Parliamentary Assembly
Assemblée parlementaire
https://pace.coe.int

COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Order 570 (2001)[1]

Non-expulsion of long-term immigrants

Parliamentary Assembly

1. The penalty of expulsion, which may be combined with a prison sentence, is applicable to immigrants who have been living for some time in a Council of Europe member state, but who have no lawful permit of residence. The Assembly notes that the consequences of expulsion for such persons are no different from those affecting persons legally resident in the host country. In particular, it considers that such sanctions imposed on unlawfully resident long-term immigrants for violations of legislation on foreigners are at least as disproportionate as those imposed on lawfully resident immigrants who have committed an ordinary-law offence

2. Moreover, the Assembly also regrets the dearth of information on expulsion practice in the countries of central and eastern Europe, particularly in connection with residents who became foreigners in the wake of the dismantling of certain states.

3. Consequently, the Assembly instructs its Committee on Migration, Refugees and Demography:

3.1. to conduct an in-depth examination and report back to it on the situation and status of long-term immigrants who find themselves in breach of legislation on foreigners;

3.2. to gather information on expulsion practice in the countries of central and eastern Europe.

1. Text adopted by the Standing Committee, acting on behalf of the Assembly, on 14 March 2001 (see Doc. 8986 , report of the Committee on Migration, Refugees and Demography, rapporteur: Mrs Aguiar).