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# Screening in the border context

21.04.2021

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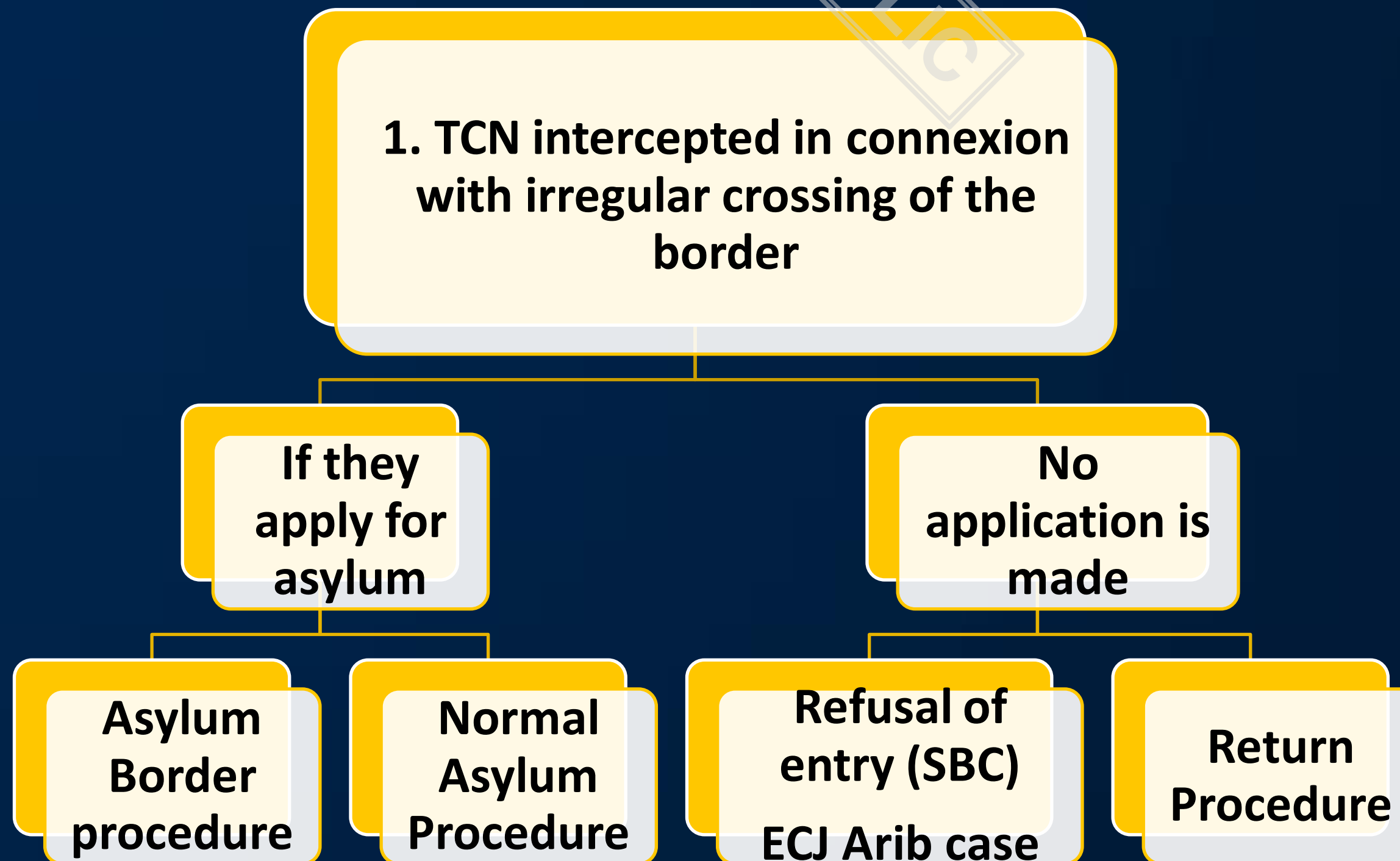
## *Screening in the border context*



**Third country nationals, who do not fullfill entry conditions, subject to Screening at border**

- 1. Third country nationals who are intercepted in connexion with irregular crossing of the border (art. 3, 1a)**
- 2. Third country nationals who are desimbarked following a SAR operation (art. 3, 1b)**
- 3. Third country nationals who make an asylum application at the border crossing points or transit zones (Art. 3, 2)**

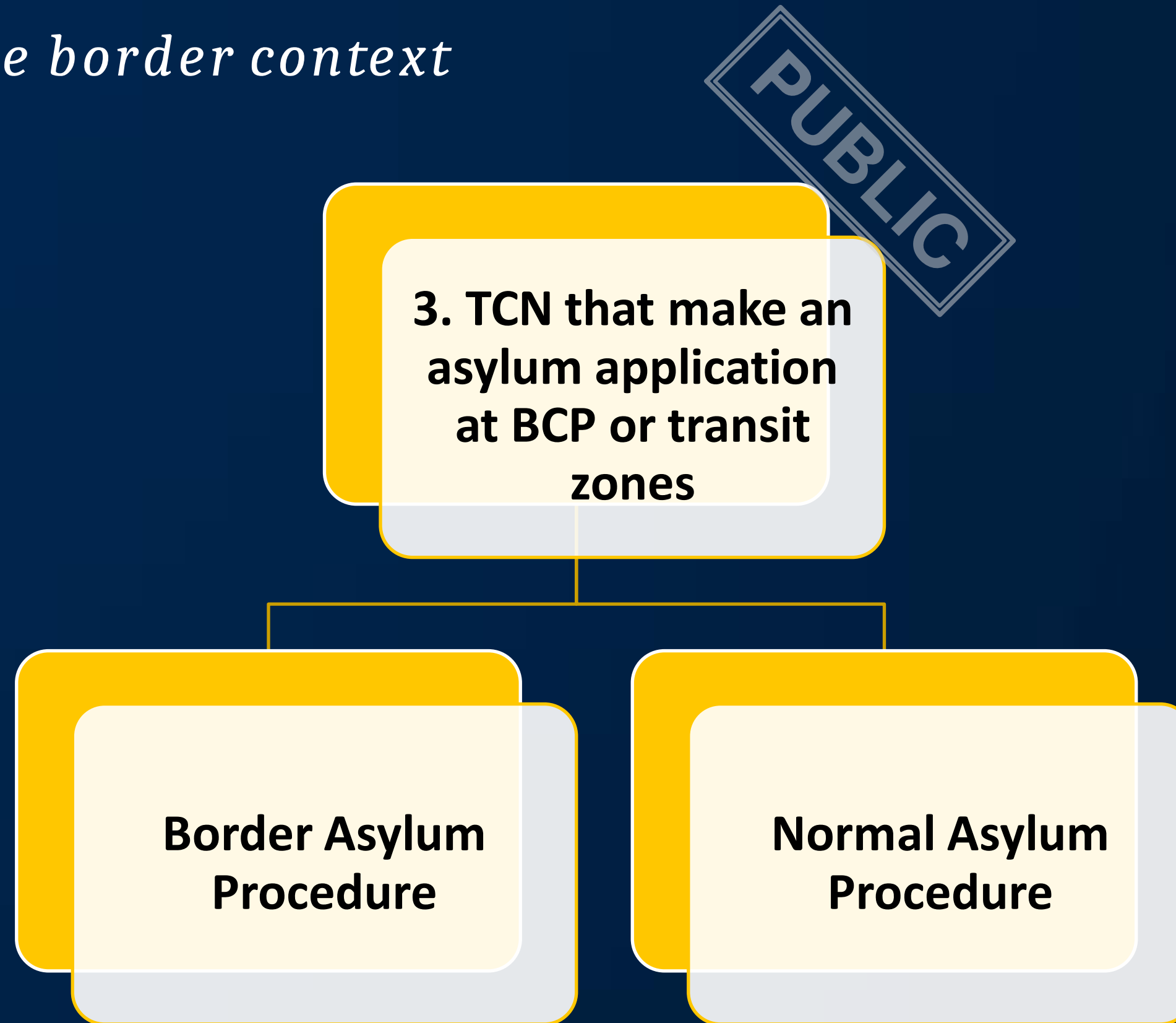
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## *Screening in the border context*

**Third country nationals who do not fullfill entry conditions and are not subject of Screening**

**1. Third country nationals that present themselves at BCP and are refused entry (except if they make an application for asylum).**

**2. Third country nationals that are intercepted in connexion of irregular crossing of the border and are kept at the border and removed or returned within 72h. (if period exceeds 72h, screening will apply).**

**3. Third country nationals that are authorized entry under art. 6(5) of SBC - humanitarian reasons and others. (except if they make an asylum application).**

## *Screening in the border context*

### Relation with other legal instruments – Art. 3A

TCN subject to Screening	If there is an asylum application	No asylum application
TCN irregularly crossing or TCN rescued after SAR operations (art.3,1 a and b) – Screening is max. 5 days (poss + 5 days)	EURODAC applies APR registration is postponed RCD doesn't apply	Return Directive doesn't apply
TCN who apply for asylum in BCP or transit zones (art. 3, 2) – Screening is max. 5 days (poss + 5 days)	EURODAC applies APR registration is done in parallel RCD apply	
TCN illegally staying in the territory (art. 5)	All asylum acquis applies in parallel	Return Directive applies in parallel





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*THANK YOU  
FOR YOUR ATTENTION*

*PORTUGUESE PRESIDENCY OF THE COUNCIL OF THE EUROPEAN UNION*



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