# Council Directive 2005/85/EC of 1 December 2005 on minimum standards on procedures in Member States for granting and withdrawing refugee status (repealed)

## CHAPTER I

#### GENERAL PROVISIONS

- Article 1 Purpose
- Article 2 Definitions
- Article 3 Scope
- Article 4 Responsible authorities
- Article 5 More favourable provisions

### CHAPTER II

# BASIC PRINCIPLES AND GUARANTEES

Article 6 Access to the proced
--------------------------------

- Article 7 Right to remain in the Member State pending the examination of the application
- Article 8 Requirements for the examination of applications
- Article 9 Requirements for a decision by the determining authority
- Article 10 Guarantees for applicants for asylum
- Article 11 Obligations of the applicants for asylum
- Article 12 Personal interview
- Article 13 Requirements for a personal interview
- Article 14 Status of the report of a personal interview in the procedure
- Article 15 Right to legal assistance and representation
- Article 16 Scope of legal assistance and representation
- Article 17 Guarantees for unaccompanied minors
- Article 18 Detention
- Article 19 Procedure in case of withdrawal of the application
- Article 20 Procedure in the case of implicit withdrawal or abandonment of the application
- Article 21 The role of UNHCR
- Article 22 Collection of information on individual cases

# CHAPTER III

### PROCEDURES AT FIRST INSTANCE

# SECTION I

Article 23	Examination procedure
Article 24	Specific procedures

#### SECTION II

Article 25	Inadmissible applications
Article 26	The concept of first country of asylum

Article 27 The safe third country concept

#### SECTION III

Article 28	Unfounded applications
Article 29	Minimum common list of third countries regarded as safe
	countries of origin
Article 30	National designation of third countries as safe countries of origin
Article 31	The safe country of origin concept

## SECTION IV

Article 32 Subsequent application
-----------------------------------

- Article 33 Failure to appear
- Article 34 Procedural rules

# SECTION V

Article 35 Border procedures

## SECTION VI

Article 36 The European safe third countries concept

### CHAPTER IV

## PROCEDURES FOR THE WITHDRAWAL OF REFUGEE STATUS

- Article 37 Withdrawal of refugee status
- Article 38 Procedural rules

#### CHAPTER V

## APPEALS PROCEDURES

Article 39 The right to an effective remedy

## CHAPTER VI

#### GENERAL AND FINAL PROVISIONS

- Article 40 Challenge by public authorities
- Article 41 Confidentiality
- Article 42 Report

Article 43TranspositionArticle 44TransitionArticle 45Entry into forceArticle 46AddresseesSignature

### ANNEX I

Definition of 'determining authority'

When implementing the provision of this Directive, Ireland may, insofar... 'determining authority' provided for in Article 2(e) of this Directive... Ireland will notify the Commission of any amendments to the...

# ANNEX II

Designation of safe countries of origin for the purposes of Articles 29 and 30(1)

A country is considered as a safe country of origin... In making this assessment, account shall be taken, inter alia,... the relevant laws and regulations of the country and the...

# ANNEX III

Definition of 'applicant' or 'applicant for asylum'

When implementing the provisions of this Directive Spain may, insofar...

A 'recurrente' shall be entitled to the same guarantees as... Spain will notify the Commission of any relevant amendments to... Status: This is the original version (as it was originally adopted).

- (1) OJ C 62, 27.2.2001, p. 231 and OJ C 291, 26.11.2002, p. 143.
- (**2**) OJ C 77, 28.3.2002, p. 94.
- (3) OJ C 193, 10.7.2001, p. 77. Opinion delivered following non-compulsory consultation.
- (4) OJ L 304, 30.9.2004, p. 12.
- (5) OJ L 50, 25.2.2003, p. 1.