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

2007/0112(COD) - 23/04/2008 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted, by 587 votes to 42 with 31 abstentions, a legislative resolution amending the proposal for a Council directive amending Directive 2003/109/EC to extend its scope to beneficiaries of international protection. The report was tabled for consideration in plenary by Martine ROURE (PES, FR) on behalf of the Committee on Civil Liberties, Justice and Home Affairs.

The main amendments, adopted in the framework of the consultation procedure, are as follows:

-the time spent processing the application should be taken into account in calculating the five years of residence preceding application for long-term residence status. The period between the date on which the first application for international protection is lodged, including where this first application is an application for temporary protection where the latter precedes access to international protection, and the date on which the residence permit is granted shall be taken into account in the calculation;

-beneficiaries of international protection to be exempted from the material conditions (stable resources and sickness insurance) for the granting of long-term resident status, in recognition of the vulnerability of their situation;

-national integration conditions may be applied to beneficiaries of international protection, by a reasoned decision in accordance with Directive 2004/83/EC, only after individual consideration of their case, bearing in mind their particularly vulnerable situation;

-where a Member State decides to expel a long-term resident whose long-term resident?s EC residence permit contains the remark that the holder was granted international protection, it shall contact the Member State that granted international protection in order to confirm the status of long-term resident. Parliament added that the Member State that granted international protection must respond in writing to the Member State that made the request within a maximum of one month. The decision to expel the long-term resident may not be taken until the response of the Member State that granted international protection has been received. The long-term resident may, in accordance with the principle of non-refoulement, only be expelled to this Member State, which shall immediately readmit without formalities the long-term resident and his/her family members.