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Subject: Proposal for a Regulation of the European Parliament and of the Council establishing a Union Resettlement Framework and amending Regulation (EU) No 516/2014 of the European Parliament and the Council
- Letter to the Chair of the LIBE Committee of the European Parliament

Following the Permanent Representatives Committee meeting of 8 February 2024 which endorsed the final compromise text on the above-mentioned proposal with a view to agreement, delegations are informed that the Presidency sent the attached letter, together with its Annexes, to the Chair of the European Parliament Committee on Civil Liberties, Justice and Home Affairs (LIBE).



SGS 24 / 000805

Brussels, 08/02/2024

Mr. Juan Fernando LÓPEZ AGUILAR

Chair of the Committee on Committee on Civil Liberties, Justice and Home Affairs
European Parliament
Rue Wiertz 60
B-1047 BRUSSELS

**Subject: Proposal for a Regulation of the European Parliament and of the Council
establishing a Union Resettlement Framework and amending Regulation (EU)
No 516/2014 of the European Parliament and the Council**

Dear Mr. LÓPEZ AGUILAR,

Following the informal negotiations on this proposal between the representatives of the three institutions, today the Permanent Representatives Committee agreed with the final compromise text.

I am therefore now in a position to inform you that, should the European Parliament adopt its position at first reading, in accordance with Article 294(3) TFEU, in the exact form of the text set out in the Annex to this letter (subject to revision by the lawyer-linguists of the two institutions), the Council, in accordance with Article 294(4) TFEU, will approve the European Parliament's position and the act shall be adopted in the wording which corresponds to the position of the European Parliament.

On behalf of the Council, I also wish to thank you for your close cooperation which should enable us to reach agreement on this file at first reading.

Yours sincerely,

Willem van de Voorde
Chairman of the
Permanent Representatives Committee

Copy:

- Ms Ylva JOHANSSON, European Commissioner for Home Affairs
- Ms Malin BJÖRK, European Parliament rapporteur

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REGULATION (EU) 2024/...
OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of ...

**establishing a Union Resettlement *and Humanitarian Admission* Framework, and amending
Regulation (EU) 2021/1147**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 78(2)(d) and (g) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee¹,

Having regard to the opinion of the Committee of the Regions²,

Acting in accordance with the ordinary legislative procedure³,

¹ OJ C 125, 21.4.2017, p. 40.

² OJ C 207, 30.6.2017, p. 67.

³ Position of the European Parliament of ... [(OJ ...)/(not yet published in the Official Journal)] and decision of the Council of

Whereas:

- (1) In its conclusions on “Taking action to better manage migratory flows” of 10 October 2014, the Council acknowledged that, while taking into account the efforts carried out by Member States affected by migratory flows, all Member States should give their contribution to ■ resettlement ■ in a fair and balanced manner.
- (2) *This Regulation is based on the full and inclusive application of the Geneva Convention relating to the Status of Refugees of 28 July 1951, as amended by the New York Protocol of 31 January 1967 (the ‘Geneva Convention’).*
- (3) *A Union Resettlement and Humanitarian Admission Framework (Union Framework) should be established to complement other legal pathways. The Union Framework should offer the most vulnerable third-country nationals or stateless persons in need of international protection access to a durable solution in accordance with Union and national law.*

- (4) *On 19 September 2016, the United Nations General Assembly urged States to scale up resettlement efforts and envisages a comprehensive refugee response framework in which States aim to provide resettlement places and other legal pathways on a scale that would enable the annual resettlement needs identified by the Office of the United Nations High Commissioner for Refugees (UNHCR) to be met. The Global Compact on Refugees adopted by the UN General Assembly on 17 December 2018 foresees that voluntary contributions will be sought from States to establish or enlarge the scope, size, and quality of resettlement programmes.*
- (5) In its communication of 13 May 2015 on a European Agenda on Migration, the Commission set out the need for a common approach to granting protection to displaced persons in need of protection through resettlement.

- (6) In its Recommendation to the Member States of 8 June 2015 on a European Resettlement Scheme, the Commission recommended that resettlement should be based on an equitable distribution key. This was followed by conclusions of the Representatives of the Governments of the Member States meeting within the Council of 20 July 2015 to resettle, through multilateral and national schemes, 22 504 persons in clear need of international protection. The resettlement places were distributed between Member States and Dublin Associated States according to the commitments set out in the Annex to those conclusions.
- (7) On 15 December 2015, the Commission addressed a Recommendation for a voluntary humanitarian admission scheme with Turkey to the Member States and Associated States, recommending that participating States admit persons displaced by the conflict in Syria who are in need of international protection. ■
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- (8) In its communication of 6 April 2016 entitled ‘Towards a Reform of the Common European Asylum System and Enhancing Legal Avenues to Europe’, the Commission announced that it would set out a proposal for a structured resettlement system framing the Union’s policy on resettlement and providing a common approach to safe and legal arrival to the Union for persons in need of international protection.

- (9) In its resolution of 12 April 2016 on the situation in the Mediterranean and the need for a holistic EU approach to migration, the European Parliament underlined the need for a permanent Union-wide resettlement programme which provides resettlement for a meaningful number of refugees, having regard to the overall number of refugees seeking protection in the Union.
- (10) *On 27 September 2017, the Commission addressed a Recommendation to the Member States on enhancing legal pathways for persons in need of international protection. In response, Member States pledged to offer 50 039 resettlement places.*
- (11) Building on existing initiatives, *and in the context of the existing international architecture*, a stable and reliable Union Framework should be established for the *admission of third-country nationals or stateless* persons in need of international protection to be implemented in accordance with *a Union Resettlement and Humanitarian Admission Plan (Union Plan) which should fully respect* Member States' concrete *indications with regard to their* commitments.

- (12) *The Union Framework should be placed in the context of international resettlement and humanitarian admission efforts. The contribution of the Union Framework to meeting global resettlement and humanitarian admission needs should help strengthen the Union's partnership with third countries with the objective of showing solidarity with countries in regions to which a large number of persons in need of international protection has been displaced by helping to alleviate the pressure on those countries, fostering those countries' capacity to improve reception and international protection conditions, and reducing irregular and dangerous onward movements of third-country nationals and stateless persons in need of international protection, in the context of migration.*
- (13) In order to *contribute to increasing resettlement and humanitarian admission efforts and* reduce divergences among the national resettlement practices and procedures, *a common procedure together with* common eligibility criteria and the grounds for *refusal of admission* should be laid down, as well as a common *principles regarding the* status to be granted to *admitted* persons.

- (14) The common *admission procedure* should build on the existing resettlement *and humanitarian admission* experience and standards of the Member States *and, if applicable, of the UNHCR*.
- (15) *The admission of family members of third-country nationals or stateless persons who are legally residing in a Member State, or of Union citizens, should be without prejudice to the rights laid down in Council Directive 2003/86/EC⁴, Directive 2004/38/EC of the European Parliament and of the Council⁵ or to national law concerning family reunification. Such admission should therefore focus on the family members who fall outside the scope of those Directives or relevant national law, or who could not be reunited with their families for other reasons.*
- (16) *In order to ensure family unity, all family members in relation to whom a Member State intends to conduct an admission procedure, who are eligible and who do not fall under the grounds for refusal, should, as a rule and to the extent possible, be admitted together. Should this not be possible, family members not admitted together should be admitted as soon as possible at a later stage. In the process of determining the parameters of a given family on whom a third-country national or stateless person is dependent, as referred to in this Regulation, Member States should recognise that the extended relations may be the last line of defence for individuals who rely exclusively on the family for survival, psychological support, and emotional care.*

⁴ Council Directive 2003/86/EU of 22 September 2003 on the right to family reunification (OJ L 25, 3.1.2003, p. 12).

⁵ Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC (OJ L 158, 30.4.2004, p. 77).

- (17) *Member States should be able to choose in relation to whom to conduct an admission procedure, including on the basis of considerations relating to family composition. When making that choice, Member States should respect the principle of family unity. Member States should be able to require third-country nationals or stateless persons to demonstrate the existence of a family relationship.*
- (18) *The concept of danger to public health is understood as disease with epidemic potential as defined by the International Health Regulations of the World Health Organization.*
- (19) *An admission procedure consists of the following stages: referral, where applicable, identification, registration, assessment and a conclusion on admission and, in the case of resettlement, a decision on granting international protection or, in the case of humanitarian admission, a decision on granting international protection or humanitarian status under national law.*
- (20) *A positive conclusion on admission means that a person in relation to whom an admission procedure has been carried out for the purpose of resettlement or humanitarian admission has been accepted for admission by the Member State that reached that conclusion. A negative conclusion on admission means that such a person has not been accepted for admission by the Member State concerned.*

(21) ***Before granting international protection, a full assessment of the international protection needs of the third-country national or stateless person should be carried out.***

■

(22) ***In the case of an emergency admission, the assessment of the admission requirements established under this Regulation should be accelerated. Emergency admission should not necessarily be linked to the regions or third countries from which admission is to occur pursuant to this Regulation. All Member States should be encouraged to offer emergency admission places.***

(23) An ***admission*** procedure should be concluded as soon as possible, ***while ensuring*** that Member States have sufficient time for ***an*** adequate examination of each case. ***Member States*** should ■ ***make every effort to ensure that a third-country national or stateless person in relation to whom a positive conclusion on admission was reached enters their territory within twelve months of the date of that conclusion.***

- (24) Any personal data of persons ~~admitted under this Regulation~~ *granted international protection or a national humanitarian status in accordance with this Regulation* should be stored for ~~ten~~ **five years from the date of registration at national level**. That five-year period should be considered sufficient for the purposes of the admission procedure, given that the majority of such persons will have resided for several years in the Union and will have obtained citizenship of a Member State.

Given that third-country nationals or stateless persons who during the last three years prior to admission have been refused admission to a Member State on the ground that there were reasonable grounds for considering that they were a danger to the community, public policy, security or public health of the Member State examining the resettlement file, or on the ground that an alert has been issued in the Schengen Information System or in a national database of a Member State for the purposes of refusing entry, should be refused admission under the terms of this Regulation, their data should be stored for a period of three years *from the date on which the negative conclusion on admission was reached*. *Given that third-country nationals who during the last three years prior to admission have not given or have withdrawn their consent to be admitted to a particular Member State could be refused admission under the terms of this Regulation, the data should be stored for a* **period of three years from the date of discontinuation**. *The storage period should be shorter in certain special situations where there is no need to keep personal data for that length of time. Personal data belonging to a third-country national or to a stateless person should be erased immediately and permanently once he or she obtains citizenship of a Member State.*

- (25) There is no right to *request admission or to be admitted by a Member State. Moreover, there is no obligation on Member States to admit a person pursuant to this Regulation.*
- (26) *Resettlement should be the primary type of admission, complemented by humanitarian admission and emergency admission, as appropriate, to address specific circumstances.*
- (27) *The Union Framework should aim to have all Member States contributing to the implementation of the Union Plan and scaling up their resettlement and humanitarian admission efforts with a view to contributing significantly to meeting the Global Resettlement Needs, including emergency cases.*
- (28) *To that end, the Asylum, Migration and Integration Fund established by Regulation (EU) 2021/1147 of the European Parliament and of the Council⁶ should provide targeted assistance in the form of financial incentives for each person admitted in accordance with the Union Framework, as well as for actions to establish appropriate infrastructure and services for the implementation of the Union Framework.*

⁶ *Regulation (EU) 2021/1147 of the European Parliament and of the Council of 7 July 2021 establishing the Asylum, Migration and Integration Fund (OJ L 251, 15.7.2021, p. 1).*

- (29) *The European Union Agency for Asylum (the ‘Asylum Agency’), established by Regulation (EU) 2021/2303 of the European Parliament and of the Council⁷, should support Member States, on their request and in accordance with its mandate, in implementing the Union Plan, such as by assisting them in the implementation of certain elements of the admission procedure and by coordinating technical cooperation and facilitating the sharing of infrastructure between them.*
- (30) *The sharing of good practices among resettlement and humanitarian admission actors in relevant fora, including in the Annual Tripartite Consultations on Resettlement, should be promoted.*

⁷ Regulation (EU) 2021/2023 of the European Parliament and of the Council of 15 December 2021 on the European Union Agency for Asylum and repealing Regulation (EU) No 439/2010 (OJ L 468, 30.12.2021, p.1.).

- (31) In order to ensure uniform conditions for the implementation of the Union Framework, implementing powers should be conferred on the Council for establishing **and amending** the *two-year* Union **Plan**, fixing the **█** total number of persons to be **admitted and indicating what part of that number should be dedicated to resettlement, humanitarian admission and emergency admission**, details about the participation of the Member States in the Union plan and their contributions to the total number of persons to be **admitted, a description of the specific group or groups of persons to which the Union plan should apply, and the specification of the regions or third countries from which admission is to occur**.
- (32) **Conferring such implementing powers on the Council is justified in view of the fact that those implementing powers relate to national executive powers regarding the admission of third-country nationals on the territory of the Member States.**
- (33) **Amendments to the Union Plan to address new circumstances could include contributions fully respecting indications on a voluntary basis made by Member States at the High-Level Resettlement and Humanitarian Admission Committee (High-Level Committee) to new regions or third countries through the reallocation of existing or new contributions.**

(34) *Those implementing* powers should be exercised on a proposal from the Commission on the **■** total number of persons to be *admitted* and *the specification of the regions or third countries from which admission is to occur fully respecting indications on a voluntary basis made by Member States before the proposal at the High-Level Committee*. The Commission should make its proposal *for the Union Plan* simultaneously with its proposal on the draft Union annual budget *in the year preceding the two-year period in which the Union Plan is to be implemented. The Commission should make its proposal for an amendment to the Union Plan simultaneously with a corresponding proposal on the draft amending budget, where necessary*. The Council should aim to adopt the proposal within two months. **■**

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(35) *The* provisions on the content of international protection contained in the asylum *acquis* should apply from the moment when an *admitted* person *who is granted international protection* arrives on the territory of the Member State concerned *or, where international protection is granted after the person concerned arrives on the territory of the Member State, from the moment when that person is granted international protection*.

(36) *The integration of admitted persons in their host society is important for a successful admission procedure. Admitted persons should have the same access to integration measures as beneficiaries of international protection in accordance with Regulation ... [Qualification Regulation]⁸⁺. Member States should be able to require participation in such integration measures only if those integration measures are easily accessible, available and free of charge. Member States should also offer, where considered to be feasible, a pre-departure orientation programme to third-country nationals or stateless persons. Such a programme could include information about rights and obligations, language classes, and information about the social, cultural and political situation in the Member State. Such information could also be provided after entry to the territory of the Member State concerned or be included in integration measures, taking into account the particular vulnerabilities of the person admitted.*

⁸ Regulation (EU) .../... of the European Parliament and of the Council of on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection and for the content of the protection granted, amending Council Directive 2003/109/EC and repealing Directive 2011/95/EU of the European Parliament and of the Council (OJ L, ..., ELI: ...).

⁺ OJ: Please insert in the text the number of the Regulation contained in document PE-CONS 70/23 (2016/0223(COD)).

Member States should be able to also arrange post-arrival orientation programmes tailored to the needs of admitted persons in order to provide them with guidance concerning, in particular, the learning of the language of the host Member State, education, access to the labour market, taking account of their specific vulnerabilities. In modalities to be set by Member States, as far as possible, the bodies and persons concerned, such as local authorities and persons who have already been admitted, should be involved in implementing such programmes.

- (37) *The secondary movement of all persons who have been admitted under this Regulation, including where humanitarian status under national law has been granted, should be discouraged. Member States, within the framework of Union law and policy, should cooperate effectively and without undue delay readmit persons who have been admitted in accordance with this Regulation and found in a Member State where they have no right to stay.*
- (38) *Without prejudice to the right to apply for international protection, Member States may, in the case of humanitarian admission, reach a conclusion on the admission of a third country national or stateless person to its territory based on an initial evaluation and grant that person humanitarian status under national law.*

- (39) *The humanitarian status under national law should provide for rights and obligations equivalent to those of [Articles 20 to 26 and 28 to 35 of Regulation (EU) XXX.../...XXX Qualification Regulation]⁺ for beneficiaries of subsidiary protection. Such a status should be withdrawn only in the event that new circumstances or new evidence arise concerning the person's eligibility following the decision on granting the status.*
- (40) In line with the Regulation (EU) XXX/XXX [Asylum and Migration Management Regulation], in order to comprehensively reflect the efforts of each Member State, the number of third-country nationals admitted by the Member States through Union and national resettlement or humanitarian admission schemes should be taken into account in the assessment of the overall situation of the Union as part of the European Annual Asylum and Migration Report.

⁺ OJ: Please insert in the text the number of the Regulation contained in document PE-CONS 70/23 (2016/0223(COD)).

(41) Given the expertise of the UNHCR in facilitating the different forms of admission of persons in need of international protection from third countries, to which they have been displaced, to Member States willing to admit them, the UNHCR should continue to play a key role █ under the Union Framework. ***It should be possible to call upon*** international actors in addition to the UNHCR, such as █ the International Organization for Migration (IOM) █ , to assist Member States in the implementation of ***the*** Union Framework.

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(42) A High-Level Committee should be established to ***consult*** with █ stakeholders on the implementation of the Union Framework.

The High-Level Committee should advise the Commission on issues related to the implementation of the Union Framework, including on a recommended number of persons to be admitted and the regions or third countries from which admission should be undertaken, taking into account the UNHCR Projected Global Resettlement Needs. The High-Level Committee should be able to make recommendations.

The Commission should invite Member States to indicate, on a voluntary basis, at the meeting of the High-Level Committee, the details of their participation, including the type of admission and the countries from which admission is to take place, and their contributions to the total number of persons to be admitted under the Union Plan.

- (43) Resettlement *and humanitarian admission* efforts by Member States under this Regulation should be supported by appropriate funding from the Union's *general* budget. In order to enable a proper and sustainable functioning of the *Union Framework*, Regulation (EU) *2021/1147 should be amended*.
- (44) This Regulation does not affect the ability of the Member States to adopt or implement national resettlement schemes ■ for example where they contribute an additional number of *admission* places to ■ the *total* number of persons to be *admitted* under the ■ *Union Plan*.

- (45) Complementarity with ongoing resettlement and humanitarian admission initiatives undertaken in the Union framework should be ensured.
- (46) This Regulation respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union and should therefore be applied in a manner consistent with those rights and principles, in particular as regards the rights of the child, the right to respect for family life and the general principle of non-discrimination.
- (47) Any processing of personal data by the authorities of the Member States within the framework of this Regulation should be conducted in accordance with Regulation (EU) **2016/679** of the European Parliament and of the Council⁹.

⁹ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p.1).

(48) Any processing of personal data by █ the Asylum Agency █ within the framework of this Regulation should be conducted in accordance with Regulation (EU) 2016/679,¹⁰ as well as █ with Regulation (EU) 2021/2303 of the European Parliament and of the Council ¹⁰ and should respect the principles of necessity and proportionality.

(49) *Since the objective of this Regulation, namely to establish a Union Framework, cannot be sufficiently achieved by the Member States but can rather, by reason of the scale and effects of the Union Resettlement Framework, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union (TEU). In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.* █

(50) █ In accordance with Articles 1 and 2 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 TEU and to the Treaty on the Functioning of the European Union (TFEU), and without prejudice to Article 4 of that Protocol, Ireland is not taking part in the adoption of this Regulation and is not bound by it or subject to its application. █

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(51) In accordance with Articles 1 and 2 of the Protocol (No 22) on the position of Denmark, annexed to the TEU and to the TFEU, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application,

HAVE ADOPTED THIS REGULATION:

¹⁰ Regulation (EU) 2021/2303 of the European Parliament and of the Council of 15 December 2021 on the European Union Agency for Asylum and repealing Regulation (EU) No 439/2010 (OJ L 468, 30.12.2021, p.1).

Article 1
Subject matter

I. This Regulation:

(a) establishes a Union Resettlement *and Humanitarian Admission* Framework for the admission of third-country nationals *or* stateless persons to the territory of the Member States with a view to granting them *in accordance with this Regulation*:

(i) international *protection; or*

(ii) *humanitarian status under national law which provides for rights and obligations equivalent to those established in [Articles 22 to 28 and 30 to 38 of Regulation (EU) .../... Qualification Regulation]* ⁺ *for beneficiaries of subsidiary protection; and*

(b) *lays down rules on the admission, by means of resettlement or humanitarian admission, of third-country nationals or stateless persons to the territory of the Member States for the purpose of implementing this Regulation.*

⁺ OJ: Please insert in the text the number of the Regulation in document PE-CONS 70/23 (2016/0223 COD).

2. *This Regulation does not establish a right of third-country nationals or stateless persons to request admission, or to be admitted, to the territory of a Member State.*
3. *This Regulation does not impose an obligation on Member States to admit a third-country national or a stateless person.*
4. *Member States shall contribute to the Union Resettlement and Humanitarian Admission Plan set out under Article 8 on a voluntary basis. The indications made by the Member States in the High-Level Resettlement and Humanitarian Admission Committee, established pursuant to Article 11, in relation to the details of their participation, including the type of admission and the regions or third countries from which admission is to take place, and of their contribution to the total number of persons to be admitted under the Union Resettlement and Humanitarian Admission Plan, shall be voluntary.*

Article 2
Definitions

For the purposes of this Regulation *the following definitions apply:*

- (1) ‘resettlement’ means the admission, *following a referral from the United Nations High Commissioner for Refugees (UNHCR)*, of a third-country national *or* a stateless person, from a third country to which that person has been displaced to the territory of a Member State, *who*
- (a) *is eligible for admission pursuant to Article 5(1);*
 - (b) *does not fall under the grounds for refusal set out in Article 6; and*
 - (c) *is granted international protection in accordance with Union and national law and has access to a durable solution;*
- (1a) *‘international protection’ means international protection as defined in [Article 3(3) of Regulation (EU) .../... Qualification Regulation]⁺;*
- (2) *‘humanitarian admission’ means the admission, following, where requested by a Member State, a referral from the UNHCR, the European Union Agency for Asylum (the ‘Asylum Agency’) or another relevant international body, of a third-country national or a stateless person from a third country to which ■ that person has been forcibly displaced to the territory of a Member State and, at least on the basis of an initial evaluation, who:*
- (a) *is eligible for admission pursuant to Article 5(2);*
 - (b) *does not fall under the grounds for refusal set out in Article 6; and*

⁺ OJ: Please insert in the text the number of the Regulation in document PE-CONS 70/23 (2016/0223COD).

(c) *is granted international protection in accordance with Article 9(14), point (c), of this Regulation or humanitarian status under national law, which provides for rights and obligations equivalent to those established in [Article 22 to 28 and 30 to 38 of Regulation (EU) .../... Qualification Regulation]*⁺ *for beneficiaries of subsidiary protection;*

(3) *'emergency admission' means the admission by means of resettlement or humanitarian admission of persons with urgent legal or physical protection needs or with immediate medical needs.*

Article 3

Union Resettlement *and Humanitarian Admission* Framework

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The Union Resettlement *and Humanitarian Admission* Framework (Union Framework) shall:

(a) provide for the legal and safe arrival to the territory of a Member State of third-country nationals *or* stateless persons, *who are eligible for admission and who do not fall under the grounds for refusal under this Regulation, with a view to granting them international protection in accordance with this Regulation or humanitarian status under national law as defined in Article 2(2), point (c), and encourage all Member States █ to scale up their efforts to that end;*

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⁺ OJ: Please insert in the text the number of the Regulation in document PE-CONS 70/23 (0223/2016COD).

- (b) contribute to *increasing the Union’s contribution to international resettlement and humanitarian admission* initiatives *with a view to increasing the overall number of available places for resettlement and humanitarian admission*;
- (c) *contribute to strengthening the Union’s partnerships with third countries in regions to which a large number of persons in need of international protection has been displaced.*

Article 4

Determination of regions or third countries from which Union resettlement or humanitarian admission is to occur

The determination of the regions or third countries from which Union resettlement or humanitarian admission occurs shall primarily have as a basis:

- (a) the *UNHCR Projected Global Resettlement Needs*;
- (b) *the scope for improving the protection environment and increasing the protection space in third countries* ■ ;
-
- (c) the scale and content of commitments to resettlement *or humanitarian admission* undertaken by third countries *with a view to collectively contributing to meeting the UNHCR Global Resettlement Needs.*

Article 5

Eligibility *for admission*

1. ***For the purpose of resettlement, the*** following third-country nationals or stateless persons shall be eligible for *admission, provided that they also fall within at least one of the categories referred to in paragraph 3, point (a)*:

- (a) ■ third-country nationals ■ who, ***owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, political opinion or membership of a particular social group, as defined in [Article 10 of Regulation (EU).../... Qualification Regulation]***⁺, are outside the country of nationality ***and are unable or, owing to such a fear, are unwilling to avail themselves of the protection*** of that country ■, or stateless persons, who, ***being*** outside of the country of former habitual residence ***for the same reasons, are unable or, owing to such fear, unwilling to return to it; or***

⁺ OJ: Please insert in the text the number of the Regulation in document PE-CONS 70/23 (... (COD)).

(b) *third-country nationals who are outside the country of nationality or stateless persons who are outside of the country of their former habitual residence* and in respect of whom substantial grounds have been shown for believing that they, if returned to ■ their country of origin or, in the case of stateless persons, to their country of former habitual residence, would face a real risk of suffering serious harm ***as defined in [Article 16 of Regulation (EU) .../... Qualification Regulation]*** ⁺, and are unable ■ or, owing to such risk, ■ unwilling to avail themselves of the protection of that country ■ .

Persons whose protection or assistance from organs or agencies of the UN other than the UNHCR has ceased for any reason without their position being definitely settled in accordance with the relevant resolutions adopted by the UN General Assembly, shall be deemed to meet the eligibility criteria set out in point (b) of the first subparagraph.

⁺ OJ: Please insert in the text the number of the Regulation in document PE-CONS 70/23 (2016/0223COD).

2. *For the purpose of humanitarian admission, the following third-country nationals or stateless persons shall be eligible for admission provided that, at least on the basis of an initial evaluation, they also fall within at least one of the categories referred to in paragraph 3:*

(a) *third-country nationals who, owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, political opinion or membership of a particular social group, as defined in [Article 10 of Regulation (EU) .../... Qualification Regulation]⁺ are outside the country of nationality and are unable or, owing to such a fear, are unwilling to avail themselves of the protection of that country, or stateless persons who, being outside of the country of former habitual residence for the same reasons, are unable or, owing to such fear, unwilling to return to it; or*

⁺ OJ: Please insert in the text the number of the Regulation in document PE-CONS .../22 (... (COD)).

- (b) *third-country nationals who are outside the country of nationality or stateless persons who are outside of the country of former habitual residence, and in respect of whom substantial grounds have been shown for believing that they, if returned to their country of origin or, in the case of stateless persons, to their country of former habitual residence, would face a real risk of suffering serious harm as defined in [Article 15 of Regulation (EU) .../... Qualification Regulation]⁺, and are unable or, owing to such risk, unwilling to avail themselves of the protection of that country.*

Persons whose protection or assistance from organs or agencies of the UN other than the UNHCR has ceased for any reason without their position being definitely settled in accordance with the relevant resolutions adopted by the UN General Assembly, shall be deemed to meet the eligibility criteria set out in point b of the first subparagraph.

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⁺ OJ: Please insert in the text the number of the Regulation in document PE-CONS 70/23 (2016/0223COD).

3. *To be eligible for admission pursuant to this Article, a third-country national or stateless person shall also fall within at least one of the following categories:*

(a) vulnerable persons, comprising:

(i) women and girls at risk;

(ii) *minors*, including unaccompanied *minors*;

(iii) survivors of violence ■ or torture, including on the basis of gender *or sexual orientation*;

(iv) persons with legal or physical protection needs, *or both, including as regards protection from refoulement*;

(v) persons with medical needs ■, *including where life-saving treatment is unavailable in the country to which they have been [forcibly] displaced*;

(vi) *persons with* disabilities;

(vii) persons *who lack a foreseeable alternative durable solution, in particular those in a protracted refugee situation*;

(b) *in the case of humanitarian admission, the* family members, as referred to *in paragraph 4*, of third-country nationals or stateless persons ■ legally residing in a Member State, *or of Union citizens*.

4. *In order to ensure family unity, the following family members of third-country nationals or stateless persons to be admitted shall also be eligible for admission:*

- (a) the spouse or unmarried partner in a stable relationship, where the law or practice of the Member State concerned treats unmarried couples in a way comparable to that of married couples under its law relating to third-country nationals or stateless persons;
- (b) the minor children ■ on the condition that they are unmarried and regardless of whether they were born in or out of wedlock or adopted *or recognised* as defined under national law;
- (c) the father, mother or another adult responsible for *an* unmarried minor ■ , whether by law or by the practice of the Member State *concerned*;
- (d) the sibling or siblings ■ ;

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

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When applying this paragraph, Member States shall take due account of the best interests of the child. Where the third-country national or stateless person 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.

Article 6

Grounds for *refusing admission*

1. The following third-country nationals or stateless persons shall be *refused admission under this Regulation*:
 - (a) █ persons █ who are recognised by the competent authorities of the country in which they █ have taken up residence as having the rights and obligations which are attached to the possession of the nationality of that country, or *equivalent* rights and obligations █ ;

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 - (b) persons in relation to whom there are reasonable grounds for considering that:
 - (i) they have committed a crime against peace, a war crime, or a crime against humanity, as defined in the international instruments drawn up to make provision in respect of such crimes;
 - (ii) they have committed a serious crime;

- (iii) they have been guilty of acts contrary to the purposes and principles of the United Nations as set out in the Preamble and Articles 1 and 2 of the Charter of the United Nations;
- (c) persons for whom there are reasonable grounds for considering that they are a danger to the community, public policy, security, public health █ of the Member State examining the admission file █ ;
- (d) persons for whom an alert has been issued in the Schengen Information System or in a national database of a Member State for the purpose of refusing entry;
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- (e) persons who have █ been *granted international protection or humanitarian status under national law as defined in Article 2(2), point (c)*; █

- (f) persons whom a Member State has, during the *three* years immediately before *examination of the file*, refused *admission* pursuant to *point (c) or (d)* of this paragraph.

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*Point (b) of the first subparagraph shall also apply to persons who incite or otherwise participate in the commission of the crimes or acts mentioned therein.*² The following third-country nationals or stateless persons may be *refused admission*:

- (a) *persons who during the last three years before admission have not given or have withdrawn consent to be admitted to a particular Member State, as referred to in Article 7, provided that they have been informed of the consequences of such withdrawal in accordance with Article 9(4), point (b);*
- (b) *persons who have committed one or more crimes outside the scope of paragraph 1, point (b), which would be punishable with a maximum sentence of at least one year of imprisonment had they been committed in the Member State examining the admission file, unless the prosecution or the punishment would have been statute-barred or, in case of a conviction for such a crime, an entry relating to that conviction would have been removed from the national criminal record, according to the law of the Member State examining the admission file;*

- (c) *persons who refuse to participate in a pre-departure orientation programme referred to in Article 9(14), point (h);*
- (d) *persons in relation to whom a Member State cannot provide the adequate support needed on the basis of those persons' vulnerability.*

3. *The grounds provided for in this Article shall apply provided that they are implemented without discrimination on the basis of, inter alia, sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation.*

Article 7

Consent

- 1. The admission procedure laid down in Article 9 shall apply to third-country nationals or stateless persons who have given their consent to be admitted and who have not subsequently withdrawn their consent, including by refusing admission to a particular Member State.*

- 2. Where a third-country national or a stateless person fails to provide available data or information essential to the conduct of the procedure provided for in Article 9(3) or fails to attend the personal interview provided for in Article 9(6) that person may be considered to have implicitly withdrawn consent to be admitted as referred to in paragraph 1 of this Article, unless the person was not informed in accordance with Article 9(4), complies with the obligations within a reasonable period of time, or can demonstrate that the failure to provide data or information or to attend the personal interview was due to circumstances beyond that person's control.*

Article 8

■ Union *Resettlement and Humanitarian Admission Plan*

1. On the basis of a proposal from the Commission, the Council shall adopt, *by means of an implementing act, a two-year Union Resettlement and Humanitarian Admission Plan (Union Plan)* in the year preceding *the two-year period* in which it is to be implemented. *The Commission shall inform the European Parliament of its proposed draft Union Plan without delay, and the Council shall keep the European Parliament regularly informed of progress relating to the adoption of the Union Plan.*

The Council shall inform the European Parliament and the Commission of the final draft Union Plan without delay. The Council shall submit the Union Plan to the European Parliament without delay upon its adoption.

2. *When implementing this Article, the Council and the Commission shall take due account of the outcome of meetings of the High-Level Resettlement and Humanitarian Admission Committee established pursuant to Article 11 and of the UNHCR Projected Global Resettlement Needs.*

3. *The Union Plan shall include:*

- (a) the total number of persons to be admitted to the territory of the Member States, indicating, respectively, the proportion of persons who are to be subject to resettlement, to humanitarian admission and to emergency admission, the proportion of persons subject to resettlement being not less than approximately 60 % of the total number of persons to be admitted;*
- (b) details about the participation of the Member States and their contributions to the total number of persons to be admitted and the proportion of the persons who are to be subject to resettlement, to humanitarian admission and to emergency admission in accordance with point (a) of this paragraph, fully respecting the indications made by Member States at the High-Level Resettlement and Humanitarian Admission Committee established pursuant to Article 11;*
- (c) a specification of the regions or third countries from which resettlement or humanitarian admission is to occur pursuant to Article 4;*

4. The [redacted] Union *Plan may, where necessary*, include:

[redacted]

(a) *a description of the specific group or groups of third-country nationals or stateless persons to whom the Union Plan is to apply;*

[redacted]

(b) *local coordination, as well as practical cooperation arrangements among Member States, supported by the Asylum Agency in accordance with Article 10, [redacted] and with third countries, the UNHCR and other relevant partners [redacted].*

[redacted]

5. *Emergency admission shall be applied irrespective of the regions or third countries from which resettlement or humanitarian admission is to occur*

6. *Where required by new circumstances, such as an unforeseen humanitarian crisis outside the regions or third countries referred to in the Union Plan, the Council, on a proposal from the Commission, shall, where appropriate, amend the Union Plan such as by adding regions or third countries to those from which admission is to occur pursuant to Article 4.*

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Article 9

Admission procedure

1. *In the case of resettlement, for the purpose of implementing the Union Plan, Member States shall request the UNHCR to refer third-country nationals or stateless persons to them.*

In the case of humanitarian admission, for the purpose of implementing the Union Plan, Member States may request that the UNHCR, the Asylum Agency or another relevant international body refer third-country nationals or stateless persons to them ■ .

2. *A Member State shall* assess whether a third-country national or a stateless person as referred to in paragraph 1 falls within the scope of *the Union Plan*.

A Member State may give preference ■ to a third-country national or a stateless person who has ■ :

- (a) family links with third-country nationals or stateless persons legally residing in a Member State or with Union citizens;
- (b) *demonstrated* social ■ links ■ or other characteristics that can facilitate integration in the ■ Member State *conducting an admission procedure, including appropriate language skills or previous residence in that Member State*;
- (c) particular protection needs or vulnerabilities.

3. After identifying a third-country national or a stateless person *who falls within the scope of the Union Plan and in relation to* whom it intends to conduct an *admission* procedure, a Member State shall register the following information in relation to that person:

- (a) the third-country national's or the stateless person's name, date of birth, gender, nationality ■ ;

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- (b) the type and number of any identity or travel document of the third-country national *or stateless person*; and
- (c) the date and place of the registration and the authority making the registration.

Additional data necessary for the implementation of paragraphs 6 and 9 may be collected at the time of registration.

4. Member States shall *inform* the third-country nationals or ■ stateless persons *in relation to whom they conduct an admission procedure of:*
- (a) *the objectives of and different steps in the admission procedure;*
 - (b) *the consequences of withdrawing consent as referred to in Article 7, and of a refusal to participate in any pre-departure orientation programme as referred to in paragraph 14, point (h) of this Article.*

5. *Member States shall provide the third-country nationals or stateless persons in relation to whom they conduct an admission procedure, at the time when personal data are collected, in writing, and, where necessary, orally, with the information that they are required to provide under Regulation (EU) 2016/679. That information shall be provided in a language understood or reasonably supposed to be understood by the third-country nationals or stateless persons, in a concise, transparent, intelligible and easily accessible form, using clear and plain language, adapted to the needs of minors and of persons with specific needs.*
6. *Member States shall assess whether the third-country nationals or the stateless persons in relation to whom they conduct an admission procedure meet the eligibility criteria set out in Article 5 and do not fall under the grounds for refusal set out in Article 6 .*

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

7. *In the case of resettlement, Member States shall request that the UNHCR conduct a full assessment of whether the third-country nationals or the stateless persons subject to an admission procedure:*

(a) fall within the scope of the Union Plan;

(b) fall under one of the categories of vulnerability set out in Article 5(3), point (a) or have family links in accordance with Article 5(4), and the reasons for such an assessment;

(c) qualify as refugees within the meaning of Article 1 of the Geneva Convention.

Member States may request that the criteria set out in paragraph 2, second subparagraph, be taken into account.

8. *In the case of humanitarian admission, Member States may request that the UNHCR assess whether the third-country nationals or stateless persons referred to them by the UNHCR:*

(a) qualify as refugees within the meaning of Article 1 of the Geneva Convention;

(b) fall under one of the categories of vulnerability set out in Article 5(3), point (a) or have family links in accordance with Article 5(3), point (b);

Member States may request that the criteria set out in paragraph 2, second subparagraph, be taken into account.

- 9.** *Member States shall reach a conclusion on the admission of third-country nationals or stateless persons on the basis of the assessment referred to in paragraph 6 as soon as possible and in any event within **seven** months of the date of registration. Member States may extend that time-limit **■** by up to **three** months in the event of complex issues of fact or law.*
- 10.** *In the case of an emergency admission, Member States shall reach a conclusion as soon as possible and endeavour to do so within one month of the date of registration.*

11. Member States shall discontinue an admission procedure in which third-country nationals or stateless persons have withdrawn their consent as referred to in Article 7.

A Member State may discontinue an admission procedure in the following circumstances:

- (a) where it has concluded that the total number of third-country nationals or stateless persons admitted exceeds its contribution set out in the Union Plan;***
- (b) where it has concluded to give preference to the third-country nationals or stateless persons in accordance with paragraph 2, point (c);***
- (c) where it has concluded that it is not able to comply with the time limits referred to in paragraph 9 for reasons beyond its control.***

Subject to Chapter V of Regulation (EU) 2016/679, the reason for discontinuation shall be communicated to the UNHCR where necessary to enable the UNHCR to carry out its tasks regarding referrals of third-country nationals or stateless persons to Member States or to third countries in accordance with this Regulation or with its mandate, unless there are overriding reasons of public interest for not doing so.

12. Member States shall store the data of persons whom they grant international protection or a national humanitarian status in accordance with this Regulation for five years from the date of registration. In the case of persons who have been refused admission on one of the grounds referred to in Article 6(1)(f), such data shall be stored for a period of three years from the date on which the negative conclusion on admission was reached.

Upon expiry of *the applicable period, the* Member States shall erase the data.

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

Where a Member State discontinues an admission procedure pursuant to paragraph 11, first subparagraph, the Member State shall store the data related to the person concerned for three years from the date of that discontinuation. Where a Member State discontinues an admission procedure pursuant to paragraph 11, second subparagraph, the Member State shall erase the data relating to the person concerned on the date of that discontinuation.

13. *Where a Member State's conclusion pursuant to paragraph 9 is negative ■ , the third-country national or stateless person concerned shall not be admitted to that Member State.*

Subject to Chapter V of Regulation (EU) 2016/679, the reason for a negative conclusion shall be communicated to the UNHCR, where necessary to enable the UNHCR to carry out its tasks regarding referrals of third-country nationals or stateless persons to Member States or to third countries in accordance with this Regulation or with its mandate, unless there are overriding reasons of public interest for not doing so.

Any Member State that has reached a negative conclusion as referred to in the first subparagraph may require that it be consulted by another Member State during that other Member State's examination of the admission file.

14. *Where a Member State's conclusion pursuant to paragraph 9 is positive paragraphs 14a to 14h shall apply before or after the entry of the person concerned to its territory.*

14a. A Member State as referred to in paragraph 14 shall take a decision to grant refugee status where the third-country national or the stateless person concerned qualifies as a refugee, or subsidiary protection status where the third-country national or the stateless person concerned is eligible for subsidiary protection. ■

Such a decision shall have the same effect as a decision **granting** refugee status or subsidiary protection status as referred to in [Articles 13 **or** 19 of Regulation (EU) .../... **Qualification Regulation**]⁺, after the person concerned has entered the territory of a Member State.

Member States may issue residence permits of permanent or unlimited validity on terms that are more favourable as referred in Article 13 of Council Directive 2003/109/EC¹¹.

14b In the case of a family member of the third-country national or stateless person concerned, pursuant to Article 5(4), who does not qualify individually for international protection, a Member State as referred to in paragraph 14 of this Article shall take a decision to issue a residence permit.

Such a decision shall have the same effect as a decision to issue a residence permit as referred to in the first paragraph of [Article 25 of Regulation (EU) .../... Qualification Regulation]⁺, after the person concerned has entered the territory of a Member State.

⁺ OJ: Please insert in the text the number of the Regulation in document PE-CONS .../22 (... (COD)).

¹¹ **Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents (OJ L 16, 23.1.2004, p. 44).**

⁺ OJ: Please insert in the text the number of the Regulation in document PE-CONS .../22 (... (COD)).

14c In the case of humanitarian admission, a Member State as referred to in paragraph 14 may grant international protection or, without prejudice to the right to apply for international protection, humanitarian status under national law that provides for rights and obligations equivalent to those of Articles [22 to 28 and 30 to 38 of Regulation (EU) XXX/XXX Qualification Regulation]⁺ for beneficiaries of subsidiary protection.

Such a decision shall take effect after the person concerned has entered the territory of the Member State.

14d In the case of a family member of the third-country national or stateless person concerned, pursuant to Article 5(4), who does not qualify individually for international protection or for humanitarian status under national law as defined in Article 2, point (2)(c), a Member State as referred to in paragraph 14 shall take a decision to issue a residence permit.

Such a decision shall have the same effect as a decision to issue a residence permit as referred to in the first paragraph of [Article 25 of Regulation (EU) .../... Qualification Regulation]⁺, after the person concerned has entered the territory of a Member State.

⁺ OJ: Please insert in the text the number of the Regulation in document PE-CONS .../22 (... (COD)).

⁺ OJ: Please insert in the text the number of the Regulation in document PE-CONS .../22 (... (COD)).

14e *A Member State as referred to in paragraph 14 [for the relevant partner on behalf of the Member State in accordance with Article 10(3)] shall notify the third-country nationals or stateless persons concerned of any decision pursuant to paragraphs 14a and 14c.*

Where such a decision was taken before the person concerned entered the territory of the Member State, such a notification may take place after such entry.

14f. *A Member State as referred to in paragraph 14 shall make every effort to ensure entry to its territory as soon as possible and in any event within 12 months of the date of the conclusion.*

In the case of an emergency admission, the Member State shall ensure the swift transfer of the third-country national or the stateless person after the date of the positive conclusion pursuant to paragraph 9.

14g *A Member State as referred to in paragraph 14 shall offer, where necessary, to make travel arrangements, including fit-to-travel medical checks ■ and provide transfer to their territory free of charge, including, where necessary, the facilitation of exit procedures in the third country from where the third-country national or the stateless person concerned is admitted.*

Where a Member State organises travel arrangements pursuant to the first subparagraph, it shall take into account the specific needs of the persons concerned with regard to any vulnerabilities that they may have.

14h *Where feasible, a Member State as referred to in paragraph 14 shall offer* ■ pre-departure orientation programmes to the third-country nationals or stateless persons concerned, which *shall be free of charge and easily accessible and* may include information about their rights and obligations, language classes, and information about the Member State's social, cultural and political situation.

Where it is not feasible to provide such orientation programmes, Member States shall provide at least information about their rights and obligations to third-country nationals or stateless persons.

15. *Personal data processed by a Member State pursuant to this Article shall not be transferred or made available to any third country, international body or private entity established in the Union or in a third country in cases other than those provided for in this Article.*

16. *Member States shall transmit the data of the persons falling within the scope of this Regulation in accordance with Article 18 of Regulation (EU) .../... [Eurodac Regulation].*^{12 +}

¹² Regulation (EU) .../... of the European Parliament and of the Council on the establishment of 'Eurodac' for the comparison of biometric data for the effective application of Regulations (EU) ■ .../...⁺ ■ and (EU) ■ .../...⁺⁺ of the European Parliament and of the Council *and Council Directive 2001/55/EC*, for identifying an illegally staying third-country national or stateless person and on requests for the comparison with Eurodac data by Member States' law enforcement authorities and Europol for law enforcement purposes, and amending Regulations (EU) 2018/1240 and (EU) 2019/818 of the European Parliament and of the Council

⁺ OJ: Please insert in the text the number of the Regulation in document PE-CONS .../...(2016/0132 (COD)).

17. *At all stages of the procedure, Member States shall not discriminate against persons on grounds of sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation.*

■

Article 10

Operational cooperation

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

2. The Asylum Agency **■** may support Member States *upon their request in accordance with Article 9(1), or where provided for in a Union Plan in accordance with Article 8(4), point (b). That support may include* coordinating technical cooperation between *Member States*, assisting *Member States* in the implementation of **■** the *Union Plan, the training of personnel conducting admission procedures, providing information to third-country nationals or stateless persons as referred to in Article 9(4), (5) and (17), facilitating the sharing of infrastructure, and assisting Member States in cooperating with third countries for the purpose of conducting admission procedures* pursuant to [Regulation (EU) 2021/2303 (EU Asylum Agency Regulation)**■**].

The Asylum Agency may also coordinate an exchange of good practices between Member States for the purpose of the implementation of this Regulation and the integration of resettled persons in their host society.

3. For the purpose of implementing *the Union Plan*, and in particular *of notifying the third-country nationals or stateless persons concerned of the decision taken by Member States in accordance Article 9(14), points (a) and (c), and of* conducting pre-departure orientation programmes, fit-to-travel medical checks, travel arrangements and other practical arrangements, Member States may be assisted by *relevant* partners *upon the request of the Member State or* in accordance with local coordination and practical cooperation arrangements for *a Union Plan* established in accordance with Article 8(4), point (b).

Article 11

High-Level Resettlement *and Humanitarian Admission* Committee

1. A High-Level Resettlement *and Humanitarian Admission* Committee (High-Level Committee) shall be established. It shall be composed of representatives of the European Parliament, the Council, the Commission █ and the Member States. █

The Asylum Agency, █ the UNHCR █ and the IOM *shall be invited to attend the meetings of the High-Level Committee.*

Other relevant organisations, including civil society organisations, may be invited to attend the meetings of the High-Level Committee in areas of their expertise.

Representatives of Iceland, Liechtenstein, Norway, and Switzerland shall be invited to attend the meetings of the High-Level Committee where they have indicated their intention to be associated with the implementation of the █ Union Resettlement *and Humanitarian Admission* Plan.

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

3. The **█** High-Level Committee *shall advise the Commission* on issues related to the implementation of the Union Framework, *including on a recommended number of persons to be admitted and the regions or third countries from which such admission is to be undertaken, taking into account the UNHCR Projected Global Resettlement Needs. It may make recommendations.*

The Commission shall publish the minutes of the meetings of the High-Level Committee, unless such publication would undermine the protection of any public or private interest as provided for in Article 4 of Regulation (EC) No 1049/2001.

4. *The Commission shall consult the High Level Committee and shall take into account the outcome of the meetings of the High-Level Committee with regard to issues related to the implementation of the Union Framework.*

5. *Following the outcome of the meetings of the High-Level Committee pursuant to this Article, the Commission shall invite Member States to indicate the details of their participation and of their contribution on a voluntary basis to the total number of persons to be admitted including the type of admission and the regions or third countries from which admission shall take place in accordance with Articles 4 and 8.*
6. *The Commission, on its own initiative or following a recommendation by one or more Member States or the European Parliament, shall convene a meeting of the High Level Committee for the purpose of discussing the possible admission of persons pursuant to Article 8(6), with a view to responding to new circumstances, such as an unforeseen humanitarian crisis in regions or third countries that are not included in the Union Plan.*
7. *The High-Level Committee may, if necessary, establish its rules of procedure.*



Article 12

Association with Iceland, Liechtenstein, Norway, and Switzerland

Iceland, Liechtenstein, Norway, and Switzerland shall be invited to be associated with the implementation of *the Union Plan*. Such association shall duly take this Regulation into account, in particular with regard to the **■** procedure *laid down in Article 9* and the rights and obligations of *admitted* persons.

Article 13

Financial support

Financial support to the Member States for resettlement and humanitarian admission shall be implemented in accordance with Regulation (EU) 2021/1147.

Article 14
Amendments to Regulation (EU) 2021/1147

Regulation (EU) 2021/1147 is amended as follows:

■
(1) Article 2 is amended as follows:

(a) point (5) is replaced by the following:

“(5) ‘humanitarian admission’ means humanitarian admission as defined in Article 2, point (2), of Regulation (EU) .../... [Resettlement Regulation]¹³⁺”;

(b) point (8) is replaced by the following:

“(8) ‘resettlement’ means ■ resettlement as defined in Article 2, point (1), of Regulation (EU) .../... [Resettlement Regulation]⁺”;

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¹³ Regulation (EU) .../... of the European Parliament and of the Council of establishing a Union Resettlement and Humanitarian Admission Framework, and amending Regulation (EU) No 2021/1147 (OJ L, ..., ELI: ...).

⁺ OJ: Please insert in the text the number of the Regulation contained in document PE-CONS No/YY (2016/0225(COD)) and insert the number, date, title and OJ reference of that Regulation in the footnote.

⁺ OJ: Please insert in the text the number of the Regulation in document PE-CONS .../22 (... (COD)).

(2) in Article 19, paragraphs (1), (2) and (3) are replaced by the following:

“1. Member States shall receive, in addition to their allocation under Article 13(1), point (a), of this Regulation an amount of EUR 10 000 for each person admitted through resettlement under the Union Resettlement and Humanitarian Admission Framework established by Regulation (EU) .../... [Resettlement Regulation].

2. Member States shall receive, in addition to their allocation under Article 13(1), point (a) of this Regulation, an amount of EUR 6 000 for each person admitted through humanitarian admission under the Union Resettlement and Humanitarian Admission Framework established in accordance with Regulation (EU) .../... [Resettlement Regulation] or admitted under a national resettlement scheme.

3. *The amount referred to in paragraph 2 shall be increased to EUR 8 000 for each person admitted through humanitarian admission or admitted under a national resettlement scheme who belongs to one or more of the following vulnerable groups:*
- (a) women and children at risk;*
 - (b) unaccompanied minors;*
 - (c) persons having medical needs that can be addressed only through humanitarian admission;*
 - (d) persons in need of humanitarian admission for legal or physical protection needs, including victims of violence or torture.”*

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Article 15

Evaluation and Review

1. ***By ... [four years after the date of entry into force of this Regulation], the Commission shall submit a report to the European Parliament and to the Council on the application of this Regulation, including Article 9(2), point (b), and on the contributions made by Member States to the implementation of the Union Framework, in accordance with Article 8, and on the efforts of all Member States to scale up their resettlement and humanitarian admission efforts with a view to significantly contributing to meeting the global resettlement needs. The report shall be accompanied, where appropriate, by proposals to achieve that aim.***
2. Member States shall provide the Commission and the Asylum Agency with the necessary information for drawing up the Commission's report for the purpose of paragraph 1 in addition to the information provided ■ by the Asylum Agency ■ on the number of third-country nationals ***or*** stateless persons effectively ***admitted*** pursuant to Article 22(3) of [Regulation (EU) .../... (Dublin Regulation)] .
3. The European Parliament and the Council shall, on the basis of a proposal of the Commission, review this Regulation ***within two years of submission of the Commission report pursuant to paragraph 1, taking into account the content of that report.***

Article 16

Entry into force

1. This Regulation shall enter into force on the [...] day following that of its publication in the *Official Journal of the European Union*.
2. ***Article 9(16) shall apply from [date when Article 18 of the Eurodac Regulation becomes applicable].***
3. This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.

Done ...,

For the European Parliament

The President

For the Council

The President
