

Asylum: Member State responsible for examining an application lodged by a third-country national

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The committee adopted the report by Luis MARINHO (PES, P) broadly approving the Commission proposal under the consultation procedure, subject to a number of amendments. While welcoming the greater importance attached to family unity in the proposed regulation, MEPs wanted to widen the definition of family members to include other relatives, in order, for example, not to restrict unnecessarily the group of people who could take charge of an unaccompanied minor seeking asylum in the Member State in which the asylum application would be processed. This broader definition should similarly apply in cases where a Member State could request another Member State to consider allowing an asylum seeker to be reunited with a member of his family, on humanitarian grounds. MEPs further stipulated that Member States should inform asylum seekers of their right to request that another Member State assume responsibility for processing their applications for humanitarian reasons. The committee also felt that, where the asylum seeker was an unaccompanied minor, the proposed deadline of 65 days within which a Member State could request another Member State to take charge of the applicant should be suspended during the period required to ascertain whether the family member or other relative was fit to take charge of the child. The time limit should also be suspended when waiting for the outcome of an admissibility procedure in another Member State relating to the asylum application of a family member. Lastly, the committee wanted to spell out clearly in the proposal that the personal details of an asylum seeker's family members should not be passed on unless they are necessary for the investigation being conducted by the state responsible for considering the application procedure.