

Immigration: status of third-country nationals who are long-term residents. Extension to beneficiaries of international protection

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The Council held a debate on this proposal on the basis of a questionnaire circulated by the Presidency.

Council Directive 2003/109/EC (the LTR Directive) determines the status of third-country nationals who are long-term residents (residing more than five years in a member state). At the time of the adoption of that directive, the Council welcomed the Commission commitment to follow it up with a proposal for the extension of long-term resident status to refugees and persons benefiting from subsidiary protection. The new Commission proposal, submitted in June 2007, is a response to that commitment.

The Presidency asked Ministers to address the following questions:

(a) Do delegations wish to include beneficiaries of international protection, i.e. recognised refugee status and beneficiaries of subsidiary protection status under Directive 83/2004/EC, in the scope of the LTR Directive?

(b) Do delegations agree that other forms of protection granted by Member States on humanitarian grounds should also be included in the scope of the LTR Directive?

(c) Do delegations wish to treat recognised refugees and beneficiaries of subsidiary protection equally for purposes of the duration of residence?

A majority of delegations could support the inclusion of both refugees and beneficiaries of subsidiary protection in the scope of the Directive, without any difference of treatment between the categories.

On the basis of the debate, the Presidency will prepare a compromise text which will be discussed by Coreper in the next few weeks.