

Third-country nationals: decisions on expulsion, mutual recognition. Initiative France

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The committee adopted the report by Hartmut NASSAUER (EPP-ED, D) rejecting the French initiative under the consultation procedure, thereby maintaining the stance it had taken at a previous meeting on 5 December 2000. Despite unreservedly endorsing the legal objective pursued by the initiative, the committee contested the legal basis. It also criticised the fact that the substantive scope of the directive was limited to administrative decisions by the competent authorities and thus would not apply to decisions by administrative courts. The committee concluded that the problem could only be solved by making use of the powers laid down in Article 63(3)(b) to adopt a directive on the repatriation of illegal residents. It therefore called on the French Republic to withdraw its initiative.