to a minimum.	age and degree of maturity. Changes of	unaccompanied minors shall be limited to a minimum.	
degree of maturity. Changes of residence of unaccompanied	concerned and, in particular, his or her	and degree of maturity.  Changes of residence of	
particular, his or her age and	interests of the minor	in particular, his or her age	
account the best interests of the minor concerned and, in	together, taking into account the best	into account the best interests of the minor concerned and,	
As far as possible, siblings shall be kept together, taking into	As far as possible, siblings shall be kept	As far as possible, siblings shall be kept together, taking	luenticai
Article 23(2) ← .	asylum seekers, if it is in their best interests, as prescribed in Article 23(2).	Article 23(2) ← .	Identical
seekers, ⇒ if it is in their best interests, as prescribed in	accommodation centres for adult	seekers, ⇒ if it is in their best interests, as prescribed in	

family members of an protecting the unaccompanied minor's best interest shall endeavour ⇒ start ⇔ to trace, the members of **⋈** the unaccompanied minor's ⊠ his <del>or her</del> family ⇒, where necessary with the assistance of international or of other relevant possible ⇒ after an application for international protection is made whilst protecting his/her best interests  $\leftarrow$ . In cases where there may be a threat to the life or integrity of the minor or his or her close relatives. particularly if they have remained in the country of origin, care must be taken to

in national legislation for tracing the family members of an unaccompanied minor. They shall start to trace, the members of the unaccompanied minor's family, where necessary with the assistance of international or of other relevant organisations, as soon as possible after an application for international protection is made, while protecting his/her best interests. In cases where there may be a threat to the

life or integrity of the

**Member States protecting the** unaccompanied minor's best interest shall endeavour ⇒ start ⇔ to trace, the members of **⋈** the unaccompanied minor's ⊠ his or her family ⇒, where necessary with the assistance of international or of other application for international protection is made whilst protecting his/her best interests ←. In cases where there may be a threat to the life or integrity of the minor or his or her close relatives, particularly if they have remained in the country of origin, care must be taken to ensure that the collection,

3.

	ensure that the collection,		minor or his or her		processing and circulation of	
	processing and circulation of		close relatives,		information concerning those	
	information concerning those		particularly if they		persons is undertaken on a	
	persons is undertaken on a		have remained in the		confidential basis, so as to	
	confidential basis, so as to avoid		country of origin, care		avoid jeopardizing their	
	jeopardizing their safety.		must be taken to		safety.	
			ensure that the			
			collection, processing			
			and exchange of			
			information			
			concerning those			
			persons is undertaken			
			on a confidential			
			basis, so as to avoid			
			jeopardizing their			
			safety.			
4.	Those working with	4.	Persons working with	4.	Those working with	Take Council text of paragraph
7.	unaccompanied minors shall	→.	C	→.	unaccompanied minors shall	4.
			unaccompanied			<del>'1.</del> 
	have had		minors shall have		have had ⇒ and shall	
	to 🗢 🕶 receive appropriate		received and shall		continue to    receive	
	training concerning their needs,		continue to receive		appropriate training	

and shall be bound by the	appropriate training	concerning their needs, and	
confidentiality principle as	concerning their	shall be bound by the	
defined in the national law, in	needs, and shall be	confidentiality principle as	
relation to any information they	bound by the	defined in the national law, in	
obtain in the course of their	confidentiality	relation to any information	
work.	principle as defined in	they obtain in the course of	
	the national law, in	their work.	
	relation to any		
	information which		
	they obtain in the		
	course of their work.		
Article <u>25 <del>20</del></u>	Article 25	Article <u>25 <del>20</del></u>	
Victims of torture and violence	Victims of torture and violence	Victims of torture and violence	
1. Member States shall ensure that	1. Member States shall	1. Member States shall ensure	1. Member States shall
if necessary, persons who have	ensure that persons	that $\frac{1}{2}$ if necessary, persons	ensure that <u>∓</u> if
been subjected to torture, rape	who have been	who have been subjected to	<del>necessary,</del> persons
or other serious acts of violence	subjected to torture,	torture, rape or other serious	who have been
receive the necessary treatment	rape or other serious	acts of violence receive the	subjected to torture,
of damages caused by the	acts of violence	necessary treatment of	rape or other serious

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aforementioned acts ⇒, in	receive the necessary	damages caused by the	acts of violence
particular access to	treatment of damages	aforementioned acts ⇒, in	receive the necessary
rehabilitation services that	caused by the	particular access to ⊃[] <b>C</b>	treatment of damages
should allow for obtaining	aforementioned acts,	⊃ relevant	caused by the
medical and psychological	in particular access to	psychological treatment ← ⊃_	aforementioned acts
treatment ←.	rehabilitation services	or care <b>C</b> .	⇒, in particular access
	that should allow for		to <b>೨</b> [] <b>C</b>
	obtaining medical and		<b>appropriate</b>
	psychological		relevant © medical
	treatment.		and psychological
			treatment ⇔ or
			care C.
2. Those working with victims of	2. Those working with	2. Those working with victims	Take Council text of paragraph
torture, rape or other serious	victims of torture,	of torture, rape or other	2.
acts of violence shall have had	rape or other serious	serious acts of violence shall	
and shall continue to receive	acts of violence shall	have had and shall continue	
appropriate training concerning	have received and	to receive appropriate	
their needs, and shall be bound	shall continue to	training concerning their	
by the confidentiality rules	receive appropriate	needs, and shall be bound by	
provided for in the relevant	training concerning	the confidentiality rules	

national law, in relation to any	their needs, and shall	provided for in the relevant	
information they obtain in the	be bound by the	national law, in relation to	
course of their work.	confidentiality rules	any information they obtain	
	provided for in the	in the course of their work.	
	relevant national law,		
	in relation to any		
	information which		
	they obtain in the		
	course of their work.		
CHAPTER V	CHAPTER V	CHAPTER V	
CHAILERV	CHAITER	CHAITERV	
APPEALS	APPEALS	APPEALS	
Article <u>26 <del>21</del></u>	Article 26	Article <u>26 <del>21</del></u>	
Ammoola	A	Ammoolo	
Appeals	Appeals	Appeals	
1. Member States shall ensure that	1. Member States shall	1. Member States shall ensure	Take Council text. of
negative decisions relating to	ensure that decisions	that <del>negative</del> decisions	paragraph 1.
the granting ⇒, withdrawal or	relating to the grant,	relating to the granting	
reduction ← of benefits under	withdrawal of or	⇒, withdrawal or	

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2. In relation to the cases referred to in paragraph 1, Member States shall ensure that asylum seekers have access to free legal	2. In relation to the cases referred to in paragraph 1 before a court or tribunal,	2.	Take Council text of paragraph 2.
	instance the <i>right to</i> an appeal or a review, in fact and in law, before a judicial body shall be granted.	judicial  authority CD[] C  shall be granted.	
laid down in the national law.  At least in the last instance the possibility of an appeal or a review ⇒, in fact and in law, ⇔ before a judicial body shall be granted.	asylum seekers may be the subject of an appeal within the procedures laid down in the national law. At least in the last	an appeal within the procedures laid down in the national law. At least in the last instance the possibility of an appeal or a review ⇒, in fact and in law, ⇔ before a	
this Directive or decisions taken under Article 7 which individually affect asylum seekers may be the subject of an appeal within the procedures	reduction <i>in</i> benefits under this Directive or decisions taken under Article 7 which individually affect	reduction  of benefits under this Directive or decisions taken under Article 7 which individually affect asylum seekers may be the subject of	

assistance and representation,	Member States shall	available © on request © in	
where they cannot afford the	ensure that asylum	cases of an appeal or a review	
costs involved and in so far as it	seekers have access to	before a judicial authority C	
is necessary to ensure their	free legal assistance	○ […] ○ referred to in	
effective access to justice.	and representation,	paragraph 1 $\bigcirc$ , in so far as	
	where they cannot	such aid is necessary to	
	afford the costs	ensure effective access to	
	involved [].	justice C . This shall include,	
		at least, the preparation of the	
		required procedural	
		documents and participation	
		in the hearing before the	
		judicial authorities on behalf	
		of the applicant.	
Legal assistance and	Member States may		EP AM not taken up
	•		-
representation shall include at	provide that free legal		
least preparation of the required	assistance and		
procedural documents and	representation not be		
representation before the	granted if the		
judicial authorities.	applicant's appeal is		
	considered by a court		
			l l

or tribunal to have no tangible prospect of success. In such a case, Member States shall ensure that legal assistance and representation is not arbitrarily restricted and that the applicant's effective access to justice is not hindered. Legal assistance and representation shall include at least preparation of the required procedural documents and representation before the judicial authorities.

Legal assistance and representation may be restricted to legal advisers or counsellors specifically designated by national law to assist and represent asylum seekers.

Legal assistance and representation may be provided by specialised, suitably qualified and impartial legal advisers, counsellors or NGOs specifically designated by national law to assist and represent asylum seekers.

Free legal assistance and representation shall be provided by such persons as admitted or permitted under

national law. C ⊃ [...] C

Take Council text of paragraph 2.

3. Member States may

also provide that free

legal assistance and

representation is are

granted

1...1 → made

available ← ←: ←:

(a) only to those who lack	(a) only to those
sufficient resources;	who lack
and/or C	sufficient
	resources;
	and/or C
<b>○</b> (b)only through the	○ (b) only through the
services provided	<u>services</u>
by legal advisers or	provided
other counsellors	by legal
specifically designated	advisers or other
by national law to assist	counsellors
and represent applicants	specifically
for international	designated by
protection C	national law to
	assist and
	represent
	applicants for
	international
	protection ©
→ Member States may	<u> </u>

provide that free legal	may provide that free
assistance and representation	legal assistance and
not be ⊃[] C ⊃ made	representation not be
available	⊃[]
or review C O [] C is	available C if the
considered by a	⊃ appeal or review C
○ competent C ○ ○ [] C	⊃ <u>[]</u>
authority C ⊃[] C to	considered by a
have no tangible prospect of	○ competent C
success. In such a case,	
Member States shall ensure	authority C D [] C
that legal assistance and	to have no tangible
representation is not	prospect of success. In
arbitrarily restricted and that	such a case, Member
the applicant's effective	States shall ensure
access to justice is not	that legal assistance
hindered. C	and representation is
	not arbitrarily
	restricted and that the
	applicant's effective
	access to justice is not
	hindered. ©

⊃ <u>[]</u>	⊃ <u>[]</u> €
<u>⊃[]</u> ©	<u>⊃[]</u> C
<u> </u>	⊃ <u>[]</u> C
<b>3</b> 4. <b>C3</b> [] <b>C3</b> Member	⊃ <u>4.</u>
States may also: C	⊃[] C⊃ Member
	States may also: C
(a) impose monetary and	<b>⊃</b> (a) impose
<u>o√or</u> <u>time limits on</u>	monetary and
the provision of free	<u>o√or</u> <u>time</u>
legal assistance and	limits on the
representation,	provision of free
provided that such	legal assistance
limits do not arbitrarily	<u>and</u>
restrict access to the	representation,
provision of $\bigcirc$ [] $\bigcirc$	provided that
legal assistance and	such limits do
representation; C	not arbitrarily
	restrict access to
	the provision of
	⊃[…] C legal

	assistance and representation;
(b)provide that, as regards	(b)provide that, as regards
• free legal assistance	<b>→</b> <u>free legal assistance</u>
and representation <b>C</b>	and representation 🗲
including fees and	including fees and
other costs C	other costs C $\bigcirc$ [] C,
<b>⊃</b> [] <b>C</b> , the	the treatment of
treatment of applicants	applicants shall not be
shall not be more	more favorable than the
favorable than the	treatment generally
treatment generally	accorded to their
accorded to their	nationals in matters
nationals in matters	pertaining to legal
pertaining to legal	assistance <del>3, including</del>
assistance <b>3</b> , including	<del>judicial and</del>
judicial and	administrative
administrative	<u>procedures</u>
procedures C . C	

			to be reimbursed wholly or partially for any expenses granted if and when the applicant's financial situation has improved considerably or if the decision to grant such benefits was taken on the basis of false information supplied by the applicant.	demand to be reimbursed wholly or partially for any expenses granted if and when the applicant's financial situation has improved considerably or if the decision to grant such benefits was taken on the basis of false information supplied by the applicant.   C
<u>Z</u>	Procedures for access to legal assistance ⇒ and representation ⇔ in such cases shall be laid down in national law.	Procedures for access to legal assistance and representation in such cases shall be laid down in national law.	assistance and representation referred to above shall be laid down in national law	Description of the procedures for access to legal assistance and representation in such cases as referred to above shall be laid down in national law  ■ Cession of the procedures for access and the legal assistance and representation in such cases as referred to above shall be laid.  ■ Cession of the procedures for access to legal assistance and representation in such cases as referred to above shall be laid.

CHAPTER VI	CHAPTER VI	CHAPTER VI	
ACTIONS TO IMPROVE THE EFFICIENCY OF THE RECEPTION SYSTEM	ACTIONS TO IMPROVE THE EFFICIENCY OF THE RECEPTION SYSTEM	ACTIONS TO IMPROVE THE EFFICIENCY OF THE RECEPTION SYSTEM	
Article 22		Article 22	
Cooperation		Cooperation	
Member States shall regularly inform the Commission on the data concerning the number of persons, broken down by sex and age, covered by reception conditions and provide full information on the type, name and format of the documents provided for by Article 6.		Member States shall regularly inform the Commission on the data concerning the number of persons, broken down by sex and age, covered by reception conditions and provide full information on the type, name and format of the documents provided for	

Article 27	Article 27	Article 27	
Competent authorities	Competent authorities	Competent authorities	
Each Member State shall notify the	Each Member State shall	Each Member State shall notify the	Identical
Commission of the authorities	notify the Commission of the	Commission of the authorities	
responsible for fulfilling the obligations	authorities responsible for	responsible for fulfilling the	
arising under this Directive. Member	fulfilling the obligations	obligations arising under this	
States shall inform the Commission of	arising under this Directive.	Directive. Member States shall inform	
any changes in the identity of such	Member States shall inform	the Commission of any changes in the	
authorities.	the Commission of any	identity of such authorities.	
	changes in the identity of such		
	authorities.		
Article <u>28 <del>23</del></u>	Article 28	Article <u>28 <del>23</del></u>	
			Take text Commission
Guidance, monitoring and control	Guidance, monitoring and	Guidance, monitoring and control	proposal for Article 28.
system	control system	system	
1. Member States shall, with due	1. Member States shall,	1. Member States shall, with	
respect to their constitutional	with due respect to	due respect to their	
structure, ⇒ put in place	their constitutional	constitutional structure,	

relevant mechanisms in order to = ensure that appropriate guidance, monitoring and control of the level of reception conditions are established.	structure, put in place relevant mechanisms in order to ensure that appropriate guidance, monitoring and control of the level of	⇒ put in place relevant  mechanisms in order to ⇐  ensure that appropriate  guidance, monitoring and  control of the level of  reception conditions are	
	reception conditions are established.	established.	
2. Member States shall submit relevant information to the Commission in the form set out in Annex I, by [1 year after the transposition deadline] at the latest.	2. Member States shall submit relevant information to the Commission in the form set out in Annex I on an annual basis, starting from [1 year after the transposition	2. Member States shall submit relevant information to the Commission in the form set out in Annex I, by [1 year after the transposition deadline] at the latest.	
	deadline] [].		

	Article <u>29 <del>24</del></u>	Article 29		Article <u>29 <del>24</del></u>	
	Staff and resources	Staff and resources		Staff and resources	
1.	Member States shall take appropriate measures to ensure that authorities and other organisations implementing this Directive have received the necessary basic training with respect to the needs of both male and female applicants.	1. Member States shall take appropriate measures to ensure that authorities and other organisations implementing this Directive have received the necessary basic training with respect to the needs of both male and female applicants.	1.	Member States shall take appropriate measures to ensure that authorities and other organisations implementing this Directive have received the necessary basic training with respect to the needs of both male and female applicants.	Identical
2.	Member States shall allocate the necessary resources in connection with the national provisions enacted to implement	allocate the necessary resources in	2.	Member States shall allocate the necessary resources in connection with the national provisions enacted to	Identical

this Directive.	enacted to implement this Directive.	implement this Directive.	
CHAPTER VII	CHAPTER VII	CHAPTER VII	
FINAL PROVISIONS	FINAL PROVISIONS	FINAL PROVISIONS	
Article <u>30 <del>25</del></u>	Article 30	Article <u>30 <del>25</del></u>	Take text Commission proposal for Article 30.
Reports	Reports	Reports	
By ⇒ [two years after the transposition	By [two years after the	By ⇒ [two years after the	
deadline] at the latest $\leftarrow$ 6-August 2006,	transposition deadline] at the	transposition deadline as set out in the	
the Commission shall report to the	latest, the Commission shall	first subparagraph of Article 31(1) of	
European Parliament and the Council on	report to the European	this Directive] at the latest ← 6 August	
the application of this Directive and shall	Parliament and the Council on	<del>2006</del> , the Commission shall report to	
propose any amendments that are	the application of this	the European Parliament and the	
necessary.	Directive and shall propose	Council on the application of this	
	any amendments that are	Directive and shall propose any	
	necessary.	amendments that are necessary.	
Member States shall send the	Member States shall send the	Member States shall send the	

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Commission all the information that is	Commission all the	Commission all the information that is	
appropriate for drawing up the report,	information that is appropriate	appropriate for drawing up the report,	
including the statistical data provided for	for drawing up the report,	including the statistical data provided	
by Article 22 by ⇒ [/] ← 6	including the statistical data	for by Article 22 by $\Rightarrow$ [/] <sup>1</sup> $\Leftarrow$	
February 2006.	provided for by Article 28(2),	6 February 2006.	
	by [/].		
After presenting the ☒ first ☒ report,	After presenting the first	After presenting the ☒ first ☒	Identical
the Commission shall report to the	report, the Commission shall	report, the Commission shall report to	
European Parliament and the Council on	report to the European	the European Parliament and the	
the application of this Directive at least	Parliament and the Council on	Council on the application of this	
every five years.	the application of this	Directive at least every five years.	
	Directive at least every five		
	years.		
Article <u>31 <del>26</del></u>	Article 31	Article <u>31 <del>26</del></u>	
			Take Council text for Article
Transposition	Transposition	Transposition	31.
Member States shall bring into	1. Member States shall	Member States shall bring	
force the laws, regulations and	bring into force the	into force the laws,	
administrative provisions	laws, regulations and	regulations and	

<sup>&</sup>lt;sup>1</sup> 36 months from the date of publication in the *Official Journal of the European Union*.

necessary to comply with this	administrative	administrative provisions	
Directive by 6 February	provisions necessary	necessary to comply with this	
<del>2005</del> ★ Articles […] [The	to comply with	Directive by 6 February	
articles which have been	Articles [] [The	<del>2005</del> ★ Articles [] [The	
changed as to the substance by	articles which have	articles which have been	
comparison with the earlier	been changed as to the	changed as to the substance	
Directive] and Annex I by []	substance by	by comparison with the	
at the latest ⟨☒. They shall	comparison with the	earlier Directive] and Annex I	
forthwith inform	earlier Directive] and	by $[]^1$ at the latest $\boxtimes$ .	
	Annex I by [] at the	They shall forthwith inform	
Commission <del>thereof</del> ★ the text	latest. They shall		
of those provisions and a	forthwith	Commission <del>thereof</del> ★ the	
correlation table between those	communicate to the	text of those provisions $\boxtimes$ .	
provisions and this	Commission the text		
Directive ⟨☒.	of those provisions		
	and a correlation table		
	between those		
	provisions and this		
	Directive.		
When the Member States adopt	When Member States	When the Member States	Identical

<sup>24</sup> months from the date of publication in the Official Journal of the European Union.

these measures > those provisions  $\boxtimes$  , they shall contain a reference to this Directive or shall be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such a reference is to be include a statement that references in existing laws, regulations and administrative provisions to the directive repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated. 🖾

adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such a reference is to be made. They shall also include a statement that references in existing laws, regulations and administrative provisions to the directive repealed by this Directive shall be construed as references to this

adopt these measures  $\boxtimes$  those provisions  $\boxtimes$ , they shall contain a reference to this Directive or shall be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such a reference is to be made. > They shall also include a statement that references in existing laws, regulations and administrative provisions to the directive repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated. 🖾

	ffect from [day after the date set	States bound by this Directive	Directive with effect from [day after	
	ers States bound by this Directive	repealed for the Members	the Members States bound by this	
Directi	ive 2003/9/EC is repealed for the	Directive 2003/9/EC is	Directive 2003/9/EC is repealed for	Identical
	Repeal	Repeal	Repeal	
	Article 32	Article 32	Article 32	
	by <b>⊠</b> this Directive.	Directive.	by <b>⋖</b> this Directive.	
	enforcement of  ⊗ covered	covered by this	enforcement of ⊠ covered	
	in the field relating to the	they adopt in the field	in the field <del>relating to the</del>	
	national law which they adopt	of national law which	national law which they adopt	
		of the main provisions		
	Commission the text of the	Commission the text	Commission the text of the	
	communicate to the	communicate to the	communicate to the	
2.	Member States shall	2. Member States shall	2. Member States shall	Identical
		formulated.		
		that statement is to be		
		to be made and how		
		how such reference is		
		States shall determine		
		Directive. Member		

out in the first subparagraph of Article	with effect from [day after the	the date set out in the first	
31(1) of this Directive], without	date set out in the first	subparagraph of Article 31(1) of this	
prejudice to the obligations of the	subparagraph of Article 31(1)	Directive], without prejudice to the	
Member States relating to the time-limit	of this Directive], without	obligations of the Member States	
for transposition into national law of the	prejudice to the obligations of	relating to the time-limit for	
Directive set out in Annex II, Part B.	the Member States relating to	transposition into national law of the	
	the time-limit for transposition	Directive set out in Annex II, Part B.	
	into national law of the		
	Directive set out in Annex II,		
	Part B.		
References to the repealed Directive	References to the repealed	References to the repealed Directive	Identical
shall be construed as references to this	Directive shall be construed as	shall be construed as references to this	
Directive and shall be read in accordance	references to this Directive and	Directive and shall be read in	
with the correlation table in Annex III.	shall be read in accordance	accordance with the correlation table	
	with the correlation table in	in Annex III.	
	Annex III.		
Article <u>33 <del>27</del></u>	Article 33	Article <u>33 <del>27</del></u>	
Entry into force	Entry into force	Entry into force	
This Directive shall enter into force on	This Directive shall enter into	This Directive shall enter into force on	Identical

the ⊠ twentieth ⊠ day ⊠ following	force on the twentieth day	the ⊠ twentieth ⊠ day ⊠ following	
that 🖾 of its publication in the Official	following that of its	that ⊠ of its publication in the	
Journal of the European Union.	publication in the Official	Official Journal of the European	
	Journal of the European Union.	Union.	
☒ Articles [] [The articles which are	Articles [] [The articles		
unchanged by comparison with the	which are unchanged by	are changed by comparison with the	
earlier Directive] and Annex I shall	comparison with the earlier	earlier Directive] and Annex I shall	
apply from [day after the date set out in	Directive] and Annex I shall	apply from [day after the date set out	
the first subparagraph of Article	apply from [day after the date	in the first subparagraph of Article	
31(1)]. 🖾	set out in the first	31(1)]. ⊠	
	subparagraph of Article 31(1)].		
Article <u>34 <del>28</del></u>	Article 34	Article <u>34 <del>28</del></u>	
Addressees	Addressees	Addressees	
This Directive is addressed to the	This Directive is addressed to	This Directive is addressed to the	Identical
Member States   in accordance with	the Member States in	Member States   in accordance with	
the Treaties <b>☑</b> in accordance with the	accordance with the Treaties.	the Treaties  in accordance with the	
Treaty establishing the European Union.		Treaty establishing the European	
		<del>Union.</del>	

Done at []	Done at []	Done at []	
	For the European Parliament		
For the European Parliament		For the European Parliament	
The President	The President	The President	
[]	[] For the	[]	
	Counci		
For the Council	l	For the Council	
The President []	The President []	The President []	
ANNEX I	ANNEX I	ANNEX I to ANNEX I	Take text Commission proposal for the Annex.
Reporting form on the information to	Reporting form on the	Reporting form on the information	
be submitted by Member States, as	information to be submitted by	to be submitted by Member States, as required under Article 28(2) of	
required under Article 28(2) of	Member States on an annual	<b>Directive</b> [//EU]. After the date	
<b>Directive</b> [//EU]. After the date	basis, as required under	referred to in Article 28(2) of this Directive this information shall be re-	
referred to in Article 28(2) of this	Article 28(2) of Directive	submitted to the Commission when	
Directive this information shall be re-	[//EU]. []	there is a substantial change in the national law or practice that outdate	
submitted to the Commission when there		the provided information.	
is a substantial change in the national			
law or practice that outdate the provided			
information.			

<ol> <li>On the basis of Articles 2(I 22 of Directive [//EU] explain the different steps identification of persons w special reception needs, income the moment it is triggered a consequences in relation to addressing such needs, in particular for unaccompanion minors, victims of torture, other serious forms of psychological, physical or violence and victims of trafficking.</li> <li>Provide full information or type, name and format of the documents provided for in 6 of Directive [//EU].</li> </ol>	, please for the ith cluding and its  ed rape or sexual  a the 2.  Article	Indicate the total number of persons in your Member State currently covered by reception conditions as stipulated in Article 3(1) of Directive [//EC], broken down by sex and age. For each such person, indicate whether he or she is an asylum seeker or a family member as defined in Article 2(c) of Directive [//EC]. On the basis of Article 22 of Directive [//EC]. On the number of asylum seekers with special needs identified divided into the following groups of persons with special needs: unaccompanied minors	2.	On the basis of Articles 2(k) and 22 of Directive [//EU], please explain the different steps for the identification of persons with special reception needs, including the moment it is triggered and its consequences in relation to addressing such needs, in particular for unaccompanied minors, victims of torture, rape or other serious forms of psychological, physical or sexual violence and victims of trafficking.  Provide full information on the type, name and format of the documents provided for in Article 6 of Directive [//EU].	

	_	single parents with minor children			
	_	persons who have been			
		subjected to torture,			
		rape or other serious			
		forms of psychological, physical or sexual			
		violence			
	_	victims of trafficking			
	_	persons with mental			
		health problems			
	_	other (please explain)			
	<i>3</i> .	Provide detailed			
		information concerning			
		the documents provided			
		for in Article 6 of			
		Directive [//EU],			
		including in particular			
		the type, name and			
		format of these			
		documents.			
3. With reference to Article 15	4.	With reference to Article	3.	With reference to Article 15	
Directive [/EU], please		15 of Directive [//EU], indicate the		Directive [//EU], please	
indicate to the extent that any		total number of asylum		indicate to the extent that any	
particular conditions are attached		seekers in your Member		particular conditions are	
		State who have access			
to labour market access for asylum		to the labour market, as		attached to labour market access	
seekers, and describe in detail		well as the total number who are currently		for asylum seekers, and describe	
such restrictions.		employed, broken down		in detail such restrictions.	
		by economic sector. To			

4.	With reference to Article 2(g) of Directive [//EU], please describe how material reception conditions are provided (i.e. which material reception conditions are provided in kind, in money, in vouchers or in a combination of these elements) and indicate the level of the daily expenses allowance provided to asylum seekers.	5.	the extent that any particular conditions are attached to labour market access for asylum seekers, describe in detail such restrictions.  With reference to Article 17(5) of Directive [//EU], describe in detail the nature of material reception conditions, including their monetary value, and how they are provided (i.e. which material reception conditions are provided in kind, in money, in vouchers or in a combination of these elements) and indicate the level of the daily expenses allowance provided to asylum seekers.	5.	With reference to Article 2(g) of Directive [//EU], please describe how material reception conditions are provided (i.e. which material reception conditions are provided in kind, in money, in vouchers or in a combination of these elements) and indicate the level of the daily expenses allowance provided to asylum seekers.	
	to Article 17(5) Directive	[]			reference to Article 17(5)	
	[//EU], please explain the				Directive [/EU], please	
	point(s) of reference applied by				explain the point(s) of reference	

national law or practice with a	applied by national law or
view to determining the level of	practice with a view to
financial assistance provided to	determining the level of
asylum seekers. To the extent that	financial assistance provided to
there is a less favourable treatment	asylum seekers. To the extent
of asylum seekers compared to	that there is a less favourable
nationals, explain the reasons in	treatment of asylum seekers
this respect.	compared to nationals, explain
	the reasons in this respect.