



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 18 December 2012

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ADDENDUM TO THE “I/A” ITEM NOTE

from : General Secretariat of the Council
to : COREPER /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]

- Adoption
- (a) of the Council's position
- (b) of the statement of the Council's reasons
- Statement

COMMON GUIDELINES

Consultation deadline: 19 December 2012

Statement by the Council, the European Parliament and the Commission

The Council and the European Parliament invite the Commission to consider, without prejudice to its right of initiative, a revision of Article 8(4) of the Recast of the Dublin Regulation once the Court of Justice rules on case C-648/11 MA and Others vs. Secretary of State for the Home Department and at the latest by the time limits set in Article 46 of the Dublin Regulation. The European Parliament and the Council will then both exercise their legislative competences, taking into account the best interests of the child.

The Commission, in a spirit of compromise and in order to ensure the immediate adoption of the proposal, accepts to consider this invitation, which it understands as being limited to these specific circumstances and not creating a precedent.
