

Combating illegal immigration: facilitation of unauthorised entry, movement and residence. Initiative France

2000/0821(CNS) - 28/07/2000 - Document attached to the procedure

This text provides an explanation concerning the French proposal with a view to the adoption of a Directive defining the facilitation of unauthorised entry, movement and residence. The purpose of the Directive which aims to assist in combating illegal immigration not merely by taking the measures required against illegally resident aliens, but particularly penalising the individuals and institutions who create and profit from the phenomenon. The objective of the text is to deepen and harmonise measures taken nationally or in the Schengen framework: - nationally most Member States have already taken measures to penalise the facilitation of illegal immigration; - in addition, Article 27 of the Schengen Convention created, as a measure to accompany the setting-up of an area of free movement, an obligation for the States which were parties to the Convention to lay down penalties for any person facilitation illegal entry or residence; - it should be ensured that henceforth the implementation of the penalties follows criteria common to all Member States; - it is essential first, however, to define the offence in question both more precisely and more effectively - the purpose of this instrument. The document then goes on to present each of the articles: - general offence; - participation, instigation and attempt; - penalties; - exemption from liability; - implementation; and - entry into force.