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THE EUROPEAN UNION**

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COVER NOTE

from: Mission of Switzerland to the European Union
date of receipt: 20 December 2013
to: Mr Rafael FERNANDEZ-PITA, Director General for Justice and Home
affairs, General Secretariat of the Council of the European Union

Subject: REGULATION (EU) No 604/2013 OF THE EUROPEAN PARLIAMENT
AND OF THE COUNCIL of 26 June 2013 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)

Delegations will find attached a letter from the Mission of Switzerland to the European Union in relation to the above readmission subject.



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

Mission de la Suisse auprès de l'Union européenne

Monsieur
Rafael Fernandez-Pita y González
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Secrétariat général du Conseil de l'Union
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Bruxelles, 19.12.2013

SECRETARIAT DU CONSEIL DE L'UNION EUROPÉENNE	
SGE13/13193	
REÇUE	20 DEC. 2013
DEST. PRINC.	M. FERNANDEZ-PITA
DEST. COP.	ROGER
	ERASMUS 3/11/14

Monsieur,

Nous vous faisons parvenir en annexe une copie de la lettre que la Mission a adressée aujourd'hui à Monsieur Manservigi, Directeur général de la DG HOME. Cette lettre concerne l'application provisoire par la Suisse du règlement mentionné ci-dessous, à compter du 1^{er} Janvier 2014 :

- Règlement (UE) N° 604/2013 du Parlement européen et du Conseil du 26 juin 2013 établissant les critères et mécanismes de détermination de l'État membre responsable de l'examen d'une demande de protection internationale introduite dans l'un des États membres par un ressortissant de pays tiers ou un apatride (refonte)

Date d'adoption: 26.6.2013

Je vous prie de croire, Monsieur, à l'expression de mes sentiments distingués.

Le Chef de Mission
p.o.

Daniel Klingele
Ministre

Annexe: ment.

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Schweizerische Eidgenossenschaft
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Mission of Switzerland to the European Union

SENT BY E-MAIL

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SECRETARIAT DU CONSEIL DE L'UNION EUROPÉENNE SGE13/13193	
REÇU LE	20 DEC. 2013
DEST. PRINC.	M. FERNANDEZ-PITA
DEST. COP.	

Dear Director-General,

On 3 July 2013, the General Secretariat of the European Commission notified Switzerland the adoption of the following act in accordance with Article 4, paragraphs 2 and 3 of the Agreement between the European Community and the Swiss Confederation concerning the criteria and mechanisms for establishing the State responsible for examining a request for asylum lodged in a Member State or in Switzerland (hereinafter referred to as "association agreement"), signed in Luxembourg on 26 October 2004:

Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 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

Switzerland notified on 14 of August 2013 its readiness to accept, subject to the fulfilment of its constitutional requirements, the content of the aforementioned act and to implement it in its internal legal order (73/67/6-SD-1A/2013).

With the present letter, Switzerland would like to confirm that, on 18 December 2013, the Federal Council has decided that the exchange of notes of 14 August 2014 between Switzerland and the European Union regarding the acceptance of the aforementioned Regulation will be applied on a provisional basis as from the date indicated in Article 49 of the regulation, that is from 1st January 2014. As already outlined in our letter from 17 July 2013, the only provisions of the recast Dublin Regulation that for legal reasons cannot be applied on a provisional basis (because they require an amendment of national law) are the following: Article 18, paragraph 2, Article 27, paragraph 3, letter c and Article 28.