



EUROPEAN PARLIAMENT

2009 - 2014

Plenary sitting

A7-0267/2014

3.4.2014

RECOMMENDATION

on the draft Council decision on the conclusion of the Framework Agreement between the European Union and its Member States, on the one part, and the Republic of Korea, on the other part, as regards matters related to readmission (05290/2014 – C7-0046/2014 – 2013/0267A(NLE))

Committee on Civil Liberties, Justice and Home Affairs

Rapporteur: Hubert Pirker

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

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

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the draft Council decision on the conclusion of the Framework Agreement between the European Union and its Member States, on the one part, and the Republic of Korea, on the other part, as regards matters related to readmission (05290/2014 – C7-0046/2014 – 2013/0267A(NLE))

(Consent)

The European Parliament,

- having regard to the draft Council decision (05290/2014),
 - having regard to the draft Framework Agreement between the European Union and its Member States, on the one part, and the Republic of Korea, on the other part (06151/2010),
 - having regard to the request for consent submitted by the Council in accordance with Article 79(3) and Article 218(6), second subparagraph, point (a), of the Treaty on the Functioning of the European Union (C7-0046/2014),
 - having regard to Rule 81(1), first and third subparagraphs, Rule 81(2), and Rule 90(7) of its Rules of Procedure,
 - having regard to the recommendation of the Committee on Civil Liberties, Justice and Home Affairs (A7-0267/2014),
1. Gives its consent to the conclusion of the Agreement;
 2. Instructs its President to forward its position to the Council, the Commission and the governments and parliaments of the Member States and of the Republic of Korea.

EXPLANATORY STATEMENT

The Republic of Korea is amongst the most important partners of the European Union in Asia. Both partners, the European Union and its Member States, on the one part, and the Republic of Korea, on the other part, do have such close relations not only because of economic reasons, but also because of the values of democracy, human rights and the rule of law they commonly share.

These close ties already found expression in the Framework Agreement for Trade and Cooperation between the European Community and its Member States, on the one hand, and the Republic of Korea, on the other hand, which was signed in Luxembourg on 28th of October 1996 and which entered into force on 1st of April 2001.

The new Framework Agreement between the European Union and its Member States, on the one part, and the Republic of Korea, on the other part, was concluded on 14th of October 2009 and co-signed on 10th of May 2010 in Seoul. It will repeal the 1996-Agreement and strengthen and deepen the close relationship between both Parties. The Commission tabled its proposal for a Council decision to conclude the Agreement, with the consent of the EP on 12 February this year. The rapporteur regrets the fact that it took almost four years to finalize the ratification process and ask the European Parliament for consent.

As the Council decided on 10th of February 2014 to split the conclusion of the Framework Agreement into two decisions, one concerning the Framework Agreement without the provision on readmission matters, and one concerning the readmission clause in Article 33 (2) arguing the latter falls within the scope of Part III, Title V of the Treaty on the Functioning of the European Union (Article 79 (3) thereof), consent by the European Parliament to the readmission clause in Article 33 (2) is to be drafted by the Committee on Civil Liberties, Justice and Home Affairs (LIBE).

The readmission clause, as stated in Article 33 (2), is a central part of the new Framework Agreement. By agreeing to readmit their respective nationals who stay illegally in the territory of the other Party and by agreeing to provide their nationals with appropriate identity documents in such cases, it will strengthen and intensify the mutual cooperation of both Parties in order to prevent and control irregular migration.

Bearing in mind that Article 33 (2) only states, in general terms, how such a readmission arrangement would look like, the Rapporteur would like to recommend to negotiate, sign and ratify a genuine Readmission Agreement between both Parties and therefore, would like to encourage both Parties to endeavour in concluding such an agreement, as stated in Paragraph 3 of the named Article.

The Rapporteur approves the conclusion of the new Framework Agreement as regards the readmission clause and invites the Committee on Civil Liberties, Justice and Home Affairs (LIBE) to support this report and advocates the European Parliament to give its consent in accordance with Article 218 (6) of the Treaty on the Functioning of the European Parliament.

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	1.4.2014
Result of final vote	+: 31 -: 4 0: 0
Members present for the final vote	Jan Philipp Albrecht, Edit Bauer, Emine Bozkurt, Arkadiusz Tomasz Bratkowski, Carlos Coelho, Agustín Díaz de Mera García Consuegra, Ioan Enciu, Frank Engel, Tanja Fajon, Monika Flašíková Beňová, Kinga Gál, Kinga Göncz, Sylvie Guillaume, Anna Hedh, Teresa Jiménez-Becerril Barrio, Timothy Kirkhope, Juan Fernando López Aguilar, Baroness Sarah Ludford, Monica Luisa Macovei, Svetoslav Hristov Malinov, Véronique Mathieu Houillon, Anthea McIntyre, Roberta Metsola, Carmen Romero López, Judith Sargentini, Birgit Sippel, Csaba Sógor, Nils Torvalds, Axel Voss, Josef Weidenholzer, Tatjana Ždanoka
Substitute(s) present for the final vote	Andrew Henry William Brons, Jean Lambert, Jan Mulder, Hubert Pirker