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# REPORT FOR CONGRESS

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## IMMIGRATION REGISTRATION PROCEDURES APPLICABLE TO FOREIGN NATIONALS

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**IMMIGRATION REGISTRATION PROCEDURES APPLICABLE TO  
FOREIGN NATIONALS**

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**FRANCE**

**IMMIGRATION REGISTRATION PROCEDURES APPLICABLE TO FOREIGN NATIONALS**

**Short term Alien visitors**

In addition to his passport and in some cases visa, an alien visitor, remaining in France for a stay not exceeding three months, is required to be able to supply documents showing the object and conditions of his stay and, if necessary, his financial means of existence and guarantees of his repatriation<sup>1</sup>. The documents to be provided are as follow:<sup>2</sup>

- tourist stay: any documents establishing the object, conditions and notably the duration of the stay;
- business stay: any documents showing the profession of the visitor, the establishments or organizations he is visiting;
- private or family stay: a certificate signed by the individual who will provide for his lodging. The identity and the address of the certificate's signatory must be certified by either the competent mayor or police commissary;
- hospitalization: documents showing that the alien meets all the conditions for being admitted to a public hospital.

Furthermore, innkeepers, landlords of furnished lodgings and camping managers are required to ask each alien visitor to fill out an individual police form "*fiche individuelle de police*" containing the following information: name, date and place of birth, nationality, and domicile. They must submit these forms to the police every day.<sup>3</sup>

**Resident aliens**

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<sup>1</sup> Ordonnance 45-2658 of November 2, 1945 as amended, CODE ADMINISTRATIF, (Daloz 2000), art.5 at 716.

<sup>2</sup> Decree 94-770 of September 2, 1994 & Decree 98-502 of June 23, 1998, CODE ADMINISTRATIF at 833.

<sup>3</sup> Decree 75-412 of May 20, 1975, CODE ADMINISTRATIF at 816.

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French Law does not require that resident aliens check with the French authorities once a year. However, it requires that every resident alien notify his change of address, within eight days of arrival to his new residence, to the competent police station or to the city hall when there is no police station. When notifying his new address, the resident alien must mention his former address and his profession.<sup>4</sup>

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<sup>4</sup> Decree 69-29 of January 6, 1969, CODE ADMINISTRATIF at 826.

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**GREECE AND EUROPEAN UNION**

**IMMIGRATION REGISTRATION PROCEDURES APPLICABLE TO FOREIGN NATIONALS**

**Greece**

In general, under Law No. 2910 of 5/2/2001<sup>1</sup>, aliens are required to obtain residence and work permits granted by the Committee on Immigration or the consular offices before entering the country. They are also required to declare to the above Committee any change in their personal status.

Law 2910 does not require that foreigners appear before the police authorities annually. However, this requirement may be imposed on certain aliens who are deemed to be a threat to security and public order.<sup>2</sup>

**European Union**

Only foreigners who cross the borders illegally by any means are subject to fingerprinting in the Member States of the European Union, including Greece. This is required by EC Regulation No 2725/2000 which established "Eurodac".<sup>3</sup> This is a central database located within the Commission for the purpose mainly of comparing the fingerprints of those who apply for asylum in a Member State. However, this Regulation imposes also on all Member States to "promptly take the fingerprints of all fingers of every alien of at least 14 years of age who is apprehended by the competent control authorities in connection with the irregular crossing by land, sea or air of the border, having come from a third country and who is not turned back." Thus, Member States must transmit to the Central unit, the fingerprint data, sex, date of fingerprinting for the purpose of comparing with the fingerprint data of applicants for asylum transmitted by other Member States and which have already being recorded. The data will be stored in the Central unit for 2 years and afterwards will be erased automatically. Member States must comply with the strict requirements imposed by EC rules on the protection of personal data and privacy as well as the provisions of the European Convention on Human Rights and Fundamental Freedoms.

According to the European Commission, the requirement of fingerprinting anyone who applies for asylum or crosses the borders of the Union illegally, will assist the Member States in knowing who enters their territory and thus strengthen the national security.

Moreover, the obligation to fingerprint alien illegal immigrants in the Member States whose identity cannot be established otherwise derives from a decision of the Executive Committee of the Schengen Agreement<sup>4</sup>. Under this decision which is obligatory, Greece is required to fingerprint every alien

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<sup>1</sup>Entry and Stay of Aliens within Greece, *Episemos Ephemeris tes Kyverneseos tes Hellenikes Demokratias* [Official Gazette of the Hellenic Republic], Part A, No. 91 (2001).

<sup>2</sup> *Id.* Art. 42, paragraph 2.

<sup>3</sup>Council Regulation (EC) No 2725/2000 of 11 December 2000, Concerning the establishment of "Eurodac" for the Comparison of Fingerprints for the Effective Application of the Dublin Convention OJ L 316/1 (12/15/2000).

<sup>4</sup>Decision of the Executive Committee of October 27, 1998 on the adoption of measures to fight illegal immigration. OJ L 239, 09/27/2000.

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illegal immigrant who cannot be identified with certainty and retain the fingerprints in order to inform the appropriate authorities in other Schengen States.

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**ITALY**

**IMMIGRATION REGISTRATION PROCEDURES APPLICABLE TO FOREIGN NATIONALS**

The entry of aliens into the Italian Republic, for both short term and long term stays, is governed by the provisions of the Consolidation act on immigration and by those contained in the implementing regulation.<sup>1</sup>

Aliens in possession of the required documents may enter Italy and may stay for certain periods of time determined according to the purpose of their visit. They need to apply for a temporary permit to the police authority in the province in which they enter, which permit may be renewed on request by the same authority. The law does not require aliens to check in with Italian authorities on a regular basis. However, they have to inform the competent police authority of their change of domicile within fifteen days. In cases of doubt concerning personal identity, an alien may be subject to identification procedures, including fingerprints. In addition, all persons, including relatives, who provide lodging or employment to aliens, or transfer to them immovable property or allow its use, must notify the police within forty eight hours.

Presently the Italian Parliament is considering amendments to immigration legislation, especially concerning illegal immigrants, but the text of the proposed amendments is not yet available.

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<sup>1</sup> Legislative Decree No. 286 of July 25 1998 as amended in Gazzetta Ufficiale della Repubblica Italiana (official law gazette of Italy, G.U.) No. 191 of Aug. 18, 1998, ordinary supplement; and Presidential Decree No. 394 of Aug. 31, 1999 in G.U. No. 258 of Nov. 3, 1999, ordinary supplement.



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**UNITED KINGDOM**  
**IMMIGRATION REGISTRATION PROCEDURES APPLICABLE**  
**TO FOREIGN NATIONALS**

Immigration Regulations in the United Kingdom require that foreign nationals, aged sixteen and over, who are given leave to enter the United Kingdom for more than six months, or three months if entering for employment purposes, register with the police in the area which they are living.<sup>1</sup> The rules also permit the registration requirement in exceptional circumstances where the “immigration officer considers it as necessary to ensure that a foreign national complies with the terms of a limited leave to enter.”<sup>2</sup>

Registration requirements also apply to foreign nationals who have not previously registered and are granted an extension of stay that has the effect of extending their total period of stay in the United Kingdom beyond a period of three months from the date of arrival in the case of those engaged in employment and six months for others.<sup>3</sup>

For shorter periods of residence, certain aliens must also register with the police.<sup>4</sup>

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<sup>1</sup>The Immigration Rules, H.C. 395, Part 10, Paragraph 325.

<sup>2</sup>*Id.* para 325(iv).

<sup>3</sup>*Id.* para 326.

<sup>4</sup> Immigration Regulations 1972, S.I. 1972, No. 1758, as amended.