

LIITE

Asiakirjaan 12696/21 (12.10.2021) sisältyvät ehdotukset rajanylitystietojärjestelmää (EES) koskevan asetuksen 2017/2226 muutoksiksi

Kopio puheenjohtajan asiakirjasta

Article 40c

Amendments to Regulation (EU) 2017/2226

Regulation (EU) 2017/2226 is amended as follows:

(1) in Article 1, the following new paragraph (1a) is added:

‘1a. For the purposes of facilitating the application of Regulation 604/2013 and of Directive 2013/32/EU, this Regulation also lays down the conditions under which Member States’ asylum authorities may obtain access to the EES for consultation.’;

(2) in Article 3(1), the following point (34) is added:

‘(34) ‘asylum authorities” means an authority responsible for carrying out any of the obligations imposed on Member States

- (i) pursuant to Regulation 604/2013 and
- (ii) pursuant to Directive 2013/32/EU’;

(3) in Article 6, the following paragraph (1a) is added:

‘1a. By granting access to asylum authorities in accordance with the conditions set out in this Regulation, the objectives of the EES shall be to:

- (a) facilitate the examination of an application for international protection;
- (b) facilitate the determination of the responsibility for asylum applications.’;

(4) in Chapter III, the following articles are inserted:

‘Article 25c

Access to data for examining the application for international protection

1. For the sole purpose of facilitation of examining an application for international protection, the asylum authorities referred to in Article 3(34)(ii) shall have access to search the EES with the data referred to in Articles 16(1) and 17(1)(a), (b) and (c).
2. If the search with the data listed in paragraph 1 indicates that the data of the third country national is recorded in the EES, the asylum authorities shall be given access to consult the data referred to in Article 16 (1), (2), (3)(a), (3)(b) and (4) as well as in Article 17 (1)(a), (b), (c), for the sole purpose referred to in paragraph 1.

Art. 25d

Access to data for determining the responsibility for asylum applications

1. For the sole purpose of determining the Member State responsible for an application for international protection, the asylum authorities referred to in Article 3 (34)(i) shall have access to search in the EES with the data referred to in Art. 14(1) and Art. 15(1)(a), (b) and (c).
2. If the search with the data listed in paragraph 1 indicates that the data of a third country national is recorded in the EES, the asylum authorities of the respective Member State shall be given access to consult the data referred to in Article 14(1), (2)(a) and (2)(b) as well as in Article 15(1)(a), (b) and (c), for the sole purpose referred to in paragraph 1.'