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REPORT

on the proposal for a Council decision concerning the conclusion of the Agreement between the European Community and Bosnia and Herzegovina on readmission
(COM(2007)0425 – C6-0299/2007 – 2007/0142(CNS))

Committee on Civil Liberties, Justice and Home Affairs

Rapporteur: Claudio Fava

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- *** Assent procedure
*majority of Parliament's component Members except in cases
covered by Articles 105, 107, 161 and 300 of the EC Treaty and
Article 7 of the EU Treaty*
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission.)

Amendments to a legislative text

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a Council decision on the conclusion of the Agreement between the European Community and Bosnia and Herzegovina on readmission (COM(2007)0425 – C6-0299/2007 – 2007/0142(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the proposal for a Council decision (COM(2007)0425)¹,
 - having regard to Articles 63(3)(b) and 300(2), first subparagraph, first sentence, of the EC Treaty,
 - having regard to Article 300(3), first subparagraph, of the EC Treaty, pursuant to which to Council consulted Parliament (C6-0299/2007),
 - having regard to Rules 51 and 83(7) of its Rules of Procedure,
 - having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs and the opinion of the Committee on Foreign Affairs (A6 0385/2007),
1. Approves conclusion of the agreement;
 2. Instructs its President to forward its position to the Council and Commission, and the governments and parliaments of the Member States and of the Republic of Bosnia and Herzegovina.

¹ Not yet published in OJ.

EXPLANATORY STATEMENT

The Civil Liberties, Justice and Home Affairs Committee (LIBE) approves conclusion of two, mutually conditional and parallel agreements with Bosnia and Herzegovina on readmission and facilitation of issuance of short-stay visas. The Committee welcomes these agreements, which together with forthcoming Visa Code, implementation of Visa Information System (VIS) and further cooperation in the field of justice and home affairs will extend an area of freedom and security reaching beyond EU.

The Committee believes that in the spirit of joint commitment and ownership, EU and Bosnia and Herzegovina can effectively fight illegal immigration and contribute to the development of democracy, rule of law, human rights and civil society by encouraging easier contact and travel of people between two contracting parties. In this context, the Committee welcomes previous decision by the Bosnia and Herzegovina's authorities to abolish visa requirement for EU citizens and is of the opinion that European Union is still in search of adequate response to that decision.

There is also room for improvement on the side of European Commission to launch an information campaign and to find means and ways to make all the necessary information easily accessible to all travellers in the light of these and other agreements concluded. So far, even Commission's website does not contain any systematic and transparent information on this subject.

It is strongly recommended for the committee monitoring implementation of these agreements as well as to the European Commission itself to identify any asymmetrical barriers preventing from reciprocal procedures becoming obstacles for travellers at the consulates, as well as, at the border crossings. In particular a study must be carried whether partial outsourcing of visa consular services may have an impact on the accessibility and possible undesired increase of visa prices or creating visa-shopping phenomenon.

Finally, the LIBE Committee expects from the European Commission to provide the Parliament with information on the results of the implementation of the agreements.

4.10.2007

OPINION OF THE COMMITTEE ON FOREIGN AFFAIRS

for the Committee on Civil Liberties, Justice and Home Affairs

on the proposal for a Council decision concerning the conclusion of the Agreement between the European Community and Bosnia and Herzegovina on readmission (COM(2007)0425 – C6-0299/2007 – 2007/0142(CNS))

Draftsperson: Doris Pack

app

SHORT JUSTIFICATION

The Committee on Foreign Affairs welcomes the conclusion of the agreement on readmission between the European Community and Bosnia and Herzegovina, which has been negotiated in parallel to the visa facilitation agreement.

The agreement enables both partners to strengthen cooperation in the field of migration management, and particularly in the fight against illegal immigration, creating legally binding rules in the readmission procedures.

The agreement will have wide-ranging implications for border management in Bosnia and Herzegovina. In order to meet fully the obligations arising from it, the country will have to boost considerably its capacities in the area of border control, border administration and border policing. It is of the utmost importance to ensure that the readmission procedures fully respect the rights and duties arising from international law in the field of human rights and the protection of asylum seekers and refugees.

The efforts to comply with the obligations will put a strain on the country's financial and human resources. For that reason, additional funds from the Pre-Accession Instrument should be provided in order to facilitate this process as much as possible, in the form of both financial support and technical assistance and transfer of know-how. This should be supplemented by Member States' activities, particularly the activities of member States bordering on the region. EU Member States could assist by sharing their expertise in the area of border control and migration management. After all, it is in the interests of the European Union to support full and speedy implementation of the agreement.

The Committee on Foreign Affairs calls on the Committee on Civil Liberties, Justice and

Home Affairs, as the committee responsible, to propose approval of the Commission proposal.

PROCEDURE

Title	Agreement between the EC and Bosnia and Herzegovina on readmission
References	COM(2007)0425 - C6-0299/2007 - 2007/0142(CNS)
Committee responsible	LIBE
Opinion by Date announced in plenary	AFET 24.9.2007
Drafts(wo)man Date appointed	Doris Pack 12.9.2007
Discussed in committee	3.10.2007
Date adopted	3.10.2007
Result of final vote	+: 19 -: 4 0: 0
Members present for the final vote	Vittorio Agnoletto, Christopher Beazley, Monika Beňová, Michael Gahler, Jas Gawronski, Alfred Gomolka, Richard Howitt, Anna Ibrisagic, Vytautas Landsbergis, Willy Meyer Pleite, Samuli Pohjamo, Libor Rouček, Katrin Saks, Jacek Saryusz-Wolski, Gitte Seeberg, Ari Vatanen, Josef Zieleniec
Substitute(s) present for the final vote	Árpád Duka-Zólyomi, Gisela Kallenbach, Erik Meijer, Rihards Pīks, Csaba Sándor Tabajdi, Marcello Vernola

PROCEDURE

Title	Agreement between the EC and Bosnia and Herzegovina on readmission		
References	COM(2007)0425 - C6-0299/2007 - 2007/0142(CNS)		
Date of consulting Parliament	18.9.2007		
Committee responsible Date announced in plenary	LIBE 24.9.2007		
Committee(s) asked for opinion(s) Date announced in plenary	AFET 24.9.2007		
Rapporteur(s) Date appointed	Claudio Fava 3.10.2007		
Previous rapporteur(s)	Edith Mastenbroek		
Discussed in committee	10.9.2007	2.10.2007	9.10.2007
Date adopted	9.10.2007		
Result of final vote	+: 24	-: 4	0: 0
Members present for the final vote	Alexander Alvaro, Philip Bradbourn, Mihael Brejc, Kathalijne Maria Buitenweg, Michael Cashman, Giuseppe Castiglione, Giusto Catania, Jean-Marie Cavada, Elly de Groen-Kouwenhoven, Agustín Díaz de Mera García Consuegra, Kinga Gál, Patrick Gaubert, Roland Gewalt, Livia Járóka, Ewa Klamt, Barbara Kudrycka, Claude Moraes, Inger Segelström, Károly Ferenc Szabó, Adina-Ioana Vălean, Manfred Weber, Tatjana Ždanoka		
Substitute(s) present for the final vote	Simon Busuttil, Charlotte Cederschiöld, Evelyne Gebhardt, Ona Juknevičienė, Sylvia-Yvonne Kaufmann, Eva-Britt Svensson		