

Common standards and procedures for returning illegally staying third-country nationals. "Return Directive"

2005/0167(COD) - 18/04/2008

The Mixed Committee/Council took account of the latest developments in connection with a proposal for a directive on common standards and procedures in Member States for returning illegally staying third-country nationals.

In particular, it took note of the discussions held between the Presidency and the European Parliament on 9 April 2008.

The Presidency emphasised that negotiations both at Council level and with the Parliament had advanced significantly and would require compromise on the part of all. It indicated that more work was still required and whether agreement proved possible would depend in particular on the forthcoming final negotiations with the Parliament.

The Mixed Committee/Council broadly supported the Presidency's position in favour of concluding the negotiations with the Parliament.

The draft directive deals with key issues in the policy of return such as the voluntary departure of returnees, the implementation of a return decision through a removal procedure, the postponement of removal, the imposition of entry bans as a measure accompanying a return decision, the form of the return decision, the remedies against a return decision and the safeguards for a returnee pending return, the possibility of an accelerated procedure for return in certain cases and the detention of returnees and the conditions for this.

The most contentious provisions in the draft directive concern its **scope, voluntary departure, entry ban, detention of illegal nationals and their condition of detention.**

The Mixed Committee/Council committed itself to pursuing work in close contact with the European Parliament with a view to reaching agreement on the draft directive. The Slovenian Presidency has therefore prioritised work on the proposal at Council level and maintained close contact with Parliament. A trialogue at political level took place on 9 April to discuss the most contentious provisions. Another meeting at political level with the Parliament will take place on 23 April 2008.