



EUROPEAN PARLIAMENT

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Committee on Civil Liberties, Justice and Home Affairs

2007/0112(COD)

30.9.2010

AMENDMENTS

21 - 29

Draft report
Claude Moraes
(PE443.143v01-00)

on the proposal for a directive of the European Parliament and of the Council
amending Directive 2003/109/EC to extend its scope to beneficiaries of
international protection

Proposal for a directive – amending act
(COM(2007)0298 – C6-0196/2007 – 2007/0112(COD))

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PE448.987v01-00

EN

United in diversity

EN

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Amendment 21
Cecilia Wikström

Proposal for a directive – amending act
Recital 6

Text proposed by the Commission

(6) Beneficiaries of international protection who are long-term residents should enjoy equality of treatment with citizens of the Member State of residence in a wide range of economic and social matters, under certain conditions, so that long-term resident status constitutes a genuine instrument for the integration of long-term residents in the society in which they live.

Amendment

(6) Beneficiaries of international protection who are long-term residents should enjoy equality of treatment with citizens of the Member State of residence in a wide range of economic and social matters, under certain conditions, so that long-term resident status constitutes a genuine instrument for the integration of long-term residents in the society in which they live. ***Language training should be provided by the Member States to beneficiaries of international protection in order to facilitate integration. Member States should also be encouraged to develop training programmes about the fundamental laws and core values of the Member State of residence and the principles of democracy, human rights and equality, as well as individual rights and obligations in that Member State.***

Or.en

Justification

This proposal intends to give a long-term resident status to beneficiaries of international protection who have been residing legally on the territory of the EU for more than 5 years. This gives them a real opportunity to integrate, which means, being able to communicate in at least one of the official languages of their Member State of residence and to increase their awareness of their rights and obligations as well as the core values of the Member State of residence.

Amendment 22
Mariya Nedelcheva

Proposal for a directive – amending act
Article 1 – point 6 – point a

Directive 2003/109/EC
Article 12 – paragraph 3a – subparagraph 1

Text proposed by the Commission

“3a. Where a Member State decides to expel a long-term resident whose long-term resident's EC residence permit contains the remark referred to in Article 8(4), it shall **consult** the Member State mentioned in the remark.”

Amendment

“3a. Where a Member State decides to expel a long-term resident whose long-term resident's EC residence permit contains the remark referred to in Article 8(4), it shall **request** the Member State mentioned in the remark **to confirm whether the person is still a beneficiary of international protection in that Member State. The Member State mentioned in the remark shall reply not later than one month after receiving the request for information.**”

Or.en

Amendment 23
Mariya Nedelcheva

Proposal for a directive – amending act
Article 1 – point 6 – point a
Directive 2003/109/EC
Article 12 – paragraph 3 a – subparagraph 2

Text proposed by the Commission

“**Unless in the meantime** international protection **has been withdrawn**, the **long-term resident** shall be expelled to this Member State, which shall immediately readmit without formalities the long-term resident and his/her family members.”

Amendment

“**If the long term resident is still a beneficiary of international protection in the Member State consulted, he/she** shall be expelled to **that** Member State, which shall immediately readmit without formalities the long-term resident and his/her family members, **provided that the family was already constituted in another Member State. Where the family was constituted in another Member State, the Member State mentioned in the remark shall admit the family members of the long-term resident according to the applicable Union or national legislative provisions.**”

Or.en

Amendment 24
Judith Sargentini, Cecilia Wikström

Proposal for a directive – amending act

Article 1 – point 6 – point a

Directive 2003/109/EC

Article 12 – paragraph 3 a – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

“The expulsion of family members should not be automatic, but should be contingent upon the choice of the individual family members in accordance with existing Union legislation.”

Or.en

Amendment 25
Mariya Nedelcheva

Proposal for a directive – amending act

Article 1 – point 6 – point a

Directive 2003/109/EC

Article 12 – paragraph 3 a – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

“By way of derogation, the Member State which took the expulsion decision shall retain the right to remove the long-term resident to a country other than the Member State which granted international protection provided that the long term resident fulfils the conditions specified in Article 21(2) of Directive 2004/83/EC, in accordance with its international obligations.”

Or.en

Amendment 26
Claude Moraes

Proposal for a directive – amending act

Article 1 – point 6 – point b

Directive 2003/109/EC
Article 12 – paragraph 6

Text proposed by the Commission

“6. This Article is without prejudice to Article 21 of Directive 2004/83/EC.”

Amendment

“6. This Article is without prejudice to Article **21(1)** of Directive 2004/83/EC.”

Or.en

Amendment 27
Mariya Nedelcheva

Proposal for a directive – amending act
Article 1 – point 7
Directive 2003/109/EC
Article 22 – paragraph 3a – subparagraph 1

Text proposed by the Commission

“3a. Paragraph 3 shall not apply to third-country nationals whose long-term EC residence permit issued by the first Member State contains the remark referred to in Article 8(4).”

Amendment

“3a. ***Unless in the meantime international protection has been withdrawn or the person falls within one of the categories specified in Article 21(2) of Directive 2004/83/EC***, paragraph 3 shall not apply to third-country nationals whose long-term EC residence permit issued by the first Member State contains the remark referred to in Article 8(4).”

Or.en

Amendment 28
Claude Moraes

Proposal for a directive – amending act
Article 1 – point 7
Directive 2003/109/EC
Article 22 – paragraph 3a - subparagraph 2

Text proposed by the Commission

“This paragraph is without prejudice to Article **21** of Directive 2004/83/EC.”

Amendment

“This paragraph is without prejudice to Article **21(1)** of Directive 2004/83/EC.”

Or.en

Amendment 29
Cecilia Wikström

Proposal for a directive – amending act
Article 2 – paragraph 1 – subparagraph 1
Directive 2003/109/EC

Text proposed by the Commission

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by at the latest. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

Amendment

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by **2 years** at the latest ***after its entry into force***. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

Or.en

Justification

The legal text should provide for a period of 2 years maximum for the transposition of provisions into Member States' national legislation.