



Luxembourg, 5 June 2008

Note for video-streaming

2873rd JUSTICE AND HOME AFFAIRS COUNCIL MEETING
Luxembourg, 5-6 June 2008

***Point 3 "Directive on common standards and procedures
for returning illegally staying third-country nationals"***

Return of illegally staying third-country nationals

The Council/Mixed Committee is informed by the Presidency about the state of negotiations regarding the proposal for a Directive of the European Parliament and of the Council on common standards and procedures in Member States for returning illegally staying third-country nationals (the "Return Directive").

This proposal was submitted by the Commission in 2005 and has been examined at length, under successive presidencies. It is to be adopted in co-decision with the European Parliament.

On 22 May 2008, the Permanent Representatives Committee (COREPER) gave its support for a draft overall compromise on this proposal and the Presidency is hoping that an agreement in first reading with the European Parliament could be possible on that basis. The main elements of the text agreed by Coreper can be found in document [9665/08](#).

The draft Directive deals with key issues in the policy of return such as the voluntary departure of returnees, the execution of a return decision through a removal procedure, the postponement of removal, the imposition of entry bans as accompanying measure to 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 its conditions.