



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 20 June 2012**

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from: Presidency  
to: Committee of Permanent Representatives  
On: 21 June 2012

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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]  
- *Outcome of the trilogue*

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On 19 June 2012, the fourth informal trilogue with the European Parliament took place on above mentioned recast of the Reception Conditions Directive. The 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. This table has been examined by the Justice and Home Affairs Counsellors on 20 June. In light of this examination, the Presidency made one amendment in the table in recital (21).

In the trilogues, solutions have been found on many issues where both Council and the European Parliament have been accommodated. Discussions have been particularly fruitful on the Articles on detention (Articles 8-11 - with the number of detention grounds in Article 8(3) still pending), issues related to material reception conditions (Articles 17(5) and 20), free legal assistance and representation (Articles 9 and 26), documentation (Article 6 (6)), minors (Articles 14, 23 and 24), vulnerable persons (Article 25) and health care (Article 19).

A conclusion of the negotiations in the fourth trilogue within the mandate was not possible and therefore agreement could not be reached. Against that background the representatives of the Parliament and the Commission and the Presidency have agreed to conduct a last trilogue under the Danish Presidency with a view to reaching agreement.

In conclusion, the remaining outstanding issues evolve around four main issues:

1. the grounds for detention as stipulated in Article 8 (3);
2. the assessment of special reception needs of vulnerable persons in Article 22 and the related Article 11;
3. the wording on judicial review of an administrative decision to detain an applicant for asylum in Article 9 (2);
4. access to the labour market in Article 15.

The Presidency invites delegations to prepare the Committee of Permanent Representatives on 21 June 2012, in particular on above mentioned main issues, with a view to enabling agreement on a compromise package in the fifth and final informal trilogue between the Council and the European Parliament.

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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 initial Commission proposal and the amendments of the approach of the LIBE rapporteur and the shadow rapporteurs on the amended 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.
3. the Council position on the amended Commission proposal as endorsed by the Committee of Permanent Representatives on 21 March 2012. New text is indicated by underlining the insertion and including it within Council tags: ☞\_☞; deleted text is indicated within underlined square brackets as follows: ☞[...].☞.
4. the result of the fourth trilogue on 19 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 revised Com proposal (doc 11214/11)	EP text	Council Position	Result 4th trilogue
2008/0244 (COD)		2008/0244 (COD)	
<p>Amended proposal for a</p> <p><b>DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL</b></p> <p><b>laying down standards for the reception of asylum seekers</b></p> <p><b>(Recast)</b></p>		<p>Amended proposal for a</p> <p><b>DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL</b></p> <p>laying down <del>minimum</del> standards for the reception of asylum seekers</p> <p><b>(Recast)</b></p>	Identical

<p>THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,</p> <p>Having regard to the Treaty on the Functioning of the European Union, and in particular point 2(f) of Article 78 thereof,</p> <p>Having regard to the proposal from the European Commission,</p> <p>Having regard to the opinion of the European Economic and Social Committee<sup>1</sup>,</p> <p>Having regard to the opinion of the Committee of the Regions<sup>2</sup>,</p> <p>Acting in accordance with the ordinary legislative procedure,</p> <p>Whereas:</p>	<p>THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,</p> <p>Having regard to the Treaty on the Functioning of the European Union, and in particular point 2(f) of Article 78 thereof,</p> <p>Having regard to the proposal from the European Commission,</p> <p>Having regard to the opinion of the European Economic and Social Committee,</p> <p>Having regard to the opinion of the Committee of the Regions,</p>	<p>THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,</p> <p>Having regard to the <del>the</del> Treaty on the Functioning of the European Union<del>,</del>, and in particular <del>the</del> point 2(f) of Article 78<del>,</del> thereof,</p> <p>Having regard to the proposal from the European Commission,</p> <p>Having regard to the opinion of the European Economic and Social Committee<sup>3</sup>,</p> <p>Having regard to the opinion of the Committee of the Regions<sup>4</sup>,</p> <p>Acting in accordance with the ordinary legislative procedure,</p>	<p>Identical</p>
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<sup>1</sup> OJ C , , p. .  
<sup>2</sup> OJ C , , p. .  
<sup>3</sup> OJ C , , p. .  
<sup>4</sup> 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 <input checked="" type="checkbox"/> European Union <input checked="" type="checkbox"/> Community. ⇒ It should be governed by the principle of solidarity and fair sharing of	(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,	(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 <input checked="" type="checkbox"/> European Union <input checked="" type="checkbox"/> Community. ⇒ It should be governed by the principle of	Identical

<sup>1</sup> OJ L 31, 6.2.2003, p. 18.

<sup>2</sup> OJ L 31, 6.2.2003, p. 18.

<p>responsibility, including its financial implications, between the Member States. ⇐</p>	<p>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.</p>	<p>solidarity and fair sharing of responsibility, including its financial implications, between the Member States. ⇐</p>	
<p>(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. ⇐</p>	<p>(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</p>	<p>(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</p>	<p>Identical</p>

	System was achieved through the adoption of relevant legal instruments foreseen in the Treaties, including Directive 2003/9/EC.	2003/9/EC. ↩	
<del>The Tampere Conclusions provide that a Common European Asylum System should include, in the short term, common minimum conditions of reception of asylum seekers.</del>		<del>The Tampere Conclusions provide that a Common European Asylum System should include, in the short term, common minimum conditions of reception of asylum seekers.</del>	
<del>The establishment of minimum standards for the reception of asylum seekers is a further step towards a European asylum policy.</del>		<del>The establishment of minimum standards for the reception of asylum seekers is a further step towards a European asylum policy.</del>	
(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



<p>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.</p>	<p>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.</p>	<p>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.</p>	
<p>(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,</p>	<p>(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</p>	<p>(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</p>	<p>Identical</p>

<p>are offered an equivalent level of treatment as regards reception conditions.</p>	<p>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, are offered an equivalent level of treatment as regards reception conditions.</p>	<p>application for asylum is made, are offered an equivalent level of treatment as regards reception conditions.</p>	
<p>(6) The resources of the European 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>1</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 States which are faced with specific and disproportionate pressures on</p>	<p>(6) The resources of the European Refugee Fund and of the European Asylum Support Office, established by Regulation (EU) No 439/2010 of the European Parliament and of the Council, should be mobilised to provide adequate support to the Member States' efforts relating to the implementation of the standards set in</p>	<p>(6) The resources of the European 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 States which are faced with</p>	<p>Identical</p>

<sup>1</sup> OJ L 132, 29.5.2010, p.11.

<sup>2</sup> OJ L 132, 29.5.2010, p.11.

<p>their asylum systems, due in particular to their geographical or demographic situation.</p>	<p>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.</p>	<p>specific and disproportionate pressures on their asylum systems, due in particular to their geographical or demographic situation.</p>	
	<p><i>(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</i></p>		<p>EP AM not included</p>

	<i>particular to their geographical or demographic situation.</i>		
	<i>(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.</i>		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

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

<p>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.</p>	<p>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.</p>	<p>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.</p>	
<p>(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 <del>and which prohibit discrimination.</del></p>	<p>(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.</p>	<p>(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 <del>and which prohibit discrimination.</del></p>	<p>Identical</p>
<p>(11) <del>Minimum Standards</del> for the reception of asylum seekers that will <del>normally</del> suffice to ensure them a dignified standard of</p>	<p>(11) Standards for the reception of asylum seekers that will suffice to ensure them a</p>	<p>(11) <del>Minimum Standards</del> for the reception of asylum seekers that will <del>normally</del> suffice to ensure them a dignified</p>	<p>Identical</p>

<p>living and comparable living conditions in all Member States should be laid down.</p>	<p>dignified standard of living and comparable living conditions in all Member States should be laid down.</p>	<p>standard of living and comparable living conditions in all Member States should be laid down.</p>	
<p>(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.</p>	<p>(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.</p>	<p>(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.</p>	<p>Identical</p>
<p>(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.</p>	<p>(13) <i>With a view to</i> ensuring equal treatment <i>among</i> all applicants for international protection as well as in order to <i>ensure</i> consistency with current EU asylum acquis, in particular with Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-</p>	<p>(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.</p>	<p>(13) <b>With a view to <del>In-view</del> of</b> 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</p>

	<p><i>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.</i></p>		<p>Directive in order to include applicants for subsidiary protection.</p>
<p>(14) ⇒ The immediate identification and monitoring of persons ⇐ <del>Reception of groups</del> 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 ☒ <del>those</del> needs.</p>	<p>(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 <i>conditions</i> are specifically designed to meet their special reception needs.</p>	<p>(14) ☉ [...] ☉ <del>Reception of groups</del> ☉ 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 ☒ <del>those</del> needs.</p>	<p><b><u>Related to Article 22.</u></b> <b><u>To be discussed</u></b></p>

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



<p>(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.</p>	<p>(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 <i>he/she is</i> seeking international protection, notably in accordance with <b><i>the international legal obligations of the Member States, and particularly</i></b> 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 <i>on</i> movement should be necessary. In this respect, detention of asylum seekers should only be possible under very clearly defined exceptional circumstances laid</p>	<p>(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. [...] 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.</p>	<p>(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 <b>the international legal obligations of the Member States, and particularly</b> Article 31 of 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 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</p>
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	<p>down in this Directive and subject to the <i>principles</i> of necessity and proportionality with regard both to the manner and to the purpose of such detention. Where <i>asylum seekers</i> are held in detention <i>they</i> should be able to have effective access to the necessary procedural guarantees such as judicial remedy before a national court.</p>		<p>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.</p>
	<p><b>(15a)</b> <i>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</i></p>		<p><b>(15a)</b> <i>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</i></p>

	<i>prospect exists that such verification can be carried out successfully in the shortest possible time</i>		<b>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</b>
		☞ (15a) <u>The grounds for detention 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.</u> ☹	☞ (15a) <u>The grounds for detention set out in this Directive are without prejudice to other grounds for detention, <b>including detention grounds in the framework of criminal proceedings,</b> applicable in the national legal order unrelated to the third country national's or stateless person's application for international protection.</u> ☹
(16) <del>Reception of</del> Applicants who are in detention ⇒ should be treated with full respect of human dignity	(16) Applicants who are in detention should be treated with full respect	(16) <del>Reception of</del> Applicants who are in detention ⇒ should be treated with full respect of	(16) <del>Reception</del> of Applicants who are in detention ⇒ should be

<p>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. ⇐</p>	<p>for human dignity and their reception conditions should be specifically designed to meet their needs in that situation. In particular, Member States should ensure <i>compliance with</i> Article 37 of the 1989 UN Convention on the Rights of the Child.</p>	<p>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. ⇐</p>	<p>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.</p>
<p>(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 out in this Directive. Derogations should only be applied in exceptional circumstances; they should be duly justified, taking into consideration the circumstances of each case</p>	<p>[...]</p>	<p>(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 out in this Directive. Derogations should only be applied in exceptional circumstances; they should be duly justified, taking into</p>	<p>Take Council text</p>

<p>including the level of severity of the derogation applied, its duration and its impact on the concerned individual.</p>		<p>consideration the circumstances of each case including the level of severity of the derogation applied, its duration and its impact on the concerned individual.</p>	
	<p><i>(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 reporting to the authorities, deposit of</i></p>		<p><b>(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.</b></p>

	<p><i>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.</i></p>		
<p>(18) In order to ensure compliance with the <del>minimum</del> 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.</p>	<p>(18) In order to ensure compliance with the procedural <i>safeguards</i> 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.</p>	<p>(18) In order to ensure compliance with the <del>minimum</del> 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.</p>	<p>EP suggestions for linguistic changes not admissible</p>

	<p><i>(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 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.</i></p>		<p>Related to Article 2(c), 18(4a) and 23(5).</p> <p><b>(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.</b></p>
(19) In order to promote asylum-	(19) In order to promote	[(19) In order to promote asylum-	<b><u>Related to Article 15.</u></b>

<p>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].</p>	<p>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].</p>	<p>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. ↻ [...] ⌂</p>	<p><b><u>To be discussed.</u></b></p>
<p>(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.</p>	<p>(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 <i>which ensure an adequate and dignified standard of living. The process</i></p>	<p>(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 ↻ [...] ⌂ <u>references</u> ⌂ .</p>	<p>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 ↻ [...] ⌂</p>



	<p><i>of determining the level of support and the points of reference should be transparent and publicly accessible.</i></p>		<p>☞ references ☞ . This does 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.</p>
<p>(21) The possibility of abuse of the reception system should be restricted by ☒ specifying the circumstances in which ☒ <del>laying down cases for the reduction or withdrawal of</del> 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 ⇐.</p>	<p>(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.</p>	<p>(21) The possibility of abuse of the reception system should be restricted by ☒ specifying the circumstances in which ☒ <del>laying down cases for the reduction or withdrawal of</del> 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 ⇐.</p>	<p>In combination with Article 20.</p> <p><b><u>Presidency suggestion</u></b></p> <p>(21) The possibility of abuse of the reception system should be restricted by ☒ specifying the circumstances in which ☒ <del>laying down cases for the reduction or withdrawal of</del> reception conditions for asylum seekers ☒ may be reduced or such reception withdrawn ☒ ⇒ while at the same time</p>

			ensuring a dignified standard of living for 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) <del>It is in the very nature of minimum standards that</del> Member States ☒ should ☒ have the power to introduce or maintain more favourable provisions for third-country nationals and	(24) Member States should have the power to introduce or maintain more favourable provisions for third-country nationals and	(24) <del>It is in the very nature of minimum standards that</del> Member States ☒ should ☒ have the power to introduce or maintain more favourable provisions for third-country	Identical

<p>stateless persons who ask for international protection from a Member State.</p>	<p>stateless persons who ask for international protection from a Member State.</p>	<p>nationals and stateless persons who ask for international protection from a Member State.</p>	
<p>(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] ⇐ <del>the Geneva Convention for third country nationals and stateless persons.</del></p>	<p>(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 <i>those applicable under Directive 2011/95/EU.</i></p>	<p>(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] ⇐ <del>the Geneva Convention for third country nationals and stateless persons.</del></p>	<p>(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] ⇐ <del>the Geneva Convention for third country nationals and stateless persons.</del></p>
<p>(26) The implementation of this Directive should be evaluated at regular intervals.</p>	<p>(26) The implementation of this Directive should be evaluated at regular intervals.</p>	<p>(26) The implementation of this Directive should be evaluated at regular intervals.</p>	<p>Identical</p>
<p>(27) Since the objectives of the proposed action, namely to establish <del>minimum</del> standards on the reception of asylum seekers in Member States, cannot be sufficiently achieved by the</p>	<p>(27) Since the <i>objective of this Directive</i>, namely to establish standards on the reception of asylum seekers in Member States, cannot</p>	<p>(27) Since the objectives of the proposed action, namely to establish <del>minimum</del> standards on the reception of asylum seekers in Member States, cannot be sufficiently achieved</p>	<p>EP suggestions for linguistic changes not admissible.</p>

<p>Member States and can therefore, by reason of the scale and effects of the proposed action, be better achieved by the ☒ Union ☒ <del>Community</del>, the ☒ Union ☒ <del>Community</del> may adopt measures in accordance with the principles of subsidiarity as set out in Article 5 of the Treaty <u>on European Union</u> . 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.</p>	<p>be sufficiently achieved by the Member States and can therefore, by reason of the scale and effects of the proposed action, be better achieved <i>at Union level</i>, the Union may adopt measures in accordance with the <i>principle</i> 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 <i>that objective</i>.</p>	<p>by the Member States and can therefore, by reason of the scale and effects of the proposed action, be better achieved by the ☒ Union ☒ <del>Community</del>, the ☒ Union ☒ <del>Community</del> may adopt measures in accordance with the principles of subsidiarity as set out in Article 5 of the Treaty <u>on European Union</u> . 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.</p>	
		<p>☞(27a) In accordance with the <u>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</u></p>	<p>Take Council text.</p>

		<p>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 such documents to be justified.☺</p>	
<p><del>In accordance with Article 3 of the Protocol on the position of the United Kingdom and Ireland, annexed to the Treaty on European Union and to the Treaty establishing the European Community, the United Kingdom gave notice, by letter of 18 August 2001, of its wish to take part in the adoption and application of this Directive.</del></p>		<p><del>In accordance with Article 3 of the Protocol on the position of the United Kingdom and Ireland, annexed to the Treaty on European Union and to the Treaty establishing the European Community, the United Kingdom gave notice, by letter of 18 August 2001, of its wish to take part in the adoption and application of this Directive.</del></p>	
<p><del>In accordance with Article 1 of the said Protocol Ireland, is not participating in the adoption of this Directive. Consequently, and without prejudice to Article 4 of the aforementioned Protocol, the provisions of this Directive do not</del></p>		<p><del>In accordance with Article 1 of the said Protocol Ireland, is not participating in the adoption of this Directive. Consequently, and without prejudice to Article 4 of the aforementioned Protocol, the</del></p>	

<del>apply to Ireland.</del>		<del>provisions of this Directive do not apply to Ireland.</del>	
(28) In accordance with Article 4a(1) of 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 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.	(28) In accordance with Article 4a(1) of 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 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.	(28) In accordance with <del>☞ [...] ☞</del> Articles 1, 2 and <del>☞</del> Article <del>☞</del> 4a(1) of 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 <del>☞, ☞</del> and without prejudice to <del>☞ [...] ☞</del> Article 4 of that Protocol, <del>☞ the United Kingdom is not taking part in the adoption of this Directive and ☞ ☞ [...] ☞</del> is not bound by it <del>☞ or subject to its application ☞ ☞ [...] ☞</del> .	Take Council text
(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	(29) In accordance with Article 1 of the said Protocol, Ireland is not taking part in the	(29) In accordance with Article 1 of the said Protocol, <u>Ireland</u> is not taking part in the adoption of this Directive. Without	Identical

<p>Article 4 of that Protocol, Ireland is therefore not bound by this Directive.</p>	<p>adoption of this Directive. Without prejudice to Article 4 of that Protocol, Ireland is therefore not bound by this Directive.</p>	<p>prejudice to Article 4 of that Protocol, Ireland is therefore not bound by this Directive.</p>	
<p>(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 <u>on the Functioning of the European Union</u> <del>establishing the European Community</del>, Denmark does not take part in the adoption of this Directive and is not bound by it or subject to its application.</p>	<p>(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.</p>	<p>(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 <u>on the Functioning of the European Union</u> <del>establishing the European Community</del>, Denmark does not take part in the adoption of this Directive and is not bound by it or subject to its application.</p>	<p>Identical</p>
<p>(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, ⇩ <del>and</del> 18 ⇨, 21, 24 and 47 ⇩ of the said</p>	<p>(31) This Directive respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union (<i>the Charter</i>). In particular, this Directive seeks to ensure full respect for</p>	<p>(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, ⇩ <del>and</del> 18 ⇨, 21, 24</p>	<p>(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</p>

<p>Charter ⇒ and has to be implemented accordingly ⇐.</p>	<p>human dignity and to promote the application of Articles 1, 4, 6, 7, 18, 21, 24 and 47 of <i>the Charter</i> and <i>should</i> be implemented accordingly.</p>	<p>and 47 ⇐ of the said Charter ⇒ and has to be implemented accordingly ⇐.</p>	<p>promote the application of Articles 1 ⇒, 4, 6, 7, ⇐ <del>and</del> 18 ⇒, 21, 24 and 47 ⇐ of the said Charter ⇒ and has to be implemented accordingly ⇐.</p>
<p>(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.</p>	<p>(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.</p>	<p>(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.</p>	<p>Identical</p>
<p>(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.</p>	<p>(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.</p>	<p>(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.</p>	<p>Identical</p>



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

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

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

yet been taken;	of which a final decision has not yet been taken;	yet been taken;	
<p>(c)(d) "family members" <del>shall mean</del> <math>\boxtimes</math> means <math>\boxtimes</math>, 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 <del>asylum</del> <math>\Rightarrow</math> international protection <math>\Leftarrow</math>:</p>	<p>(c) "family members" 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 international protection :</p>	<p>(c)(d) "family members" <del>shall mean</del> <math>\boxtimes</math> means <math>\boxtimes</math>, 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 <del>asylum</del> <math>\Rightarrow</math> international protection <math>\Leftarrow</math>:</p>	<p>Article 2(c) in combination with Article 18 (4a) and 23 and recital (18a).</p> <p>c)(d) "family members" <del>shall mean</del> <math>\boxtimes</math> means <math>\boxtimes</math>, 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 <del>asylum</del> <math>\Rightarrow</math> international protection <math>\Leftarrow</math>:</p>

<p>☒ (i) <u>when the applicant is an adult</u>; ☒</p>	<p>[...]</p>	<p>☐ [...]</p>	<p>☐ [...]</p>
<p>☒ = 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 <del>aliens</del> ☒ third country nationals ☒ ;</p>	<p>- 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 country</p>	<p>☒ = 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 <del>aliens</del> ☒ third country nationals ☒ ;</p>	<p>☒ = 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 <del>aliens</del> ☒ third</p>

	nationals;		country nationals <del>(i)</del> ;
<del>(ii)</del> = the minor children of <del>the couple</del> <del>(i)</del> couples <del>(i)</del> referred to in <u>the first indent point (i)</u> or of the applicant, on condition that they are unmarried <del>and dependent</del> and regardless of whether they were born in or out of wedlock or adopted as defined under the national law;	- the minor children of couples referred to in the first indent or of the applicant, on condition that they are unmarried and regardless of whether they were born in or out of wedlock or adopted as defined under the national law;	<del>(ii)</del> = the minor children of <del>the couple</del> <del>(i)</del> couples <del>(i)</del> referred to in <u>the first indent point (i)</u> or of the applicant <del>for</del> <u>international protection</u> <del>(i)</del> , on condition that they are unmarried <del>and dependent</del> and regardless of whether they were born in or out of wedlock or adopted as defined under the national law;	<del>(ii)</del> = the minor children of <del>the couple</del> <del>(i)</del> couples <del>(i)</del> referred to in <u>the first indent point (i)</u> or of the applicant <del>for</del> <u>international protection</u> <del>(i)</del> , on condition that they are unmarried <del>and dependent</del> and regardless of 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) <i>above</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;	⇒ [...] ⇐	⇒ [...] ⇐
(ii) when the applicant is an unmarried minor:	[...]	⇒ [...] ⇐	⇒ [...] ⇐

<p>- 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 ;</p>	<p>- the father, mother, <i>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;</i></p>	<p>- the father, mother  <input type="radio"/> [...] <input type="radio"/> or  <input type="radio"/> another <input type="radio"/>  <input type="radio"/> [...] <input type="radio"/> adult  responsible for the applicant <input type="radio"/> for international protection <input type="radio"/> whether by law or by the national practice of the Member State concerned <input type="radio"/> , when the latter is a minor and unmarried. <input type="radio"/></p>	<p>- the father, mother  <input type="radio"/> [...] <input type="radio"/> or  <input type="radio"/> another <input type="radio"/>  <input type="radio"/> [...] <input type="radio"/> adult  responsible for the applicant <input type="radio"/> for international protection <input type="radio"/> whether by law or by the national practice of the Member State concerned <input type="radio"/> , when the latter is a minor and unmarried. <input type="radio"/></p>
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<p>- 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 married but not accompanied by their spouses and it is in their best interests to be considered family members;</p>	<p>[...]</p>	<p>☞ [...] ☛</p>	<p>☞ [...] ☛</p>
	<p>(vi) <i>dependent adults with special needs;</i></p>		<p>EP AM withdrawn</p>
<p>(iii) when the applicant is a married minor, the persons referred to in point (ii) provided the applicant is not</p>	<p>[...]</p>	<p>☞ [...] ☛</p>	<p>☞ [...] ☛</p>

<p>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.</p>			
<p><del>(e) "refugee" shall mean a person who fulfils the requirements of Article 1(A) of the Geneva Convention;</del></p>		<p><del>(e) "refugee" shall mean a person who fulfils the requirements of Article 1(A) of the Geneva Convention;</del></p>	
<p><del>(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></p>		<p><del>(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></p>	
<p><del>(g) "procedures" and "appeals", shall means the procedures and</del></p>		<p><del>(g) "procedures" and "appeals", shall means the procedures</del></p>	

<p><del>appeals established by Member States in their national law;</del></p>		<p><del>and appeals established by Member States in their national law;</del></p>	
<p>(d) "minor" means a third-country national or stateless person below the age of 18 years;</p>	<p>(d) "minor" means a third-country national or stateless person below the age of 18 years;</p>	<p>(d) "minor" means a third-country national or stateless person below the age of 18 years;</p>	<p>Identical</p>
<p><del>(e)(h)</del> "unaccompanied minors" shall mean <del>⊗</del> means <del>⊗</del> ⇒ a minor ⇐ <del>persons below the age of eighteen</del> who arrive <del>⊗</del> arrives <del>⊗</del> in the territory of the Member States unaccompanied by an adult responsible for <del>them</del> <u>him/her</u> whether by law or by ⇒ the national practice of the Member State concerned ⇐ <del>custom</del>, and for as long as <del>they are</del> <del>⊗</del> he/she is <del>⊗</del> not effectively</p>	<p>(e) "unaccompanied minor" means a minor who arrives in the territory of the Member States unaccompanied by an adult responsible for him/her whether by law or by the national practice of the Member State concerned, and for as long as he/she is not</p>	<p><del>(e)(h)</del> "unaccompanied minors" shall mean <del>⊗</del> means <del>⊗</del> ⇒ a minor ⇐ <del>persons below the age of eighteen</del> who arrive <del>⊗</del> arrives <del>⊗</del> in the territory of the Member States unaccompanied by an adult responsible for <del>them</del> <u>him/her</u> whether by law or by ⇒ the national practice of the Member State concerned ⇐ <del>custom</del>, and for as long as <del>they are</del> <del>⊗</del> he/she is <del>⊗</del> not</p>	<p>Identical</p>

<p>taken into the care of such a person; it <del>shall include minors</del> ☒ includes a minor ☒ who ☒ is ☒ <del>are</del> left unaccompanied after <del>they have</del> ☒ he/she has ☒ entered the territory of Member States;</p>	<p>effectively taken into the care of such a person; it includes a minor who is left unaccompanied after he/she has entered the territory of <i>the</i> Member States;</p>	<p>effectively taken into the care of such a person; it <del>shall include minors</del> ☒ includes a minor ☒ who ☒ is ☒ <del>are</del> left unaccompanied after <del>they have</del> ☒ he/she has ☒ entered the territory of Member States;</p>	
<p><del>(f)(i)</del> "reception conditions" <del>shall mean</del> ☒ means ☒ the full set of measures that Member States grant to asylum seeker in accordance with this Directive;</p>	<p>(f) "reception conditions" means the full set of measures that Member States <i>apply</i> to asylum <i>seekers</i> in accordance with this Directive;</p>	<p><del>(f)(i)</del> "reception conditions" <del>shall mean</del> ☒ means ☒ the full set of measures that Member States grant to asylum seeker in accordance with this Directive;</p>	<p>EP suggestion for linguistic change not admissible</p>
<p><del>(g)(i)</del> "material reception conditions" <del>shall mean</del> ☒ means ☒ the reception conditions that include housing, food and clothing provided in kind, or as financial allowances or in</p>	<p>(g) "material reception conditions" means the reception conditions that include housing, food and clothing provided in kind, or as</p>	<p><del>(g)(i)</del> "material reception conditions" <del>shall mean</del> ☒ means ☒ the reception conditions that include housing, food and clothing provided in kind, or as</p>	<p>Identical</p>

<p>vouchers, ⇒ or a combination of the three ⇐, and a daily expenses allowance;</p>	<p>financial allowances or in vouchers, or a combination of the three, and a daily <i>expense</i> allowance;</p>	<p>financial allowances or in vouchers, ⇒ or a combination of the three ⇐, and a daily expenses allowance;</p>	
<p><del>(h)(k)</del> "detention" <del>shall mean</del> ☒ 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;</p>	<p>(h) "detention" 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;</p>	<p><del>(h)(k)</del> "detention" <del>shall mean</del> ☒ 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;</p>	<p>Identical</p>
<p><del>(i)(l)</del> "accommodation centre" <del>shall mean</del> ☒ means ☒ any place used for collective housing of asylum seekers;̄</p>	<p>(i) "accommodation centre" means any place used for collective housing of asylum seekers;</p>	<p><del>(i)(l)</del> "accommodation centre" <del>shall mean</del> ☒ means ☒ any place used for collective housing of asylum seekers;̄</p>	<p>Identical</p>
<p>(j) "representative" means a</p>	<p>(j) "representative"</p>	<p>(j) "representative" means a</p>	<p>Article 2(j) in combination</p>

<p>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 ensuring the child's best interests and exercising legal capacity for the minor where necessary. Where an organisation acts as a representative, it shall appoint a person responsible for carrying out the duties of the legal guardian in respect of the minor, in accordance with this Directive;</p>	<p>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 ensuring the child's best interests and exercising legal capacity for the minor where necessary. Where an organisation acts as a representative, it shall appoint a person responsible for carrying out the duties</p>	<p>person or an organisation appointed by the competent bodies [...] in order to assist and represent an unaccompanied minor in procedures provided for in this Directive with a view to ensuring the child's best interests and exercising legal capacity for the minor where necessary. Where an organisation is appointed [...] as a representative, it shall designate [...] a person responsible for carrying out the duties of [...] this organisation [...] in respect of the minor, in accordance with this Directive;</p>	<p>with Article 24(1).  (j) "representative" means a person or an organisation appointed by the competent bodies [...] in order to assist and represent an unaccompanied minor in procedures provided for in this Directive with a view to ensuring the child's best interests and exercising legal capacity for the minor where necessary. Where an organisation is appointed [...] as a representative, it shall designate [...]</p>
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	<p>of the legal guardian in respect of the minor, in accordance with this Directive.</p> <p><i>The organisation must ensure that the “representative” has sufficient resources to represent the minor and has the chance to develop a relationship based on mutual trust with the minor;</i></p>		<p>☞ [...] ☞ a person responsible for carrying out the duties of ☞ this organisation ☞</p> <p>☞ [...] ☞ in respect of the minor, in accordance with this Directive;</p>
<p>(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</p>	<p>(k) "applicant with special reception needs" means a vulnerable applicant, in line with Article 21, who is in need of special guarantees in</p>	<p>(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</p>	<p>Identical</p>

provided for in this Directive.	order to benefit from the rights and comply with the obligations provided for in this Directive.	obligations provided for in this Directive.	
<i>Article 3</i>	<i>Article 3</i>	<i>Article 3</i>	
<i>Scope</i>	<i>Scope</i>	<i>Scope</i>	
<p>1. This Directive shall apply to all third country nationals and stateless persons who make an application for <del>asylum</del>  ⇒ international protection ⇐ <del>at the border, or</del> in the territory, <del>⊗</del> including at the border, <del>⊗</del> ⇒ 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</p>	<p>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</p>	<p>1. This Directive shall apply to all third country nationals and stateless persons who make an application for <del>asylum</del>  ⇒ international protection ⇐ <del>at the border, or</del> in the territory, <del>⊗</del> including at the border, <del>⊗</del> ⇒ in the territorial waters or in the transit zones, ⇐ of a Member State, as long as they are allowed to remain on the</p>	<p>EP suggestion for linguistic change not admissible.</p>



<p>well as to family members, if they are covered by such application for ⇒ international protection ← <del>asylum</del> according to the national law.</p>	<p>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 according to the <i>applicable</i> national law.</p>	<p>territory as asylum seekers, as well as to family members, if they are covered by such application for ⇒ international protection ← <del>asylum</del> according to the national law.</p>	
<p>2. This Directive shall not apply in cases of requests for diplomatic or territorial asylum submitted to representations of Member States.</p>	<p>2. This Directive shall not apply <i>to</i> requests for diplomatic or territorial asylum submitted to representations of Member States.</p>	<p>2. This Directive shall not apply in cases of requests for diplomatic or territorial asylum submitted to representations of Member States.</p>	<p>EP suggestion for linguistic change not admissible.</p>
<p>3. This Directive shall not apply when the provisions of Council</p>	<p>3. This Directive shall not apply when the</p>	<p>3. This Directive shall not apply when the provisions of</p>	<p>Identical</p>

<p>Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary 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<sup>1</sup> are applied.</p>	<p>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 displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof are applied.</p>	<p>Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary 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<sup>2</sup> are applied.</p>	
<p>4. Member States may decide to apply this Directive in connection with procedures for</p>	<p>4. Member States may decide to apply this Directive in</p>	<p>4. Member States may decide to apply this Directive in connection with procedures</p>	<p>EP suggestion on "those applicable" not admissible.</p>

<sup>1</sup> OJ L 212, 7.8.2001, p. 12.

<sup>2</sup> OJ L 212, 7.8.2001, p. 12.

<p>deciding on applications for kinds of protection other than that emanating from</p> <p>⇒ Directive [.../.../EU] [the Qualification Directive] ⇐ <del>the Geneva Convention for third-country nationals or stateless persons who are found not to be refugees.</del></p>	<p>connection with procedures for deciding on applications for kinds of protection other than <i>those applicable under</i> Directive 2011/95/EU.</p>	<p>for deciding on applications for kinds of protection other than that emanating from</p> <p>⇒ Directive [.../.../EU] [the Qualification Directive] ⇐ <del>the Geneva Convention for third-country nationals or stateless persons who are found not to be refugees.</del></p>	
<i>Article 4</i>	<i>Article 4</i>	<i>Article 4</i>	
<b>More favourable provisions</b>	<b>More favourable provisions</b>	<b>More favourable provisions</b>	
Member States may introduce or retain more favourable provisions in the field of reception conditions for asylum seekers and other close relatives of the applicant who are present in the same Member State when they are dependent on him or for humanitarian reasons insofar as these provisions are	Member States may introduce or retain more favourable provisions in the field of reception conditions for asylum seekers and other close relatives of <i>asylum seekers</i> who are present in the same Member State when they are	Member States may introduce or retain more favourable provisions in the field of reception conditions for asylum seekers and other close relatives of the applicant who are present in the same Member State when they are dependent on him or for humanitarian reasons insofar as these	Identical

compatible with this Directive.	dependent on <i>the asylum seeker</i> or for humanitarian reasons insofar as <i>those</i> provisions are compatible with this Directive.	provisions are compatible with this Directive.	
<b>CHAPTER II</b>	<b>CHAPTER II</b>	<b>CHAPTER II</b>	
<b>GENERAL PROVISIONS ON RECEPTION CONDITIONS</b>	<b>GENERAL PROVISIONS ON RECEPTION CONDITIONS</b>	<b>GENERAL PROVISIONS ON RECEPTION CONDITIONS</b>	
<i>Article 5</i>	<i>Article 5</i>	<i>Article 5</i>	
<b>Information</b>	<b>Information</b>	<b>Information</b>	
1. Member States shall inform asylum seekers, within a reasonable time not exceeding fifteen days after they have lodged their application for	1. Member States shall inform asylum seekers, within a reasonable time not exceeding fifteen days	1. Member States shall inform asylum seekers, within a reasonable time not exceeding fifteen days after they have lodged their	Identical

<p>⇒ international protection ⇐  <del>asylum with the competent authority</del>, of at least any established benefits and of the obligations with which they must comply relating to reception conditions.</p>	<p>after they have lodged their application for international protection, of at least any established benefits and of the obligations with which they must comply relating to reception conditions.</p>	<p>application for  ⇒ international protection ⇐  <del>asylum with the competent authority</del>, of at least any established benefits and of the obligations with which they must comply relating to reception conditions.</p>	
<p>Member States shall ensure that applicants are provided with information on organisations or groups of persons that provide specific legal assistance and organisations that might be able to help or inform them concerning the available reception conditions, including health care.</p>	<p>Member States shall ensure that applicants are provided with information on organisations or groups of persons that provide specific legal assistance and organisations that might be able to help or inform them</p>	<p>Member States shall ensure that applicants are provided with information on organisations or groups of persons that provide specific legal assistance and organisations that might be able to help or inform them concerning the available reception conditions, including health care.</p>	<p>Identical</p>

	concerning the available reception conditions, including health care.		
2. Member States shall ensure that the information referred to in paragraph 1 is in writing and, <del>as far as possible,</del> in a language that the applicants ⇒ understand or ⇐ <del>may</del> ⊗ are ⊗ reasonably <del>be</del> supposed to understand. Where appropriate, this information may also be supplied orally.	2. Member States shall 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 presumed</i> to understand. Where appropriate, this information may also be supplied orally.	2. Member States shall ensure that the information referred to in paragraph 1 is in writing and, <del>as far as possible,</del> in a language that the applicants ⇒ understand or ⇐ <del>may</del> ⊗ are ⊗ reasonably <del>be</del> supposed to understand. Where appropriate, this information may also be supplied orally.	Take Council text

<i>Article 6</i>	<i>Article 6</i>	<i>Article 6</i>	
<b>Documentation</b>	<b>Documentation</b>	<b>Documentation</b>	
<p>1. Member States shall ensure that, within three days after an application ⇨ for international protection ⇐ is lodged with the competent authority, the applicant is provided with a 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.</p>	<p>1. Member States shall ensure that, within three days after an application for international protection is lodged, the applicant is provided with a 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</p>	<p>1. Member States shall ensure that, within three days after an application ⇨ for international protection ⇐ is lodged with the competent authority, the applicant is provided with a 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.</p>	<p>Identical</p>

	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 <i>of the document referred to in the first subparagraph</i> 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 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.
2. Member States may exclude application of this Article when the asylum seeker is in detention and during the examination of an application for ⇒ international protection ⇐ <del>asylum</del> made at the border or within the context of a	2. Member States may exclude application of this Article when <i>an</i> asylum seeker is in detention and during the examination of an application for international	2. Member States may exclude application of this Article when the asylum seeker is in detention and during the examination of an application for ⇒ international protection ⇐ <del>asylum</del> made at the border or within the	EP suggestion for linguistic change not admissible.



<p>procedure to decide on the right of the applicant <del>legally</del> to enter the territory of a Member State. In specific cases, during the examination of an application for ⇒ international protection ⇐ <del>asylum</del>, Member States may provide applicants with other evidence equivalent to the document referred to in paragraph 1.</p>	<p>protection made at the border or within the context of a procedure to decide on the right of the applicant to enter the territory of a Member State. In specific cases, during the examination of an application for international protection, Member States may provide applicants with other evidence equivalent to the document referred to in paragraph 1.</p>	<p>context of a procedure to decide on the right of the applicant <del>legally</del> to enter the territory of a Member State. In specific cases, during the examination of an application for ⇒ international protection ⇐ <del>asylum</del>, Member States may provide applicants with other evidence equivalent to the document referred to in paragraph 1.</p>	
<p>3. The document referred to in paragraph 1 need not certify the identity of the asylum seeker.</p>	<p>3. The document referred to in paragraph 1 need not certify the identity of</p>	<p>3. The document referred to in paragraph 1 need not certify the identity of the asylum seeker.</p>	<p>Identical</p>

	the asylum seeker.		
4. Member States shall adopt the necessary measures to provide asylum seekers with the document referred to in paragraph 1, which must be valid for as long as they are authorised to remain in the territory of the Member State concerned <del>or at the border thereof.</del>	4. Member States shall adopt the necessary measures to provide asylum seekers with the document referred to in paragraph 1, which must be valid for as long as they are authorised to remain in the territory <i>or at the border of the</i> Member State concerned.	4. Member States shall adopt the necessary measures to provide asylum seekers with the document referred to in paragraph 1, which must be valid for as long as they are authorised to remain in the territory of the Member State concerned <del>or at the border thereof.</del>	Take Council text
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	5. Member States may provide asylum seekers with a travel document when serious humanitarian reasons arise that require their presence in another State.	Identical

	in another State.		
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 protection.	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 protection.	↔ [...] ↔	6. Member States shall not impose <b>any unnecessary or disproportionate</b> 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 protection.

<i>Article 7</i>	<i>Article 7</i>	<i>Article 7</i>	
<b>Residence and freedom of movement</b>	<b>Residence and freedom of movement</b>	<b>Residence and freedom of movement</b>	
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 scope for guaranteeing access to all benefits under this Directive.	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 scope for <i>ensuring</i> access to all benefits under this Directive.	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 scope for guaranteeing access to all benefits under this Directive.	Take Council text.
2. Member States may decide on	2. Member States may	2. Member States may decide	Identical

<p>the residence of the asylum seeker for reasons of public interest, public order or, when necessary, for the swift processing and effective monitoring of his or her application ⇒ for international protection ⇐.</p>	<p>decide on the residence of the asylum seeker for reasons of public interest, public order or, when necessary, for the swift processing and effective monitoring of his or her application for international protection.</p>	<p>on the residence of the asylum seeker for reasons of public interest, public order or, when necessary, for the swift processing and effective monitoring of his or her application ⇒ for international protection ⇐.</p>	
<p><del>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.</del></p>		<p><del>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.</del></p>	
<p><u>3.4.</u> Member States may make</p>	<p>3. Member States may</p>	<p><u>3.4.</u> Member States may make</p>	<p>Identical</p>

<p>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.</p>	<p>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.</p>	<p>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.</p>	
	<p><b>4. <i>When it proves necessary, for example for legal reasons or reasons of public policy, Member States may confine an applicant</i></b></p>		<p>EP AM not taken up EP given provisions on detention.</p>

	<i>to a specific place in accordance with their national law.</i>		
<p><del>4.5</del> Member States shall provide for the possibility of granting applicants temporary permission to leave the place of residence mentioned in paragraphs 2 and <del>43</del> and/or the assigned area mentioned in paragraph 1. Decisions shall be taken individually, objectively and impartially and reasons shall be given if they are negative.</p>	<p>4. Member States shall provide for the possibility of granting applicants temporary permission to leave the place of residence <i>referred to</i> in paragraphs 2 and 3 and/or the assigned area <i>referred to</i> in paragraph 1. Decisions shall be taken individually, objectively and impartially and reasons shall be given if they are negative.</p>	<p><del>4.5</del> Member States shall provide for the possibility of granting applicants temporary permission to leave the place of residence mentioned in paragraphs 2 and <del>43</del> and/or the assigned area mentioned in paragraph 1. Decisions shall be taken individually, objectively and impartially and reasons shall be given if they are negative.</p>	<p>EP suggestions for linguistic changes not admissible.</p>
The applicant shall not require	The applicant shall	The applicant shall not	Identical

<p>permission to keep appointments with authorities and courts if his or her appearance is necessary.</p>	<p>not require permission to keep appointments with authorities and courts if his or her appearance is necessary.</p>	<p>require permission to keep appointments with authorities and courts if his or her appearance is necessary.</p>	
<p><del>5.6</del> 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.</p>	<p>5. 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.</p>	<p><del>5.6</del> 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.</p>	<p>Identical</p>
<p><i>Article 8</i></p>	<p><i>Article 8</i></p>	<p><i>Article 8</i></p>	
<p><b>Detention</b></p>	<p><b>Detention</b></p>	<p><b>Detention</b></p>	
<p>1. Member States shall not hold a</p>	<p>1. Member States shall</p>	<p>1. Member States shall not hold</p>	<p>Identical</p>



<p>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].</p>	<p>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].</p>	<p>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].</p>	
<p>2. When it proves necessary and on the basis of an individual assessment of each case, Member States may detain an applicant, if other less coercive alternative measures cannot be applied effectively.</p>	<p>2. When it proves necessary and on the basis of an individual assessment of each case, Member States may detain an applicant, if other less coercive alternative measures cannot be applied effectively.</p>	<p>2. When it proves necessary and on the basis of an individual assessment of each case, Member States may detain an applicant, if other less coercive alternative measures cannot be applied effectively.</p>	<p>Identical</p>
<p>3. Without prejudice to Article 11</p>	<p>3. Without prejudice to</p>	<p>3. ➡ [...] Ⓞ ➡ An Ⓞ applicant</p>	<p>Draft suggestion technical</p>

<p>and to detention in the framework of criminal proceedings, an applicant may only be detained:</p>	<p>Article 11 <i>of this Directive and Article 5 of the ECHR</i> and to detention in the framework of criminal proceedings, an applicant may only be detained:</p>	<p>may only be detained:</p>	<p>group not to take up EP AM for reference to Article 5 ECHR in light of reference to international legal obligations in recital (15) and for reasons of legal drafting.</p> <p><b><u>Detention grounds in paragraph 3 to be discussed.</u></b></p> <p><b><u>Possible compromise text with regard to point (d) in light of trilogue:</u></b></p>
<p>(a) in order to determine or verify his/her identity or nationality;</p>	<p>(a) in order to determine or verify his/her identity or nationality;</p>	<p>(a) in order to determine or verify his/her identity or nationality;</p>	
<p>(b) in order to determine, within the context of a</p>	<p>(b) in order to determine,</p>	<p>(b) in order to determine  ☞ [...] ☛ the elements</p>	

<p>preliminary interview, the elements on which the application for international protection is based which could not be obtained in the absence of detention;</p>	<p>within the context of a preliminary interview, the elements on which the application for international protection is based which could not be obtained in the absence of detention;</p>	<p>on which the application for international protection is based which could not be obtained in the absence of detention ☹, in particular when there is a risk of absconding ☹ ;</p>	
<p>(c) in the context of a procedure, to decide on the right to enter the territory;</p>	<p>(c) in the context of a procedure, to decide on the right to enter the territory;</p>	<p>(c) in the context of a procedure, to decide on the right to enter the territory;</p>	
		<p>☹ (d) ☹ When the Member State can substantiate</p>	<p>☹ (d) ☹ <del>When the Member State</del></p>

		<p>that the applicant  without delay for no  justifiable reason has  not turned to the  competent authorities to  request for asylum, but  - although there is  effective access to  apply for asylum - has  only made the  application after being  apprehended on  grounds of an illegal  stay, or</p>	<p>can  substantiate  that the  applicant  without delay  for no  justifiable  reason has not  turned to the  competent  authorities to  request for  asylum, but -  although there  is effective  access to apply  for asylum -  has only made  the application  after being  apprehended  on grounds of</p>
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			<b><u>an illegal stay,</u></b> <b><u>or</u></b>
		<p><b><u>☞ when he/she is</u></b>  <b><u>☞ already ☞ detained</u></b>  <b><u>☞ subject to a return</u></b>  <b><u>procedure ☞ in order to</u></b>  <b><u>prepare the return</u></b>  <b><u>and/or carry on the</u></b>  <b><u>removal process and</u></b>  <b><u>☞ there are reasonable</u></b>  <b><u>grounds to believe</u></b>  <b><u>that ☞ ☞ [...] ☞ he/she</u></b>  <b><u>makes ☞ the ☞</u></b>  <b><u>☞ [...] ☞ application</u></b>  <b><u>for international</u></b>  <b><u>protection merely in</u></b>  <b><u>order to delay or</u></b>  <b><u>frustrate the</u></b>  <b><u>enforcement of</u></b>  <b><u>☞ the ☞ ☞ [...] ☞</u></b>  <b><u>return ☞ decision ☞</u></b></p>	<p><b><u>☞ when he/she is</u></b>  <b><u>☞ already ☞ detained</u></b>  <b><u>☞ subject to a return</u></b>  <b><u>procedure ☞ under Directive</u></b>  <b><u>2008/115/EC in order to</u></b>  <b><u>prepare the return and/or carry</u></b>  <b><u>on the removal process and the</u></b>  <b><u>Member State can</u></b>  <b><u>substantiate on the basis of</u></b>  <b><u>objective criteria, including</u></b>  <b><u>that he/she already had the</u></b>  <b><u>opportunity to access the</u></b>  <b><u>asylum procedure, that</u></b>  <b><u>☞ there are reasonable</u></b>  <b><u>grounds to believe that ☞</u></b>  <b><u>☞ [...] ☞ he/she makes ☞ the</u></b>  <b><u>☞ ☞ [...] ☞ application for</u></b>  <b><u>international protection merely</u></b>  <b><u>in order to delay or frustrate</u></b></p>


		☞ [...] ☞ ; ☞	the enforcement of ☞ the ☞ ☞ [...] ☞ return ☞ decision ☞ ☞ [...] ☞ ; ☞
(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.	
		☞ (f) in accordance with ☞ Article 27 of ☞ Regulation (EC) No [.../...] [Dublin Regulation ☞ [...] ☞ . ☞	
These grounds shall be laid down in national law.	These grounds shall be laid down in national law <b>and shall be regularly reported to the Commission,</b>	☞ [...] ☞ ☞ Grounds ☞ ☞ for detention ☞ shall be laid down in national law .	EP AM not taken up.

	<i>EASO and the European Parliament.</i>		
<p>4. Member States shall ensure that rules concerning alternatives to detention, such as regular reporting to the authorities, the deposit of a financial guarantee, or an obligation to stay at an assigned place, are laid down in national law.</p>	<p>4. Member States shall ensure that rules concerning alternatives to detention, such as regular reporting to the authorities, the deposit of a financial guarantee, or an obligation to stay at an assigned place, are laid down in national law.</p>	<p>4. Member States shall ensure that <del>any</del> rules concerning alternatives to detention, such as regular reporting to the authorities, the deposit of a financial guarantee, or an obligation to stay at an assigned place, are laid down in national law.</p>	<p>4. Member States shall ensure that <del>any</del> rules concerning alternatives to detention, such as regular reporting to the authorities, the deposit of a financial guarantee, or an obligation to stay at an assigned place, are laid down in national law.</p>

Article 9	Article 9	Article 9	
<b>Guarantees for detained asylum seekers</b>	Guarantees for detained asylum seekers	<b>Guarantees for detained asylum seekers</b>	Article 9 paragraphs (1) to (4) 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 <i>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 administrative procedures required in order to obtain</i>	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.



	<p><i>information on the asylum seeker's 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.</i></p>		
<p>Administrative procedures relevant to the grounds set out</p>	<p>Administrative procedures relevant to</p>	<p>Administrative procedures relevant to the grounds set</p>	<p>Identical</p>

<p>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.</p>	<p>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.</p>	<p>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.</p>	
<p>2. 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 authority finds detention to be unlawful, or there is no decision</p>	<p>2. Detention shall be ordered by judicial [...] authorities. <i>In urgent cases it may be ordered by administrative authorities, in which case the detention order</i> shall be confirmed by judicial</p>	<p>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 conducted ex officio and/or on the request of the</p>	<p><b><u>To be discussed</u></b></p> <p><b><u>Presidency suggests to maintain Council text.</u></b></p> <p><b><u>EP suggestion:</u></b></p> <p>2. Detention shall be ordered by judicial or administrative</p>

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

		immediately ➞ if the detention is not lawful ☹ .	is not lawful ☹ .
3. Detention shall be ordered in writing. The detention order shall state the reasons in fact and in law on which it is based and the procedures laid down 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.	3. Detention shall be ordered in writing. The detention order shall state the reasons in fact and in law on which it is based, <i>shall specify the maximum period of detention</i> and the procedures laid down 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	3. Detention shall be ordered in writing. The detention order shall state the reasons in fact and in law on which it is based ➞ . ☹	

	detained asylum seeker.		
		<p>☞ <u>Detained asylum seekers shall immediately be informed of the reasons for detention and the procedures laid down in national law for challenging the detention order</u> ☞ ☞ [...] ☞, in a language ☞ they understand ☞ ☞ [...] ☞ or ☞ are ☞ ☞ [...] ☞ reasonably supposed to understand. ☞ [...] ☞.</p>	
<p>4. 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</p>	<p>4. Detention shall be reviewed by a judicial authority at reasonable intervals of time, either ex officio or on request by the asylum seeker</p>	<p>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</p>	<p>Take Council text.</p>

<p>circumstances arise or new information becomes available which may affect the lawfulness of detention.</p>	<p>concerned, in particular whenever it is of a prolonged duration or relevant circumstances arise or new information becomes available which may affect the lawfulness of detention.</p>	<p>a prolonged duration or relevant circumstances arise or new information becomes available which may affect the lawfulness of detention.</p>	
<p>5. In cases of an appeal or review 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.</p>	<p>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</p>	<p>5. ☞ In cases of ☞ [...] ☞ ☞ a ☞ review of the detention order ☞ provided for in paragraph 2 ☞, Member States shall ensure that asylum seekers have access to free legal assistance and representation ☞ .</p>	<p>Take Council text..</p>

<p>Legal assistance and representation shall include, at least, the preparation of the required procedural documents and representation before the judicial authorities.</p> <p>Legal assistance and representation may be restricted to legal advisers or counsellors specifically designated by national law to assist and represent asylum seekers.</p>	<p>to justice.</p> <p>Legal assistance and representation shall include, at least, the preparation of the required procedural documents and representation before the judicial authorities.</p> <p>Legal assistance and representation may be <i>provided by specialised, suitably qualified and impartial</i> legal advisers, counsellors <i>or NGOs</i> specifically designated by national law to assist and represent asylum</p>	<p>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. ☹ ☹</p> <p>☞ Free legal assistance and representation shall be provided by such persons as admitted or permitted under national law. ☹</p>	<p>Take Council text..</p> <p>☞ Free legal assistance and representation shall be provided by <b>such suitably qualified</b> persons as admitted or permitted under national law <i>whose interests do not conflict or could not potentially conflict with those of the asylum seekers.</i> ☹</p>
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seekers.

➔ 6. Member States may also provide that free legal assistance and representation are granted: ◀

➔ (a) only to those who lack sufficient resources; and/or ◀

➔ (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. ◀

➔ [...] ◀

➔ [...] ◀

Take Council text..

☞ ☞ 7 ☞ ☞ [...] ☞. Member States

may also: ☞

☞ (a) impose monetary and

☞ [...] ☞ time limits

on the provision of free

legal assistance and

representation,

provided that such

limits do not arbitrarily

restrict access to the

provision of legal

☞ [...] ☞ assistance

and representation; ☞

Take Council text..

Change for reasons of  
consistency with Article 26(4).

☞ (a) impose

monetary and/or

☞ [...] ☞ time

limits on the

provision of free

legal assistance

and

representation,

provided that

such limits do

not arbitrarily

restrict access to

the provision of

legal ☞ [...] ☞

assistance and

representation;



➔ (b) provide that, as regards  
fees and other costs,  
the treatment of  
applicants shall not be  
more favorable than the  
treatment generally  
accorded to their  
nationals in matters  
pertaining to legal  
assistance ➔ [...] ➔  
.

➔ ➔ 8 ➔ ➔ [...] ➔. Member States  
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

Take Council text..

<p>Procedures for access to legal assistance and representation in such cases shall be laid down in national law.</p>	<p>Procedures for access to legal assistance and representation in such cases shall be laid down in national law.</p>	<p>basis of false information supplied by the applicant. ☹  ☺ ☺ 9 ☹ ☺ [...] ☹. Procedures for access to legal assistance and representation in ☺ [...] ☹  ☺ such ☹ cases ☺ as referred to above ☹  ☺ [...] ☹ shall be laid down in national law. ☹☺ [...] ☹</p>	<p>Take Council text.</p>
<p><i>Article 10</i></p>	<p>Article 10</p>	<p><i>Article 10</i></p>	
<p><b>Conditions of detention</b></p>	<p><i>Detention conditions</i></p>	<p><b>Conditions of detention</b></p>	
<p>1. Detention shall only take place in specialised detention facilities.</p>	<p>1. <b>Member States shall not detain asylum seekers in prison accommodation.</b>  Detention shall only take place in specialised detention</p>	<p>1. Detention shall ☺ [...] ☹ take place ☺ as a rule ☹ in specialised detention facilities. ☺ Where a Member State ☺ [...] ☹ cannot provide accommodation in a</p>	<p>1. Detention shall ☺ [...] ☹ take place ☺ as a rule ☹ in specialised detention facilities. ☺ Where a Member State ☺ [...] ☹ cannot</p>

	facilities.	<u>specialised detention facility</u> <u>and is obliged to resort to</u> <u>prison accommodation, the</u> <u>asylum seeker in detention</u> <u>shall be kept separately from</u> <u>ordinary prisoners.</u> ☹	<u>provide</u> <u>accommodation in a</u> <u>specialised detention</u> <u>facility and is obliged</u> <u>to resort to prison</u> <u>accommodation, the</u> <u>asylum seeker in</u> <u>detention shall be kept</u> <u>separately from</u> <u>ordinary prisoners.</u> ☹ <b>and the detention</b> <b>conditions provided</b> <b>in this Directive shall</b> <b>apply.</b>
<u>Asylum seekers in detention</u> <u>shall be kept separately from</u> <u>other third country nationals</u> <u>who have not lodged an</u>	Asylum seekers in detention shall be <i>held</i> separately from other third country nationals	☹ [...] ☹	<b>As a rule, asylum seekers in detention shall be kept separately from other third country nationals who have not lodged an application for</b>

<p>application for international protection unless it is necessary to ensure family unity and the applicant consents thereto.</p>	<p>who have not lodged an application for international protection unless it is necessary to ensure family unity and the applicant consents thereto.</p>		<p><b>international protection.</b></p> <p><b>Where a Member State cannot detain asylum seekers separate from other third country nationals, it shall ensure that the detention conditions provided in this Directive apply.</b></p>
<p>2. Detained asylum seekers shall have access to open-air spaces.</p>	<p>2. Detained asylum seekers shall have access to open-air spaces.</p>	<p>2. Detained asylum seekers shall have access to open-air spaces.</p>	<p>Identical</p>
<p>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</p>	<p>3. Member States shall ensure that persons representing the United Nations High Commissioner for Refugees have the possibility to communicate with</p>	<p>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</p>	<p>3. Member States shall ensure that persons representing the United Nations High Commissioner for Refugees have the possibility to communicate with</p>

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

<p>recognised by the Member State concerned, have the possibility to communicate with applicants and have access to detention facilities. Limits to access may be imposed only where, by virtue of national law, they are objectively necessary for the security, public order or administrative management of the detention facility, provided that access is not thereby severely limited or rendered impossible.</p>	<p><i>representatives</i> and persons representing relevant non-governmental organisations [...] have the possibility to communicate with and visit applicants <i>in conditions that fully respect privacy</i>.</p>	<p>organisations recognised by the Member State concerned, have the possibility to communicate with applicants and have access to detention facilities. Limits to access may be imposed only where, by virtue of national law, they are objectively necessary for the security, public order or administrative management of the detention facility, provided that access is not thereby severely limited or rendered impossible.</p>	<p>persons representing relevant non-governmental organisations recognised by the Member State concerned, have the possibility to communicate with <b>and visit applicants in conditions that respect privacy and have access to detention facilities.</b></p> <p>Limits to access may be imposed only where, by virtue of national law, they are objectively necessary for the security, public order or</p>
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			<p>administrative management of the detention facility, provided that access is not thereby severely limited or rendered impossible.</p>
	<p>3. <i>Member States shall ensure that asylum seekers held in detention have access to appropriate medical treatment and psychological counselling where appropriate.</i></p>		<p>EP AM not taken up because already covered by Article 19.</p>
<p>5. Member States shall ensure that asylum seekers in detention are systematically provided with information which explains the rules applied in the facility and</p>	<p>5. Member States shall ensure that asylum seekers in detention are systematically provided with</p>	<p>5. Member States shall ensure that asylum seekers in detention are systematically provided with information which explains the rules</p>	<p>Take Council text</p>

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

States may derogate:			
<p>(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;</p>	[...]	☞ [...] ☞	☞ [...] ☞
<p>(b) from paragraph 5 when the asylum seeker is</p>	[...]	☞ [...] ☞	☞ [...] ☞

<p>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].</p>			
<p><i>Article 11</i></p>	<p><i>Article 11</i></p>	<p><i>Article 11</i></p>	
<p><b>Detention of vulnerable persons and persons with special reception needs</b></p>	<p><i>Detention of vulnerable persons and persons with special reception needs</i></p>	<p><b>Detention of vulnerable persons and persons with special reception needs</b></p>	
<p>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.</p>	<p>1. In all cases, vulnerable persons shall not be detained unless it is established <i>following an individual examination of their situation by a</i></p>	<p>1. ↻ <u>The health, including the mental health, of applicants</u>  ↻ <u>in detention</u> ↻ <u>[...]</u> ↻ <u>who are vulnerable persons</u>  shall be of primary concern to <u>national authorities.</u> ↻  ↻ <u>[...]</u> ↻</p>	<p><b><u>Linked with Article 22 on special reception needs of vulnerable persons.</u></b></p> <p><b><u>To be discussed.</u></b></p>

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

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

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

			<b>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.</b>
Detention of unaccompanied minors shall be resorted to only in particularly exceptional cases.	<i>Unaccompanied minors shall never be detained. 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.</i>	↻ [...] ↻	EP AM not taken up because already covered elsewhere in this paragraph (leisure activities) respectively in Article 10(2) (open air activities).
Where minors are detained, they shall have the possibility to	Where minors are detained, they shall	Where minors are detained, they shall have the possibility	EP AM not taken up because already covered in Article



<p>engage in leisure-activities, including play and recreational activities appropriate to their age.</p>	<p>have the possibility of <i>engaging</i> in leisure-activities, including play and recreational activities appropriate to their age, <i>and open-air activities</i>.</p>	<p>to engage in leisure-activities, including play and recreational activities appropriate to their age.</p>	<p>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.</p>
<p>Minors shall have access to open-air spaces.</p>	<p>Minors shall have access to open-air spaces.</p>	<p>↻ [...] ↻</p>	<p>↻ [...] ↻</p>
<p>Where unaccompanied minors are detained, Member States shall ensure that they are accommodated separately from adults.</p>	<p>[...]</p>	<p>Where unaccompanied minors are detained, Member States shall ensure that they are accommodated separately from adults.</p>	<p>Where unaccompanied minors are detained, Member States shall ensure that they are accommodated separately from adults.</p>
<p>3. Detained families shall be provided with separate accommodation guaranteeing adequate privacy.</p>	<p>3. Detained families shall be provided with separate accommodation <i>ensuring</i> adequate</p>	<p>3. Detained families shall be provided with separate accommodation guaranteeing adequate privacy.</p>	<p>Take Council text.</p>

	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.	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.
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. <i>When using</i>	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.

	<p><i>these common spaces</i></p> <p><i>Member States shall ensure the physical and psychological integrity of female asylum seekers.</i></p>		
<p>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 paragraph 4, when 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].</p>	<p>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 paragraph 4, when the asylum seeker is detained at a border post or in a transit zone, with the</p>	<p>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 paragraph 4, when 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].</p>	Identical

	exception of cases referred to in Article 43 of Directive [.../.../EU] [the Asylum Procedures Directive].		
<i>Article 12 §</i>	Article 12	<i>Article 12 §</i>	
<b>Families</b>	Families	<b>Families</b>	
Member States shall take appropriate measures to maintain as far as possible family unity as present within their territory, if applicants are provided with housing by the Member State concerned. Such measures shall be implemented with the asylum seeker's agreement.	Member States shall take appropriate measures to maintain as far as possible <i>the family unity of asylum seekers</i> present <i>in</i> their territory, if <i>they</i> are provided with housing by the Member State concerned. Such measures shall be implemented with the asylum seeker's agreement.	Member States shall take appropriate measures to maintain as far as possible family unity as present within their territory, if applicants are provided with housing by the Member State concerned. Such measures shall be implemented with the asylum seeker's agreement.	EP suggestions for linguistic changes not admissible.

<i>Article <u>13</u> <del>9</del></i>	Article 13	<i>Article <u>13</u> <del>9</del></i>	
<b>Medical screening</b>	Medical screening	<b>Medical screening</b>	
Member States may require medical screening for applicants on public health grounds.	Member States may require medical screening for applicants on public health grounds.	Member States may require medical screening for applicants on public health grounds.	Identical
<i>Article <u>14</u> <del>10</del></i>	Article 14	<i>Article <u>14</u> <del>10</del></i>	
<b>Schooling and education of minors</b>	Schooling and education of minors	<b>Schooling and education of minors</b>	
1. Member States shall 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	1. Member States shall grant to minor children of asylum seekers and to asylum seekers who are minors access to the education system under similar	1. Member States shall 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	EP AM not admissible

<p>them or their parents is not actually enforced. Such education may be provided in accommodation centres.</p>	<p>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. <i>Member States shall support full access to education systems and support the minor in learning the language of the Member State, hence contributing to its integration in the host society.</i></p>	<p>expulsion measure against them or their parents is not actually enforced. Such education may be provided in accommodation centres.</p>	
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<p>The Member State concerned may stipulate that such access must be confined to the State education system.</p>	<p>The Member State concerned may stipulate that such access must be confined to the State education system.</p>	<p>The Member State concerned may stipulate that such access must be confined to the State education system.</p>	<p>Identical</p>
<p><del>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.</del></p> <p>Member States shall not withdraw secondary education for the sole reason that the minor has reached the age of majority.</p>	<p>Member States shall not withdraw secondary education for the sole reason that the minor has reached the age of majority.</p>	<p><del>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.</del> Member States shall not withdraw secondary education for the sole reason that the minor has reached the age of majority.</p>	<p>Identical</p>
<p>2. Access to the education system shall not be postponed for more than three months from the date the application for</p>	<p>2. Access to the education system <b><i>shall be ensured as soon as possible once</i></b></p>	<p>2. Access to the education system shall not be postponed for more than three months from the date the application</p>	<p>2. Access to the education system shall not be postponed for more than three</p>

<p>⇒ international protection ⇐ asylum was lodged by ⇒ or on behalf of ⇐ the minor <del>or the minor's parents.</del> <del>This period may be extended to one year where specific education is provided in order to facilitate access to the education system.</del></p>	<p><i>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 [...].</i></p>	<p>for ⇒ international protection ⇐ asylum was lodged by ⇒ or on behalf of ⇐ the minor <del>or the minor's parents.</del> <del>This period may be extended to one year where specific education is provided in order to facilitate access to the education system.</del></p>	<p>months from the date the application for ⇒ international protection ⇐ asylum was lodged by ⇒ or on behalf of ⇐ the minor <del>or the minor's parents.</del> <del>This period may be extended to one year where specific education is provided in order to facilitate access to the education system.</del></p>
<p>Preparatory classes, including language classes, shall be provided to minors where it is necessary to facilitate their access and integration to the</p>	<p>Preparatory classes, including language classes, shall be provided to minors [...] to facilitate their</p>	<p>Preparatory classes, including language classes, shall be provided to minors where it is necessary to facilitate their access ⇨ [...] ⇩ to the</p>	<p>Preparatory classes, including language classes, shall be provided to minors where it is necessary to facilitate their access <b>and participation</b> to the national education system</p>



national education system.	access and integration to the national education system.	national education system as set out in paragraph 1	as set out in paragraph 1
<p>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 <b>⇒ shall ⇐</b> <del>may</del> offer other education arrangements <b>⇒ in accordance with national law and practices ⇐</b>.</p>	<p>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 <i>educational</i> arrangements in accordance with national law and <i>practice</i>.</p>	<p>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 <b>⇒ shall ⇐</b> <del>may</del> offer other education arrangements <b>⇒ in accordance with national law and practices ⇐</b>.</p>	<p>Take Council text.</p>

<i>Article 15 <del>¶</del></i>	Article 15	<i>Article 15 <del>¶</del></i>	
<b>Employment</b>	Employment	<b>Employment</b>	
<del>1. Member States shall determine a period of time, starting from the date on which an application for asylum was lodged during which an applicant shall not have access to the labour market.</del>		<del>1. Member States shall determine a period of time, starting from the date on which an application for asylum was lodged during which an applicant shall not have access to the labour market.</del>	
1. Member States shall ensure that applicants have access to the labour market no later than 6 months following the date when the application for international protection was lodged.	1. Member States shall ensure that applicants have access to the labour market no later than <i>six</i> months following the date when the application for international protection was	1. Member States shall ensure that applicants have access to the labour market no later than ↻ [...] ↻ 12 ↻ months following the date when the application for international protection was lodged ↻ if a first instance decision by the competent	<u>To be discussed.</u>

	lodged.	authority has not been taken and this delay cannot be attributed to the applicant ☹ .	
Member States may extend that 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. <del>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,</del> Member States shall decide the conditions for granting access to the labour market for the applicant ⇨, in accordance with their national	2. Member States shall decide the conditions for granting access to the labour market for the applicant, in accordance with their national <i>legislation, without unduly restricting asylum seekers' access to the</i>	2. <del>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,</del> Member States shall decide the conditions for granting access to the labour market for the applicant ⇨, in accordance	<b><u>To be discussed.</u></b>

<p>law, while ensuring asylum seekers have effective access to the labour market. ↩.</p>	<p><i>labour market.</i> <i>Member States shall report to the Commission, EASO and the European Parliament about the realities of asylum seekers access to the labour market in a two-year period.</i></p>	<p>with their national law, while ensuring asylum seekers have effective access to the labour market. ↩.</p>	
		<p><u>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.</u> ↩ ↪</p>	<p><b><u>To be discussed.</u></b></p>
<p>3. Access to the labour market shall not be withdrawn during appeals procedures, where an</p>	<p>3. Access to the labour market shall not be withdrawn during</p>	<p>3. Access to the labour market shall not be withdrawn during appeals procedures, where an</p>	<p>EP suggestions on linguistic changes not admissible.</p>

<p>appeal against a negative decision in a regular procedure has suspensive effect, until such time as a negative decision on the appeal is notified.</p>	<p>appeals procedures, where an appeal against a negative decision in <i>an ordinary</i> procedure has suspensive effect, until such time as a negative decision on the appeal is <i>issued</i>.</p>	<p>appeal against a negative decision in a regular procedure has suspensive effect, until such time as a negative decision on the appeal is notified.</p>	
<p><del>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.</del></p>		<p><del>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.</del></p>	

<i>Article <u>16</u> <del>12</del></i>	Article 16	<i>Article <u>16</u> <del>12</del></i>	
<b>Vocational training</b>	Vocational training	<b>Vocational training</b>	Identical
Member States may allow asylum seekers access to vocational training irrespective of whether they have access to the labour market.	Member States may allow asylum seekers access to vocational training irrespective of whether they have access to the labour market.	Member States may allow asylum seekers access to vocational training irrespective of whether they have access to the labour market.	
Access to vocational training relating to an employment contract shall depend on the extent to which the applicant has access to the labour market in accordance with Article <u>15</u> <del>11</del> .	Access to vocational training relating to an employment contract shall depend on the extent to which the applicant has access to the labour market in accordance with Article 15.	Access to vocational training relating to an employment contract shall depend on the extent to which the applicant has access to the labour market in accordance with Article <u>15</u> <del>11</del> .	

<i>Article <del>17</del> <del>13</del></i>	Article 17	<i>Article <del>17</del> <del>13</del></i>	
<b>General rules on material reception conditions and health care</b>	General rules on material reception conditions and health care	<b>General rules on material reception conditions and health care</b>	
1. Member States shall ensure that material reception conditions are available to applicants when they make their application for <del>asylum</del> ⇒ international protection ⇐.	1. Member States shall ensure that material reception conditions are available to applicants when they make their application for international protection.	1. Member States shall ensure that material reception conditions are available to applicants when they make their application for <del>asylum</del> ⇒ international protection ⇐.	Identical
2. Member States shall ☒ ensure that <del>☒ make provisions on</del> material reception conditions ☒ provide an adequate <del>☒ to ensure a</del> standard of living ☒ for applicants for international protection, which	2. Member States shall ensure that material reception conditions provide an adequate standard of living for <i>applicants</i> , which <i>ensures</i> their	2. Member States shall ☒ ensure that <del>☒ make provisions on</del> material reception conditions ☒ provide an adequate <del>☒ to ensure a</del> standard of living ☒ for applicants for	EP suggestions on linguistic changes not admissible.

<p>guarantees their subsistence and protects their physical and mental health <del>☒ adequate for the health of applicants and capable of ensuring their subsistence.</del></p>	<p>subsistence and protects their physical and mental health.</p>	<p>international protection, which guarantees their subsistence and protects their physical and mental health <del>☒ adequate for the health of applicants and capable of ensuring their subsistence.</del></p>	
<p>Member States shall ensure that that standard of living is met in the specific situation of <del>⇒ vulnerable ⇐ persons who have special needs</del>, in accordance with Article <del>⇒ 21 ⇐ 17</del>, as well as in relation to the situation of persons who are in detention.</p>	<p>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.</p>	<p>Member States shall ensure that that standard of living is met in the specific situation of <del>⇒ vulnerable ⇐ persons who have special needs</del>, in accordance with Article <del>⇒ 21 ⇐ 17</del>, as well as in relation to the situation of persons who are in detention.</p>	<p>EP suggestions on linguistic changes not admissible.</p>
<p>3. Member States may make the provision of all or some of the</p>	<p>3. Member States may make the provision of</p>	<p>3. Member States may make the provision of all or some of</p>	<p>EP suggestions on linguistic changes not admissible.</p>



<p>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 enable their subsistence.</p>	<p>all or some of the 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 <i>ensure</i> their subsistence.</p>	<p>the 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 enable their subsistence.</p>	
<p>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 applicants have sufficient resources, for example if they</p>	<p>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</p>	<p>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 applicants have sufficient resources, for</p>	<p>Identical</p>

<p>have been working for a reasonable period of time.</p>	<p>provision of paragraph 3, if the applicants have sufficient resources, for example if they have been working for a reasonable period of time.</p>	<p>example if they have been working for a reasonable period of time.</p>	
<p>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 covered, Member States may ask the asylum seeker for a refund.</p>	<p>If it transpires that an applicant had sufficient means to cover material reception conditions and health care at the time when <i>those</i> basic needs were being <i>met</i>, Member States may ask the asylum seeker for a refund.</p>	<p>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 covered, Member States may ask the asylum seeker for a refund.</p>	<p>EP suggestions on linguistic changes not admissible.</p>
<p><del>5. Material reception conditions may be provided in kind, or in</del></p>		<p><del>5. Material reception conditions may be provided in kind, or</del></p>	

<p><del>the form of financial allowances or vouchers or in a combination of these provisions</del></p>		<p><del>in the form of financial allowances or vouchers or in a combination of these provisions</del></p>	
<p><del>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.</del></p>		<p><del>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.</del></p>	
	<p>5. <i>Material reception conditions may be provided in kind or in the form of financial allowances or vouchers or in a combination of the</i></p>		<p>Take Council text given definition 2(g).</p>

	<i>three elements.</i>		
<p>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, 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.</p>	<p>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. <b><i>This shall at least cover adequate accommodation, food, and, where</i></b></p>	<p>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 ↻ [...] ⌚ ↻ level(s) ⌚ established by the Member State concerned either by law or practice to ensure adequate standards of living for nationals ↻ [...] ⌚. Member States may grant less favourable treatment to asylum ↻ seekers ⌚ ↻ [...] ⌚ compared to nationals in this respect ↻ [...] ⌚ ↻, in particular where material support is partially provided in kind or</p>	<p>Article 17(5) in combination with recital (20).</p> <p>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 ↻ [...] ⌚ ↻ level(s) ⌚ established by the Member State concerned either by law or practice to ensure adequate standards of living for nationals ↻ [...] ⌚. Member States may</p>

	<p><i>applicable, education, as well as health care in accordance with this Directive. This does not entail that the amount granted should be the same as for nationals.</i></p> <p>Member States may grant less favourable treatment to asylum applicants compared to nationals in this respect [...].</p>	<p>where the abovementioned [...] level(s) applied for nationals, aim to ensure a standard of living higher than what is prescribed for asylum seekers under this Directive .</p>	<p>grant less favourable treatment to asylum seekers compared to nationals in this respect [...], in particular where material support is partially provided in kind or where the abovementioned [...] level(s) , applied for nationals, aim to ensure a standard of living higher than what is prescribed for asylum seekers under this Directive .</p>
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<i>Article <del>18</del> <del>14</del></i>	Article 18	<i>Article <del>18</del> <del>14</del></i>	
<b>Modalities for material reception conditions</b>	Modalities for material reception conditions	<b>Modalities for material reception conditions</b>	
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 ⇐ <del>asylum</del> <del>lodged</del> ⇒ 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 ⇐ <del>asylum</del> <del>lodged</del> ⇒ made ⇐ at the border ⇒ or in transit zones ⇐;	EP AM not admissible.

	<i>for a maximum period of four weeks;</i>		
(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)	2. Without prejudice to any specific conditions of detention as stipulated in Articles 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

<p>and (c), <input checked="" type="checkbox"/> Member States shall ensure that <del>applicants provided with the housing referred to in paragraph 1(a), (b) and (c) are assured:</del></p>	<p>in relation to housing referred to in paragraph 1(a), (b) and (c), Member States shall ensure that:</p>	<p>in paragraph 1(a), (b) and (c), <input checked="" type="checkbox"/> Member States shall ensure that <del>applicants provided with the housing referred to in paragraph 1(a), (b) and (c) are assured:</del></p>	
<p>(a) <input checked="" type="checkbox"/> applicants are guaranteed <input checked="" type="checkbox"/> protection of their family life;</p>	<p>(a) applicants are guaranteed protection of their family life;</p>	<p>(a) <input checked="" type="checkbox"/> applicants are guaranteed <input checked="" type="checkbox"/> protection of their family life;</p>	<p>Identical</p>
<p>(b) <input checked="" type="checkbox"/> applicants have <input checked="" type="checkbox"/> the possibility of communicating with relatives, legal advisers <input checked="" type="checkbox"/> or counsellors <input checked="" type="checkbox"/>, <input checked="" type="checkbox"/> persons representing <input checked="" type="checkbox"/> <del>and representatives of</del> the United Nations High Commissioner for Refugees (UNHCR) and</p>	<p>(b) applicants have the possibility of communicating with relatives, legal advisers or counsellors, persons representing the United Nations High</p>	<p>(b) <input checked="" type="checkbox"/> applicants have <input checked="" type="checkbox"/> the possibility of communicating with relatives, legal advisers <input checked="" type="checkbox"/> or counsellors <input checked="" type="checkbox"/>, <input checked="" type="checkbox"/> persons representing <input checked="" type="checkbox"/> <del>and representatives of</del> the United Nations High Commissioner for Refugees (UNHCR)</p>	<p>Identical</p>



<p>⇒ other relevant national, international and non-governmental organisations and bodies ⇐ <del>non governmental organisations (NGOs) recognised by Member States.</del></p>	<p>Commissioner for Refugees (UNHCR) and other relevant national, international and non-governmental organisations and bodies.</p>	<p>and ⇒ other relevant national, international and non-governmental organisations and bodies ⇐ <del>non governmental organisations (NGOs) recognised by Member States.</del></p>	
<p>(c) ⇒ Family members ⇐, legal <del>advisers</del> <u>advisors</u> or counsellors <del>of asylum seekers</del>, ☒ persons representing ☒ <del>and representatives of</del> the United Nations High Commissioner for Refugees ☒ (UNHCR) ☒ and ☒ <del>of</del></p>	<p>(c) Family members, legal advisers or counsellors, persons representing the United Nations High Commissioner for Refugees (UNHCR) and</p>	<p>(c) ⇒ Family members ⇐, legal <del>advisers</del> <u>advisors</u> or counsellors <del>of asylum seekers</del>, ☒ persons representing ☒ <del>and representatives of</del> the United Nations High Commissioner for Refugees ☒ (UNHCR) ☒</p>	<p>Identical</p>

<p>⇒ relevant ⇐ non-governmental organisations <del>designated by the latter and</del> recognised by the Member State concerned</p> <p>☒ are ☒ <del>shall be</del> granted access <del>to accommodation centres and other housing facilities</del> in order to assist the said asylum seekers.</p> <p>Limits on such access may be imposed only on grounds relating to the security of ☒ these premises <del>☒ the centres and facilities</del> and of the asylum seekers.</p>	<p>relevant non-governmental organisations recognised by the Member State concerned</p> <p>are granted access in order to assist the said asylum seekers.</p> <p>Limits on such access may be imposed only on grounds relating to the security of these premises and of the asylum seekers.</p>	<p>☒ and ☒ <del>of</del></p> <p>⇒ relevant ⇐ non-governmental organisations <del>designated by the latter and</del> recognised by the Member State concerned</p> <p>☒ are ☒ <del>shall be</del> granted access <del>to accommodation centres and other housing facilities</del> in order to assist the said asylum seekers.</p> <p>Limits on such access may be imposed only on grounds relating to the security of ☒ these premises <del>☒ the centres and facilities</del> and of the asylum seekers.</p>	
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<p>3. Member States shall take into consideration gender and age specific concerns and the situation of vulnerable persons in relation to applicants within the premises and accommodation centres referred to in paragraph 1(a) and (b).</p>	<p>3. Member States shall take into consideration gender and age specific concerns and the situation of vulnerable persons in relation to applicants within the premises and accommodation centres referred to in paragraph 1(a) and (b).</p>	<p>3. Member States shall take into consideration gender and age specific concerns and the situation of vulnerable persons in relation to applicants within the premises and accommodation centres referred to in paragraph 1(a) and (b).</p>	<p>Identical</p>
<p>4. Member States shall <input checked="" type="checkbox"/> take appropriate measures to prevent <input checked="" type="checkbox"/> pay particular attention to the prevention of assault <input checked="" type="checkbox"/> and gender based violence including sexual assault, <input checked="" type="checkbox"/> within the premises and accommodation centres referred</p>	<p>4. Member States shall take appropriate measures to prevent assault and gender based violence including sexual assault, within the premises and</p>	<p>4. Member States shall <input checked="" type="checkbox"/> take appropriate measures to prevent <input checked="" type="checkbox"/> pay particular attention to the prevention of assault <input checked="" type="checkbox"/> and gender based violence including sexual assault, <input checked="" type="checkbox"/> within the premises and accommodation</p>	<p>4. Member States shall <input checked="" type="checkbox"/> take appropriate measures to prevent <input checked="" type="checkbox"/> pay particular attention to the prevention of assault <input checked="" type="checkbox"/> and gender based violence including</p>

<p>to in paragraph 1(a) and (b).</p>	<p>accommodation centres referred to in paragraph 1(a) and (b).</p>	<p>centres referred to in paragraph 1(a) and (b).</p>	<p><b>sexual assault and harassment,</b> ↵  within the premises and accommodation centres referred to in paragraph 1(a) and (b).</p>
			<p><i>In combination with Article 2(c) and 23(5) and recital (18a).</i></p> <p><b>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</b></p>

			<p><b>in the same Member State and who are responsible for them whether by law or by the national practice of the Member State concerned.</b></p>
<p><del>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.</del></p>		<p><del>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.</del></p>	
<p><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</p>	<p>5. Member States shall ensure that transfers of applicants from one housing facility to another take place</p>	<p><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</p>	<p>Identical</p>

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

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

<p><del>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.</del></p>		<p><del>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 facilities and of the asylum seekers.</del></p>	
<p>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:</p>	<p>8. In duly justified cases, Member States may exceptionally <i>lay down rules</i> for material reception conditions <i>which are</i> different from those provided for in this Article, for a reasonable period which shall be as short as possible, when:</p>	<p>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:</p>	<p>EP suggestions for linguistic changes not admissible.</p>
<p>(a) = an <b>initial</b> assessment of</p>	<p>(a) an assessment</p>	<p>(a) = an <b>initial</b> assessment of</p>	<p>Identical</p>



<p>the specific needs of the applicant is required ⇒ , in accordance with Article 22 ⇐ ,</p>	<p>of the specific needs of the applicant is required, in accordance with Article 22,</p>	<p>the specific needs of the applicant is required ⇒ , in accordance with Article 22 ⇐ ,</p>	
<p><del>material reception conditions, as provided for in this Article, are not available in a certain geographical area,</del></p>		<p><del>material reception conditions, as provided for in this Article, are not available in a certain geographical area,</del></p>	<p>Identical</p>
<p><u>(b)</u> = housing capacities normally available are temporarily exhausted<sub>2</sub></p>	<p>(b) housing capacities normally available are temporarily exhausted.</p>	<p><u>(b)</u> = housing capacities normally available are temporarily exhausted<sub>2</sub></p>	<p>Identical</p>
<p><del>the asylum seeker is in detention or confined to</del></p>		<p><del>the asylum seeker is in detention or confined to</del></p>	

<del>border posts.</del>		<del>border posts.</del>	
These different conditions shall cover in any case basic needs.	<i>Such</i> different conditions shall cover in any case basic needs.	These different conditions shall cover in any case basic needs.	EP suggestion for linguistic change not admissible.
<i>Article 19 <del>15</del></i>	Article 19	<i>Article 19 <del>15</del></i>	
<b>Health care</b>	Health care	<b>Health care</b>	
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 <b>and serious mental disorders</b> .

<p>2. Member States shall provide necessary medical or other assistance to applicants who have special ⇒ reception ⇐ needs, ⇒ including appropriate mental health care where needed ⇐.</p>	<p>2. Member States shall provide the necessary medical or other assistance to applicants who have special reception needs, including appropriate mental health care <i>where required</i>.</p>	<p>2. Member States shall provide necessary medical or other assistance to applicants who have special ⇒ reception ⇐ needs, ⇒ including appropriate mental health care where needed ⇐.</p>	<p>Take Council text</p>
	<p><i>Article 20</i></p>		
	<p><i>Victims of torture</i></p>		
	<p><i>Member States shall ensure that victims of torture are quickly directed to a care centre appropriate to their situation.</i></p>		<p>EP AM for new Article not admissible.</p>

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

			reception conditions <del>in the following cases:</del>
<del>(a)</del> where an asylum seeker:	where an asylum seeker:	<del>(a)</del> where an asylum seeker:	Identical
<u>(a)</u> = 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	<u>(a)</u> = abandons the place of residence determined by the competent authority without informing it or, if requested, without permission, or	Identical
<u>(b)</u> = does not comply with reporting duties or with requests to provide information or to appear for personal interviews	(b) does not comply with reporting duties or with requests to provide	<u>(b)</u> = does not comply with reporting duties or with requests to provide information or to appear for personal	Identical

<p>concerning the asylum procedure during a reasonable period laid down in national law, or</p>	<p>information or to appear for personal interviews concerning the asylum procedure during a reasonable period laid down in national law, or</p>	<p>interviews concerning the asylum procedure during a reasonable period laid down in national law, or</p>	
<p><u>(c)</u> = <del>has already</del> lodged ⇒ a subsequent application as defined in Article 2(q) of [.../.../EU] [the Asylum Procedures Directive] ⇐ <del>an application in the same Member State</del> ☒, or ☒</p>	<p>(c) has lodged a subsequent application as defined in Article 2(q) of [.../.../EU] [the Asylum Procedures Directive] , or</p>	<p><u>(c)</u> = <del>has already</del> lodged ⇒ a subsequent application as defined in Article 2(q) of [.../.../EU] [the Asylum Procedures Directive] ⇐ <del>an application in the same Member State</del> ☒, or ☒</p>	<p>Identical</p>

<p>⊗ (d) has concealed financial resources and has therefore unduly benefited from material reception conditions. ⊗</p>	<p>[...]</p>	<p>⊗ (d) has concealed financial resources and has therefore unduly benefited from material reception conditions. ⊗</p>	<p>[...]</p>
<p>⊗ In relation to cases (a) and (b), ⊗ <del>W</del>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 reinstatement of the grant of some or all of the ⊗ material ⊗ reception conditions ⊗ withdrawn or reduced ⊗;</p>	<p>[...] 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 <i>reintroduction</i> of the grant of some or all of the material reception conditions [...] reduced.</p>	<p>⊗ In relation to cases (a) and (b), ⊗ <del>W</del>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 reinstatement of the grant of some or all of the ⊗ material ⊗ reception conditions ⊗ withdrawn or reduced ⊗;</p>	<p>Take Council text</p>

<p><del>(b) where an applicant has concealed financial resources and has therefore unduly benefited from material reception conditions.</del></p>	<p>2. <i>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.</i></p>	<p><del>(b) where an applicant has concealed financial resources and has therefore unduly benefited from material reception conditions.</del></p>	<p><del>(b) where an applicant has concealed financial resources and has therefore unduly benefited from material reception conditions.</del></p>
<p><del>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 covered, Member States may ask the asylum seeker for a refund.</del></p>		<p><del>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 covered, Member States may ask the asylum seeker for a refund.</del></p>	



<p><del>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.</del></p>		<p><del>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.</del></p>	
		<p>⇒ 2. Member States may reduce          ⇒ [...] ⇐ material reception conditions ⇒ [...] ⇐ when the applicant ⇒ [...] ⇐, without good reason, has not filed an application for asylum as soon as possible          ⇒ after arrival in that Member State ⇐.          ⇒ [...] ⇐⇐</p>	<p>⇒ 2. Member States may <b>also</b> reduce ⇒ [...] ⇐ material reception conditions ⇒ [...] ⇐ when <b>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</b></p>

			<p>➤ after arrival in that Member State ☹</p> <p>➤ [...] ☹☹</p>
			<p><b>3. 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></p>
<p><u>2.</u> <del>3.</del> Member States may determine sanctions applicable to serious breaching of the rules of the accommodation centres as well as to seriously violent behaviour.</p>	<p>3. Member States may determine <i>the</i> sanctions applicable to serious <i>breaches</i> of the rules of the accommodation centres as well as to</p>	<p>➤ <u>3.</u> ☹ ➤ [...] ☹ Member States may determine sanctions applicable to serious breaching of the rules of the accommodation centres as well as to seriously violent</p>	<p>➤ <u>43.</u> ☹ ➤ [...] ☹ Member States may determine sanctions applicable to serious breaching of the rules of the accommodation</p>

	seriously violent behaviour.	behaviour.	centres as well as to seriously violent behaviour.
<p><del>3.</del> <del>4.</del> Decisions for reduction, withdrawal or refusal of <del>⊗</del> material <del>⊗</del> reception conditions or sanctions referred to in paragraphs 1, <del>2</del> and <del>3</del> <del>2</del> shall be taken individually, objectively and impartially and reasons shall be given.</p> <p>Decisions shall be based on the particular situation of the person concerned, especially with regard to persons covered by Article <del>⇒ 21 ⇐</del> <del>17</del>, taking into account the principle of proportionality. Member States shall under all circumstances ensure access to <del>emergency</del> health care <del>⇒</del> in accordance</p>	<p>4. Decisions for <i>the</i> reduction, withdrawal or refusal of material reception conditions or sanctions referred to in <i>paragraphs 1, 2 and 3</i> shall be taken individually, objectively and impartially and reasons shall be given.</p> <p>Decisions shall be based on the particular situation of the person concerned, especially with regard to persons covered by Article 21, taking into</p>	<p><del>⇒</del> <del>4.</del> <del>⇐</del> <del>⇒</del> <del>[...]</del> <del>⇐</del> <del>⇐</del> Decisions for reduction, withdrawal or refusal of <del>⊗</del> material <del>⊗</del> reception conditions or sanctions referred to in paragraphs 1, <del>2</del> and <del>3</del> <del>2</del> shall be taken individually, objectively and impartially and reasons shall be given.</p> <p>Decisions shall be based on the particular situation of the person concerned, especially with regard to persons covered by Article <del>⇒ 21 ⇐</del> <del>17</del>, taking into account the principle of proportionality. Member States shall under all circumstances ensure access</p>	<p><del>⇒</del> <del>54.</del> <del>⇐</del> <del>⇒</del> <del>[...]</del> <del>⇐</del> <del>⇐</del></p> <p>Decisions for reduction <b>or</b>, withdrawal <b>or refusal</b> of <del>⊗</del> material <del>⊗</del> reception conditions or sanctions referred to in paragraphs 1, <b>2, 3, and 4</b> <del>2</del> <b>and</b> <del>3</del> <del>2</del> shall be taken individually, objectively and impartially and reasons shall be given.</p> <p>Decisions shall be based on the particular situation of the person concerned,</p>

<p>with Article 19 ⇐.</p>	<p>account the principle of proportionality. Member States shall under all circumstances ensure <i>subsistence and</i> access to health care in accordance with Article 19.</p>	<p>to emergency health care ⇒ in accordance with Article 19 ⇐.</p>	<p>especially with regard to persons covered by Article ⇒ 21 ⇐ <del>17</del>, taking into account the principle of proportionality. Member States shall under all circumstances ensure access to emergency health care ⇒ in accordance with Article 19 and shall ensure a dignified standard of living for all asylum seekers. ⇐.</p>
<p><del>4. 5.</del> Member States shall ensure that material reception conditions are not withdrawn or reduced before a <del>negative</del> decision is</p>	<p>5. Member States shall ensure that material reception conditions are not withdrawn or</p>	<p>⇒ <del>5. C</del> ⇒ [...] ⇐ ⇐ Member States shall ensure that material reception conditions are not withdrawn or reduced before</p>	<p>⇒ <del>65. C</del> ⇒ [...] ⇐ ⇐ Member States shall ensure that material reception</p>

taken <del>☒</del> in accordance with paragraph 3 <del>☒</del> .	reduced before a decision is taken in accordance with <i>paragraph 4</i> .	a <del>negative</del> decision is taken <del>☒</del> in accordance with paragraph 3 <del>☒</del> .	conditions are not withdrawn or reduced before a <del>negative</del> decision is taken <del>☒</del> in accordance with paragraph <del>3 5</del> <del>☒</del> .
<b>CHAPTER IV</b>	<b>CHAPTER IV</b>	<b>CHAPTER IV</b>	
<b>PROVISIONS FOR ⇒ VULNERABLE PERSONS ⇐ <del>PERSONS WITH SPECIAL NEEDS</del></b>	<b>PROVISIONS FOR VULNERABLE PERSONS</b>	<b>PROVISIONS FOR ⇒ VULNERABLE PERSONS ⇐ <del>PERSONS WITH SPECIAL NEEDS</del></b>	
<i>Article <del>21</del> <del>17</del></i>	<i>Article 21</i>	<i>Article <del>21</del> <del>17</del></i>	
<b>General principle</b>	<i>General principle</i>	<b>General principle</b>	
<del>1</del> Member States shall take into account the specific situation of vulnerable persons such as	Member States shall take into account the specific situation of	<del>1</del> Member States shall take into account the specific situation of vulnerable persons such as	<del>1</del> Member States shall take into account the specific situation of

<p>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-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 ⇐ <del>the provisions of Chapter II relating to material reception conditions and health care.</del></p>	<p>vulnerable persons such as minors, unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children, victims of trafficking, <b>victims of female genital mutilation</b>, persons with serious physical illnesses <b>and</b> 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</p>	<p>minors, unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children ⇒, victims of trafficking, persons with serious ⇒ [...] ⇐ illnesses, ⇒ [...] ⇐ ⇐ persons with 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 ⇐ <del>the provisions of Chapter II relating to material reception conditions and health care.</del></p>	<p>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, ⇒ [...] ⇐ ⇐ persons with mental disorders ⇐ ⇒ [...] ⇐, ⇐ and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual</p>
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	implementing this Directive.		violence, <b>such as victims of female genital mutilation</b> , in the national legislation implementing $\Rightarrow$ this Directive $\Leftarrow$ the provisions of Chapter II relating to material reception conditions and health care.
<del>2. Paragraph 1 shall apply only to persons found to have special needs after an individual evaluation of their situation.</del>		<del>2. Paragraph 1 shall apply only to persons found to have special needs after an individual evaluation of their situation.</del>	












<p style="text-align: center;"><i>Article 22</i></p>	<p style="text-align: center;">Article 22</p>	<p style="text-align: center;"><i>Article 22</i></p>	
<p style="text-align: center;"><b>Identification of the special reception needs of vulnerable persons</b></p>	<p style="text-align: center;"><b>Identification of the special reception needs of vulnerable persons</b></p>	<p style="text-align: center;"><del>↻</del> [...] <del>↻</del> <b>Assessment</b> <del>↻</del> of the special reception needs of vulnerable persons</p>	<p><b>To be discussed.</b> <b><u>Linked to Article 11(1).</u></b></p>
<p>1. Member States shall establish mechanisms with a view to identifying whether the applicant is a vulnerable person and, if so, has special reception needs, also indicating the nature of such needs. Those mechanisms shall be initiated within a reasonable time after an application for international protection is made. Member States shall ensure that these special reception needs are also addressed, in accordance with the provisions of this Directive,</p>	<p>1. Member States shall establish mechanisms <i>in national legislation</i> with a view to identifying whether the applicant is a vulnerable person and, if so, has special reception needs, also indicating the nature of such needs. Those mechanisms <i>should also ensure the identification of applicants in need of</i></p>	<p>1. <del>↻</del> Where an applicant is a vulnerable person in line with Article 21, <del>↻</del> Member States shall <del>↻</del> carry out <del>↻</del> [...] <del>↻</del> an individual <del>↻</del> [...] <del>↻</del> assessment <del>↻</del> in order to identify <del>↻</del> whether <del>↻</del> [...] <del>↻</del> <del>↻</del> [...] <del>↻</del> the applicant has <del>↻</del> [...] <del>↻</del> special reception needs. <del>↻</del> If the applicant has special reception needs, Member States shall also indicate the nature of such needs. <del>↻</del></p>	<p><u>EP-suggestion</u> (if Council accepts EP suggestion for Article 22, EP can accept Council text Article 11(1)):</p> <p>1. <del>↻</del> <b><u>Where an applicant is a vulnerable person in line with Article 21, <del>↻</del> Member States shall <del>↻</del> carry out <del>↻</del> [...] <del>↻</del> an individual <del>↻</del> [...] <del>↻</del> assessment <del>↻</del> in order to identify <del>↻</del> whether</u></b></p>



<p>if they become apparent at a later stage in the asylum procedure.</p>	<p><i>special procedural guarantees, as provided for in Articles 2(d) and 24 of Directive [...]/.../EU [the Procedure Directive]. They shall be initiated as soon as an application for international protection is lodged.</i></p> <p>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</p>		<p>⊖ [...] ⊖ ⊖ ⊖ [...] ⊖</p> <p>the applicant has ⊖</p> <p>⊖ [...] ⊖ special reception needs. ⊖ <b>If the applicant has special reception needs</b>, Member States shall also indicate the nature of such needs.</p> <p>⊖</p> <p>Presidency suggestion:</p> <p>1. ⊖ <b>Where an applicant is a vulnerable person in line with Article 21,</b> ⊖ ⊖ Member States shall ⊖ carry out ⊖ ⊖ [...] ⊖ an individual ⊖ [...] ⊖ assessment ⊖ ⊖ in order to identify ⊖</p>
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	<p>asylum procedure.</p>		<p>whether      ↻ [...] ↻ ↻ ↻ [...] ↻      the vulnerable      person applicant      has ↻ ↻ [...] ↻      special reception      needs. ↻ <b>If the</b>  <b>applicant has special</b>  <b>reception needs,</b>      Member States shall      also indicate the      nature of such needs.      ↻</p>
		<p>↻ [...] ↻ ↻ ↻ [...] ↻ This      ↻ assessment ↻ ↻ [...] ↻      ↻ shall be initiated within a      reasonable time after an      application for international      protection is made ↻ and      may be integrated into</p>	<p>↻ [...] ↻ ↻ ↻ [...] ↻ This      ↻ assessment ↻ ↻ [...] ↻ ↻      shall be initiated within a      reasonable time after an      application for international      protection is made ↻ and may      be integrated into existing      national ↻ procedures ↻</p>

		<p>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.</p>	<p>[...] . 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.</p>
<p>Member States shall ensure adequate support for persons with special reception needs throughout the duration of the asylum procedure and shall provide for appropriate monitoring of their situation.</p>	<p>Member States shall ensure adequate support for persons with special reception needs throughout the duration of the asylum procedure and shall provide for appropriate monitoring of their situation.</p>	<p>Member States shall ensure that the support provided to applicants with special reception 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</p>	<p>Member States shall ensure that the support provided to applicants with special reception 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.</p>

		monitoring of their situation.	
2. The identification mechanisms provided for in paragraph 1 shall be without prejudice to the assessment of international protection needs pursuant to Directive [...]/.../EU [the Qualification Directive].	2. The identification mechanisms provided for in paragraph 1 shall be without prejudice to the assessment of international protection needs pursuant to Directive 2011/95/EU.	2. The  [...]   assessment  [...]  provided for in paragraph 1 shall be without prejudice to the assessment of international protection needs pursuant to Directive [...]/.../EU [the Qualification Directive].	2. <b>Only vulnerable persons, in accordance with Article 21 may be considered to have special reception needs and thus benefit from the support provided in accordance with this Directive.</b>  3. The  [...]   assessment  [...]  ...]  provided for in paragraph 1 shall be without prejudice to the assessment of international protection needs pursuant to Directive

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

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

	linguistic background;		
(c) safety and security considerations, in particular where there is a risk of the minor being a victim of trafficking;	(c) safety and security considerations, in particular where there is a risk of the minor being a victim of trafficking;	(c) safety and security considerations, in particular where there is a risk of the minor being a victim of trafficking;	Identical
(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 recreational activities appropriate to their age within	3. Member States shall ensure that minors have access to leisure-activities, including play and recreational	3. Member States shall ensure that minors have access to leisure-activities, including play and recreational activities appropriate to their	Take Council text.

<p>the premises and accommodation centres referred to in Article 18(1)(a) and (b) and to open-air activities.</p>	<p>activities appropriate to their age within the premises and accommodation centres referred to in Article 18(1)(a) and (b), to open-air activities <i>and to education</i>.</p>	<p>age within the premises and accommodation centres referred to in Article 18(1)(a) and (b) and to open-air activities.</p>	
<p><u>4. 2</u> Member States shall 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 qualified counselling is provided when needed.</p>	<p>4. Member States shall 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 have suffered from armed conflicts, and</p>	<p><u>4. 2</u> Member States shall 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 qualified counselling is</p>	<p>EP suggestions for linguistic changes not admissible.</p>



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

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

<p>⇒ 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).↵</p>	<p>provided for in this Directive. <b><i>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</i></b> have the necessary expertise in the field of childcare <b><i>so as to ensure that the interests of the child are protected and that the child's legal, social, health,</i></b></p>	<p><del>any other appropriate representation</del> ⇒ 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).↵</p>	<p><del>where necessary, representation by an organisation which is responsible for the care and well-being of minors, or by any other appropriate representation</del> ⇒ 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. <b>The unaccompanied minor shall be informed</b></p>
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	<p><i>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 continuity during the procedure, Member</i></p>		<p><b>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) and shall have the necessary expertise to that end. In order to ensure the minor's well-being and social development mentioned in point b of that Article, a</b></p>
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<p>Regular assessments shall be made by the appropriate authorities.</p>	<p><i>States should try to ensure that the same guardian is responsible for the unaccompanied minor during the entire procedure.</i></p> <p>[...]</p>	<p>Regular assessments shall be made by the appropriate authorities.</p>	<p><b>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.</b></p> <p>Regular assessments shall be made by the appropriate authorities, <b>including as regards the availability of the</b></p>
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			<b>necessary means for representing the unaccompanied minor."</b>
<p>2. Unaccompanied minors who make an application for ⇒ international protection ⇐ <del>asylum</del> 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 ⇐ <del>asylum</del> was made or is being examined, be placed:</p>	<p>2. Unaccompanied minors who make an application for international protection shall, from the moment <i>when</i> they are admitted to the territory to the moment <i>when</i> they are obliged to leave the <i>territory of the</i> Member State in which the application for international protection was made or is being examined, be placed:</p>	<p>2. Unaccompanied minors who make an application for ⇒ international protection ⇐ <del>asylum</del> 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 ⇐ <del>asylum</del> was made or is being examined, be placed:</p>	<p>EP suggestions for linguistic changes not admissible.</p>

(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 <i>facilities</i> 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 seekers, ⇒ if it is in their best interests, as prescribed in	Member States may place unaccompanied minors aged 16 or over in accommodation centres for adult	Member States may place unaccompanied minors aged 16 or over in accommodation centres for adult asylum seekers, ⇒ if it is in their best interests, as prescribed in	Identical

Article 23(2)↔ .	asylum seekers, if it is in their best interests, as prescribed in Article 23(2).	Article 23(2)↔ .	
As far as possible, siblings shall be kept together, taking into account the best interests of the minor concerned and, in particular, his or her age and degree of maturity. Changes of residence of unaccompanied minors shall be limited to a minimum.	As far as possible, siblings shall be kept together, taking into account the best interests of the minor concerned and, in particular, his or her age and degree of maturity. Changes of residence of unaccompanied minors shall be limited to a minimum.	As far as possible, siblings shall be kept together, taking into account the best interests of the minor concerned and, in particular, his or her age and degree of maturity. Changes of residence of unaccompanied minors shall be limited to a minimum.	Identical
3. ⇒ Member States shall establish mechanisms for tracing the family members of an unaccompanied minor. ↔	3. Member States shall establish mechanisms <i>in national legislation</i> for tracing the family	3. ⇒ Member States ↻ [...] ↔ ↻ [...] ↔ <del>Member States protecting the unaccompanied minor's best</del>	<b><u>Presidency suggestion to take Council text.</u></b>



<p> <del>⊗</del> They <del>⊗</del> <del>Member States</del>  <del>protecting the unaccompanied</del>  <del>minor's best interest</del> shall  endeavour ⇒ start ⇐ to trace,  the members of ⊗ the  unaccompanied minor's <del>⊗</del> <del>his</del>  <del>or her</del> 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 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,  processing and circulation of </p>	<p> 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,  <i>while</i> 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, </p>	<p> <del>interest</del> shall <del>endeavour</del>  ⇒ start ⇐ to trace, the  members of ⊗ the  unaccompanied minor's <del>⊗</del>  <del>his or her</del> 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 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,  processing and circulation of  information concerning those </p>	
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<p>information concerning those persons is undertaken on a confidential basis, so as to avoid jeopardizing their safety.</p>	<p>particularly if they have remained in the country of origin, care must be taken to ensure that the collection, processing and <i>exchange</i> of information concerning those persons is undertaken on a confidential basis, so as to avoid jeopardizing their safety.</p>	<p>persons is undertaken on a confidential basis, so as to avoid jeopardizing their safety.</p>	
<p>4. Those working with unaccompanied minors shall have had ⇒ and shall continue to ⇐ <del>or</del> receive appropriate training concerning their needs, and shall be bound by the confidentiality principle as</p>	<p>4. <i>Persons</i> working with unaccompanied minors shall have <i>received</i> and shall continue to receive appropriate training concerning their</p>	<p>4. Those working with unaccompanied minors shall have had ⇒ and shall continue to ⇐ <del>or</del> receive appropriate training concerning their needs, and shall be bound by the</p>	<p>Take Council text</p>

defined in the national law, in relation to any information they obtain in the course of their work.	needs, and shall be bound by the confidentiality principle as defined in the national law, in relation to any information <i>which</i> they obtain in the course of their work.	confidentiality principle as defined in the national law, in relation to any information they obtain in the course of their work.	
<i>Article <del>25</del> 20</i>	<i>Article 25</i>	<i>Article <del>25</del> 20</i>	
<b>Victims of torture and violence</b>	<i>Victims of torture and violence</i>	<b>Victims of torture and violence</b>	
<p><u>1.</u> Member States shall ensure that <del>if necessary,</del> persons who have been subjected to torture, rape or other serious acts of violence receive the necessary treatment of damages caused by the aforementioned acts ⇒, in <del>particular access to</del></p>	<p>1. Member States shall ensure that persons who have been subjected to torture, rape or other serious acts of violence receive the necessary treatment of damages</p>	<p><u>1.</u> Member States shall ensure that <del>if necessary,</del> persons who have been subjected to torture, rape or other serious acts of violence receive the necessary treatment of damages caused by the aforementioned acts ⇒, in</p>	<p><u>1.</u> Member States shall ensure that <del>if necessary,</del> persons who have been subjected to torture, rape or other serious acts of violence receive the necessary</p>

<p>rehabilitation services that should allow for obtaining medical and psychological treatment ⇐.</p>	<p>caused by the aforementioned acts, in particular access to rehabilitation services that should allow for obtaining medical and psychological treatment.</p>	<p>particular access to ⇨ [...] ⇩  ⇨ relevant ⇩ medical and psychological treatment ⇐⇨  or care ⇩.</p>	<p>treatment of damages caused by the aforementioned acts ⇨, in particular access to ⇨ [...] ⇩  ⇨ appropriate relevant ⇩ medical and psychological treatment ⇐⇨ or care ⇩.</p>
<p>2. Those working with victims of torture, rape or other serious acts of violence shall have had and shall continue to receive appropriate training concerning their needs, and shall be bound by the confidentiality rules provided for in the relevant national law, in relation to any information they obtain in the</p>	<p>2. Those working with victims of torture, rape or other serious acts of violence shall have <i>received</i> and shall continue to receive appropriate training concerning their needs, and shall be bound by the</p>	<p>2. Those working with victims of torture, rape or other serious acts of violence shall have had and shall continue to receive appropriate training concerning their needs, and shall be bound by the confidentiality rules provided for in the relevant national law, in relation to</p>	<p>Take Council text</p>

course of their work.	confidentiality rules provided for in the relevant national law, in relation to any information <i>which</i> they obtain in the course of their work.	any information they obtain in the course of their work.	
<b>CHAPTER V</b>	<b>CHAPTER V</b>	<b>CHAPTER V</b>	
<b>APPEALS</b>	<b>APPEALS</b>	<b>APPEALS</b>	
<i>Article <del>26</del></i>	<i>Article 26</i>	<i>Article <del>26</del></i>	
<b>Appeals</b>	<i>Appeals</i>	<b>Appeals</b>	
1. Member States shall ensure that <del>negative</del> decisions relating to the granting ⇒, withdrawal or reduction ⇐ of benefits under this Directive or decisions taken under Article 7 which	1. Member States shall ensure that decisions relating to the <i>grant</i> , withdrawal <i>of</i> or reduction <i>in</i> benefits under this Directive or	1. Member States shall ensure that <del>negative</del> decisions relating to the granting ⇒, withdrawal or reduction ⇐ of benefits under this Directive or decisions	Take Council text..

<p>individually affect asylum seekers may be the subject of 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 judicial body shall be granted.</p>	<p>decisions taken under Article 7 which individually affect asylum seekers may be the subject of an appeal within the procedures laid down in the national law. At least in the last instance the <i>right to</i> an appeal or a review, in fact and in law, before a judicial body shall be granted.</p>	<p>taken under Article 7 which individually affect asylum seekers may be the subject of 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 judicial authority ⇐ [...] ⇐ shall be granted.</p>	
<p>2. In relation to the cases referred to in paragraph 1, Member States shall ensure that asylum seekers have access to free legal assistance and representation, where they cannot afford the</p>	<p>2. In relation to the cases referred to in paragraph 1 <i>before a court or tribunal</i>, Member States shall ensure that asylum</p>	<p>2. Member States shall ensure that free legal assistance and representation is [...] made available on request in cases of an appeal or a review</p>	<p>Take Council text.  Change for reasons of consistency with Article 9(5).  2. Member States</p>

<p>costs involved and in so far as it is necessary to ensure their effective access to justice.</p>	<p>seekers have access to free legal assistance and representation, where they cannot afford the costs involved [...].</p>	<p>before a judicial authority <del>☞</del>  ☞ [...] <del>☞</del> referred to in paragraph 1 <del>☞</del>, in so far as such aid is necessary to ensure effective access to justice <del>☞</del>. 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. <del>☞</del></p>	<p>shall ensure that free legal assistance and representation is <del>☞</del> [...] <del>☞</del> made available <del>☞</del> on request <del>☞</del> in cases of an appeal or a review before a judicial authority <del>☞</del>  ☞ [...] <del>☞</del> referred to in paragraph 1 <del>☞</del>, <b>in so far as such aid is necessary to ensure effective access to justice <del>☞</del></b>. This shall include, at least, the preparation of the required procedural documents and participation in the hearing before the judicial authorities on</p>
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<p>Legal assistance and representation shall include at least preparation of the required procedural documents and representation before the judicial authorities.</p>	<p><i>Member States may provide that free legal assistance and representation not be granted if the applicant's appeal is considered by a court 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.</i> Legal</p>		<p>behalf of the applicant. ☐</p> <p>EP AM not taken up</p>
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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. ◀ ➔ [...] ▶

Take Council text..

➔ 3. Member States may also  
provide that free legal  
assistance and representation  
is ➔ [...] ➔ made  
available ☹ ☹: ☹

➔ (a) only to those who lack  
sufficient resources;  
and/or ☹

➔ (b) only through the  
services provided  
by legal advisers or  
other counsellors  
specifically designated

Take Council text.

Change for reasons of  
consistency with Article 9(6).

➔ 3. Member States may  
also provide that free  
legal assistance and  
representation **is are**  
**granted**  
➔ [...] ➔ **made**  
**available** ☹ ☹: ☹

by national law to assist  
and represent applicants  
for international  
protection

Member States may  
provide that free legal  
assistance and representation  
not be [...] made  
available if the appeal  
or review [...] is  
considered by a  
competent [...] to  
authority [...] 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. ☹

☞ [...] ☹

☞ [...] ☹

☞ [...] ☹

☞ 4. ☹ ☞ [...] ☹ ☞ Member

States may also: ☹

☞ (a) impose monetary and

☞ /or ☹ time limits on

the provision of free

legal assistance and

representation,

provided that such

limits do not arbitrarily

restrict access to the

provision of ☞ [...] ☹

legal assistance and

representation; ☹

☞ (b) provide that, as regards

☞ free legal assistance

Take Council text..

Same provision in Article  
9(7)(b) and in this provision as  
in Directive 15(5)(b) of the

and representation ~~☞~~  
☞ including fees and  
other costs ~~☞~~  
☞ [...] ~~☞~~, the  
treatment of applicants  
shall not be more  
favorable than the  
treatment generally  
accorded to their  
nationals in matters  
pertaining to legal  
assistance ☞, including  
judicial and  
administrative  
procedures ~~☞~~ . ~~☞~~

☞ Member States may demand  
to be reimbursed wholly or  
partially for any expenses

Asylum Procedures Directive  
currently in force:

☞ (b) provide that, as regards  
~~☞ free legal assistance  
and representation ~~☞~~  
☞ including fees and  
other costs ~~☞~~ ☞ [...] ~~☞~~,~~  
the treatment of  
applicants shall not be  
more favorable than the  
treatment generally  
accorded to their  
nationals in matters  
pertaining to legal  
assistance ☞, ~~including  
judicial and  
administrative  
procedures ~~☞~~ . ~~☞~~~~

<p><u>2.</u> Procedures for access to legal assistance ⇒ and representation ⇐ in such cases shall be laid down in national law.</p>	<p>Procedures for access to legal assistance and representation in such cases shall be laid down in national law.</p>	<p>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. ☹</p> <p>⇒ 5. Procedures for access to legal assistance and representation referred to above shall be laid down in national law ☹</p>	<p>Take Council text. Change for reasons of consistency with Article 9(9)</p> <p>⇒ 5. Procedures for access to legal assistance and representation <b>in such cases as referred to above shall be laid down in national law</b> ☹</p>
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<b>CHAPTER VI</b>	<b>CHAPTER VI</b>	<b>CHAPTER VI</b>	
<b>ACTIONS TO IMPROVE THE EFFICIENCY OF THE RECEPTION SYSTEM</b>	<b>ACTIONS TO IMPROVE THE EFFICIENCY OF THE RECEPTION SYSTEM</b>	<b>ACTIONS TO IMPROVE THE EFFICIENCY OF THE RECEPTION SYSTEM</b>	
<del>Article 22</del>		<del>Article 22</del>	
<del>Cooperation</del>		<del>Cooperation</del>	
<del>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.</del>		<del>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.</del>	

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



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

<i>Article <del>29</del> 24</i>	<i>Article 29</i>	<i>Article <del>29</del> 24</i>	
<b>Staff and resources</b>	<i>Staff and resources</i>	<b>Staff and resources</b>	
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	2. Member States shall allocate the necessary resources in connection with the national provisions	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.	
<b>CHAPTER VII</b>	<b>CHAPTER VII</b>	<b>CHAPTER VII</b>	
<b>FINAL PROVISIONS</b>	<b>FINAL PROVISIONS</b>	<b>FINAL PROVISIONS</b>	
<i>Article <del>30 25</del></i>	<i>Article 30</i>	<i>Article <del>30 25</del></i>	
<b>Reports</b>	<i>Reports</i>	<b>Reports</b>	
By ⇒ [two years after the transposition deadline] at the latest ⇐ <del>6 August 2006</del> , the Commission shall report to the European Parliament and the Council on the application of this Directive and shall propose any amendments that are necessary.	By [two years after the transposition deadline] at the latest, the Commission shall report to the European Parliament and the Council on the application of this Directive and shall propose any amendments that are necessary.	By ⇒ [two years after the transposition deadline as set out in the first subparagraph of Article 31(1) of this Directive] at the latest ⇐ <del>6 August 2006</del> , the Commission shall report to the European Parliament and the Council on the application of this Directive and shall propose any amendments that are necessary.	
Member States shall send the	Member States shall send the	Member States shall send the	

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

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

<p>necessary to comply with <del>this Directive by 6 February 2005</del> <input checked="" type="checkbox"/> Articles [...] [The articles which have been changed as to the substance by comparison with the earlier Directive] and Annex I by [...] at the latest <input checked="" type="checkbox"/>. They shall forthwith <del>inform</del> <input checked="" type="checkbox"/> communicate to <input checked="" type="checkbox"/> the Commission <del>thereof</del> <input checked="" type="checkbox"/> the text of those provisions and a correlation table between those provisions and this Directive <input checked="" type="checkbox"/>.</p>	<p>administrative provisions necessary to comply with Articles [...] [The articles which have been changed as to the substance by comparison with the earlier Directive] and Annex I by [...] at the latest. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.</p>	<p>administrative provisions necessary to comply with <del>this Directive by 6 February 2005</del> <input checked="" type="checkbox"/> Articles [2, 3, 5, 6, 7, 8, 9, 10, 11, 14, [15], 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28] [The articles which have been changed as to the substance by comparison with the earlier Directive] and Annex I by [...] <sup>1</sup> at the latest <input checked="" type="checkbox"/>. They shall forthwith <del>inform</del> <input checked="" type="checkbox"/> communicate to <input checked="" type="checkbox"/> the Commission <del>thereof</del> <input checked="" type="checkbox"/> the text of those provisions <input checked="" type="checkbox"/>.</p>	
<p>When <del>the</del> Member States adopt</p>	<p>When Member States</p>	<p>When <del>the</del> Member States</p>	<p>Identical</p>

<sup>1</sup> 24 months from the date of publication in the *Official Journal of the European Union*.

<p><del>these measures</del> <input checked="" type="checkbox"/> those provisions <input checked="" type="checkbox"/> , they shall contain a reference to this Directive or <del>shall</del> 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. <input checked="" type="checkbox"/> 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. <input checked="" type="checkbox"/></p>	<p>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</p>	<p>adopt <del>these measures</del> <input checked="" type="checkbox"/> those provisions <input checked="" type="checkbox"/> , they shall contain a reference to this Directive or <del>shall</del> 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. <input checked="" type="checkbox"/> 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. <input checked="" type="checkbox"/></p>	
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	Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated.		
2. Member States shall communicate to the Commission the text of the <input checked="" type="checkbox"/> main <input checked="" type="checkbox"/> provisions of national law which they adopt in the field <del>relating to the enforcement of</del> <input checked="" type="checkbox"/> covered by <input checked="" type="checkbox"/> this Directive.	2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.	2. Member States shall communicate to the Commission the text of the <input checked="" type="checkbox"/> main <input checked="" type="checkbox"/> provisions of national law which they adopt in the field <del>relating to the enforcement of</del> <input checked="" type="checkbox"/> covered by <input checked="" type="checkbox"/> this Directive.	Identical
<i>Article 32</i>	<i>Article 32</i>	<i>Article 32</i>	
<b>Repeal</b>	<i>Repeal</i>	<b>Repeal</b>	
Directive 2003/9/EC is repealed for the Members States bound by this Directive with effect from [day after the date set	Directive 2003/9/EC is repealed for the Members States bound by this Directive	Directive 2003/9/EC is repealed for the Members States bound by this Directive with effect from [day after	Identical

out in the first subparagraph of Article 31(1) of this Directive], 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.	with effect from [day after the date set out in the first subparagraph of Article 31(1) of this Directive], 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.	the date set out in the first subparagraph of Article 31(1) of this Directive], 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.	
References to the repealed Directive shall be construed as references to this Directive and shall be read in accordance with the correlation table in Annex III.	References to the repealed Directive shall be construed as references to this Directive and shall be read in accordance with the correlation table in Annex III.	References to the repealed Directive shall be construed as references to this Directive and shall be read in accordance with the correlation table in Annex III.	Identical
<i>Article <del>33 27</del></i>	<i>Article 33</i>	<i>Article <del>33 27</del></i>	
<b>Entry into force</b>	<i>Entry into force</i>	<b>Entry into force</b>	
This Directive shall enter into force on	This Directive shall enter into	This Directive shall enter into force on	Identical



the <input checked="" type="checkbox"/> twentieth <input checked="" type="checkbox"/> day <input checked="" type="checkbox"/> following that <input checked="" type="checkbox"/> of its publication in the Official Journal of the European Union.	force on the twentieth day following that of its publication in the Official Journal of the European Union.	the <input checked="" type="checkbox"/> twentieth <input checked="" type="checkbox"/> day <input checked="" type="checkbox"/> following that <input checked="" type="checkbox"/> of its publication in the Official Journal of the European Union.	
<input checked="" type="checkbox"/> Articles [...] [ <i>The articles which are unchanged by comparison with the earlier Directive</i> ] and Annex I shall apply from [day after the date set out in the first subparagraph of Article 31(1)]. <input checked="" type="checkbox"/>	Articles [...] [The articles which are unchanged by comparison with the earlier Directive] and Annex I shall apply from [day after the date set out in the first subparagraph of Article 31(1)].	<input checked="" type="checkbox"/> Articles [2, 3, 5, 6, 7, 8, 9, 10, 11, 14, [15], 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28] [ <i>The articles which are changed by comparison with the earlier Directive</i> ] and Annex I shall apply from [day after the date set out in the first subparagraph of Article 31(1)]. <input checked="" type="checkbox"/>	To be finalised upon agreement.
<i>Article <del>34</del> <u>28</u></i>	<i>Article 34</i>	<i>Article <del>34</del> <u>28</u></i>	
<b>Addressees</b>	<i>Addressees</i>	<b>Addressees</b>	
This Directive is addressed to the Member States <input checked="" type="checkbox"/> in accordance with the Treaties <input checked="" type="checkbox"/> <del>in accordance with the Treaty establishing the European Union.</del>	This Directive is addressed to the Member States in accordance with the Treaties.	This Directive is addressed to the Member States <input checked="" type="checkbox"/> in accordance with the Treaties <input checked="" type="checkbox"/> <del>in accordance with the Treaty establishing the European Union.</del>	Identical

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

<p>1. 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.</p>	<p>1. <b>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].</b></p>	<p>1. 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.</p>	
<p>2. Provide full information on the type, name and format of the documents provided for in Article 6 of Directive [.../.../EU].</p>	<p>2. On the basis of Article 22 of Directive [.../.../EU] <b>please provide statistical data on the number of asylum seekers with special needs identified divided into the following groups of persons with special needs:</b></p>	<p>2. Provide full information on the type, name and format of the documents provided for in Article 6 of Directive [.../.../EU].</p>	
	<p>– <b>unaccompanied minors</b></p>		
	<p>– <b>disabled people</b></p>		
	<p>– <b>elderly people</b></p>		
	<p>– <b>pregnant women</b></p>		

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

	<i>the extent that any particular conditions are attached to labour market access for asylum seekers, describe in detail such restrictions.</i>		
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. With reference to <b>Article 17(5) of Directive [.../.../EU]</b> , describe <b>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.</b>	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. Where applicable, with reference to Article 17(5) Directive [.../.../EU], please explain the point(s) of reference applied by	[...]	5. Where applicable, with reference to Article 17(5) Directive [.../.../EU], please explain the point(s) of reference	

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