

TRANSLATION OF THE CRUCIAL PROVISIONS
OF THE DIRECTIVE TEMPORARY PROTECTION 2001/55/EC

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Article 5, §1: The existence of a mass influx of displaced persons shall be established by a Council Decision adopted by a qualified majority on a proposal from the Commission, which shall also examine any request by a Member State that it submit a proposal to the Council.

Translation:

With the care of the Ministry of Foreign Affairs, it is possible to make a request to the Commission for the provision of temporary protection, in order for the Council to take the relevant decision...

A Council Decision, finding that the conditions of mass influx of displaced persons are concerned...will have as a result the application of temporary protection to the displaced concerned by that decision, according to the provisions of the present law.

Article 5, §3: The Council Decision shall have the effect of introducing temporary protection for the displaced persons to which it refers, in all the Member States, in accordance with the provisions of this Directive. The Decision shall include at least:

- (a) a description of the specific groups of persons to whom the temporary protection applies;
- (b) the date on which the temporary protection will take effect;
- (c) information received from Member States on their reception capacity;
- (d) information from the Commission, UNHCR and other relevant international organisations.

Translation:

The provision of transposition is a copy of the text of the provision of the directive.

Article 8, §1: The Member States shall adopt the necessary measures to provide persons enjoying temporary protection with residence permits for the entire duration of the protection. Documents or other equivalent evidence shall be issued for that purpose.

Translation:

To the beneficiaries of temporary protection, and as long as they remain in this situation, a residence permit is provided, gratis. This permit is issued by the competent aliens police service.

Article 8, §3: The Member States shall, if necessary, provide persons to be admitted to their territory for the purposes of temporary protection with every facility for obtaining the necessary visas, including transit visas. Formalities must be reduced to a minimum because of the urgency of the situation. Visas should be free of charge or their cost reduced to a minimum.

Translation:

To the persons who have been admitted to enter into the country in order to be granted temporary protection, all possible facilities are given for the visa, including a transit visa. The issuance of the visa is gratis.

Article 9: The Member States shall provide persons enjoying temporary protection with a document, in a language likely to be understood by them, in which the provisions relating to temporary protection and which are relevant to them are clearly set out.

Translation:

To persons enjoying temporary protection, with the care of the Ministry of Public Order, written information is provided in a language understood by them, relating to their rights and obligations, for as long as they are in this situation, according to the provisions relating to temporary protection.

Article 17, §1:

1. Persons enjoying temporary protection must be able to lodge an application for asylum at any time.

Translation:

Beneficiaries of temporary protection may apply for asylum, according to the relevant provisions.

Article 17, §2:

2. The examination of any asylum application not processed before the end of the period of temporary protection shall be completed after the end of that period.

Translation:

The provision of transposition is a copy of the text of the provision of the directive.