

**Question for written answer E-008700/2014
to the Commission**

Rule 130

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Subject: Period of detention for migrants and asylum seekers

Council Directive 2013/33/EU, which lays down standards for the reception of applicants for international protection, stipulates that migrants and asylum seekers 'shall be detained only for as short a period as possible'. The Court of Justice of the European Union has stated that detention ceases to be justified when it appears that a reasonable prospect of removal no longer exists and has specified that, in all cases, the maximum authorised period of detention is 18 months.

In 2014, the Commission has noted that, in general, detention periods in the EU have become shorter. Nevertheless, detention remains the norm in many Member States, even when it ceases to be justified. In some countries, migrants and asylum seekers may be detained for more than 18 months. In Cyprus and Belgium, the authorities frequently detain foreign nationals even when 'a reasonable prospect of removal no longer exists'. In Greece, the Council of State has ruled that the detention period for foreign nationals may be extended indefinitely if detainees do not cooperate during their removal or if they present a flight risk.

1. Does the Commission intend to launch infringement proceedings against Member States which are misusing the detention system and/or which disregard the 18-month limit on detention periods?
2. Does it intend to promote, as alternatives to detention, procedures which take greater account of migrants' fundamental human rights?