

8842/1/94

REV 1

RESTREINT

CIREFI 14

NOTE

from : Presidency

to : Cirefi Group

No. prev. doc.: 8018/94 CIREFI 7
8842/94 CIREFI 14, pp. 2 and 3

Subject: Agreed amendments to the definitions in 8842/94 CIREFI 14, pp. 2 and 3)

2.1 Refused aliens

Persons who are refused entry at the border owing to:

- a lack of, or counterfeit/falsified, border documents,
- an existing entry or residence prohibition,
- other reasons for refusal.

2.2 Illegal residence of aliens

Persons other than those entitled under Community law who are officially found to be residing in a Member State having entered the country legally or illegally, although they are subject to a legally enforceable obligation to leave the country.

2.3 Aliens who have entered illegally

Persons other than those entitled under Community law who are found to have entered a Member State:

- without being in possession of the requisite border documents (passport, residence permit, visa)
- although they would have been refused entry at the border
- or
- although they are subject to an entry or residence prohibition.

(Aliens who have entered illegally are included in the total of illegally resident aliens.)

2.4 Facilitators

Persons intercepted within the territory of the Member States who have, within the meaning of national criminal law provisions on facilitating, intentionally assisted the illegal entry of persons other than those entitled under Community law.

2.5 Facilitated aliens

Persons other than those entitled under Community law whose illegal entry is found to have been assisted by facilitators.

2.6 Removed aliens

Persons other than those entitled under Community law who, having entered the country illegally, having resided in the country illegally, or for other reasons, are returned to their country of origin or their native country or another third country.
