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This Directive sets out common standards and procedures to be applied in Member States for returning illegally staying third-country nationals, in accordance with fundamental rights as general principles of Community law as well as international law, including refugee protection and human rights obligations. Article 2.

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Directive should be adopted on a case-by-
case basis and based on objective criteria,
implying that consideration should go
beyond the mere fact of an illegal stay.
When using standard forms for decisions

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related to return, namely return decisions and, if issued, entry-ban decisions and decisions on removal, Member States

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