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B5-0092/2001

MOTION FOR A RESOLUTION

further to Oral Question B5-0005/2001

pursuant to Rule 42(5) of the Rules of Procedure

by Jean-Marie Le Pen, Charles de Gaulle, Bruno Gollnisch, Carl Lang and
Jean-Claude Martinez

on behalf of the Technical Group of Independent Members - Mixed Group

on the extension of Regulation (EEC) No 1408/71 to third-country nationals

European Parliament resolution on the extension of Regulation (EEC) No 1408/71 to third-country nationals

The European Parliament,

- A. whereas social welfare policy, as is the case with immigration policy and its corollaries, is exclusively a matter for the Member States,
- B. whereas the extension of Regulation (EEC) No 1408/71 to third-country nationals amounts to giving this group the de facto right to enter, reside and work in another Member State than their Member State of residence, in potential contradiction with the laws and policies of the Member State of destination,
- C. whereas, furthermore, since this question has no influence on the proper operation of the common market, while the objectives of the Treaty primarily concern the rights and freedoms of the citizens of the Member States, Article 308 of the EC Treaty can in no circumstances be accepted as the legal basis of such an extension,
- D. having regard to the well-known and clearly identified problems which continue to affect frontier workers in the EU, especially as regards social security and dual taxation,
 - 1. Calls on the Commission to withdraw its proposal for the extension of Regulation (EEC) No 1408/71;
 - 2. Calls on the Council to stop the legislative procedure concerned;
 - 3. Should the procedure be continued, rejects the legal basis chosen, i.e. Articles 42 and 308 of the EC Treaty;
 - 4. Calls on the Council and the Member States to take all possible action (including the revision of Regulation (EEC) No 1408/71) to resolve the day-to-day problems relating to social security and dual taxation which affect EU workers exercising their profession in a Member State other than their own, especially frontier workers;
 - 5. Instructs its President to forward this resolution to the Council and Commission.