



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 5 December 2012**

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ADD 2**

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**ADDENDUM TO “I/A” ITEM NOTE**

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from: General Secretariat of the Council  
to: Permanent Representatives Committee (Part II)/Council  
Subject: Proposal for a Regulation of the European Parliament and of the Council  
establishing the criteria and mechanisms for determining the Member State  
responsible for examining an application for international protection lodged in one  
of the Member States by a third-country national or a stateless person (Recast)  
[First reading]  
- Political agreement

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The following statement by the Greek delegation to the Council minutes shall be added to the  
Annex to the Annex of the above Regulation:

1. The completion of the Common European Asylum System (CEAS) will allow for further development of initiatives, focusing on sincere and genuine solidarity towards Member States, especially those at the EU external borders. The Treaty for the Functioning of the European Union (TFEU) institutionally establishes, for the first time, the notion of “solidarity” as well as the fair sharing of responsibilities between Member States (art. 80)<sup>1</sup> in the areas of Migration and Asylum.
2. Asylum issues are of particular importance and priority to Greece, as one of the Member States facing strong pressures at its external borders due to mixed flows of illegal migrants. In this context Greece is implementing a comprehensive reform of its Asylum and Migration Management systems, thus supporting in an effective and constant manner the CEAS development.
3. Greece believes that the “Dublin Regulation” recast has proved to be less ambitious than it should have been since, among others, it does not offer substantial answers to the concerns and pressing issues that Member States at EU’s external borders face. This is due to three majors reasons:

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<sup>1</sup> *Art. 80: “The policies of the Union set out in this Chapter and their implementation shall be governed by the principle of solidarity and fair sharing of responsibility, including its financial implications, between the Member States. Whenever necessary, the Union acts adopted pursuant to this Chapter shall contain appropriate measures to give effect to this principle.*

- The first entry criterion provision was never examined at the discussions of the “Dublin Regulation” recast.
  - A provision for the suspension of transfers was not included in the final text.
  - The new art. 31 limits itself to the Asylum System and does not contain any reference to pressures which are due to mixed migratory flows.
4. For the above reasons, Greece cannot offer its support to the political agreement, as presented in the “A” items.

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