

## **CORRIGENDUM**

**Corrigendum to notice in the Official Journal in Case C-528/11**

**(Official Journal of the European Union C 370 of 17 December 2011)**

**The text of the notice in Case C-528/11 *Halaf* is to be replaced by the following text:**

**Reference for a preliminary ruling from the Administrativen Sad Sofia (Bulgaria) lodged on 18 October 2011 - *Zuheyr Freyeh Halaf v Darzhavna agentsia za bezhantsite pri Ministerski savet***

**(Case C-528/11)**

*Language of the case: Bulgarian*

### **Referring court**

Administrativen Sad Sofia

### **Parties to the main proceedings**

*Applicant:* Zuheyr Freyeh Halaf

*Defendant:* Darzhavna agentsia za bezhantsite pri Ministerski savet

### **Questions referred**

Is Article 3(2) of Council Regulation (EC) No 343/2003<sup>1</sup> of 18 February 2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national to be interpreted as meaning that it permits a Member State to assume responsibility for examining an asylum application where no personal circumstances exist in relation to the asylum seeker which establish the applicability of the humanitarian clause in Article 15 of that regulation and where the Member State responsible pursuant to Article 3(1) of that regulation has not responded to a request to take back the applicant pursuant to Article 20(1) of Regulation No 343/2003, given that that regulation does not contain any provisions concerning compliance with the principle of solidarity pursuant to Article 80 TFEU?

What is the content of the right to asylum under Article 18 of the Charter of Fundamental Rights of the European Union in conjunction with Article 53 of that Charter and in conjunction with the definition in Article 2(c) and recital 12 of Regulation No 343/2003?

Is Article 3(2) of Regulation No 343/2003, in relation to the obligation under Article 78(1) TFEU to comply with instruments under international law on asylum, to be interpreted as meaning that in the procedure for determining the Member State responsible pursuant to Regulation No 343/2003, the Member States are obliged to request the Office of the UNHCR to present its views, where facts and conclusions therefrom are set out in documents of that Office to the effect that the Member State responsible pursuant to Article 3(1) of Regulation No 343/2003 is in breach of provisions of European Union law on asylum?

If this question is answered in the affirmative, the following question might also be answered:

If such a request is not made to the Office of the UNHCR to present its views, does this constitute a substantial infringement of the procedure for determining the Member State responsible pursuant to Article 3 of Regulation No 343/2003 and an infringement of the right to good administration and the right to an effective legal remedy pursuant to Articles 41 and 47 of the Charter of Fundamental Rights of the European Union, specifically also in the light of Article 21 of Directive 2005/85/EC, which provides that that Office has the right to present its views when individual applications for asylum are examined?

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<sup>1</sup> - OJ 2003 L 50, p 1