

EUROPEAN PARLIAMENT

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Committee on Foreign Affairs

2006/0064(CNS)

31.1.2007

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 the Russian Federation on readmission
(COM(2006)0191 – C6-0168/2006 – 2006/0064(CNS))

Draftsperson: Józef Pinior

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SHORT JUSTIFICATION

Your draftsman welcomes the conclusion of the Agreement between the European Community and the Russian Federation on readmission, in parallel to the visa facilitation agreement, as a step toward completing the Common Space of Freedom, Security and Justice within the strategic partnership between the EU and Russia.

He is pleased that the Agreement establishes clear obligations and procedures for the authorities of the Russian Federation and the Member States regarding the readmission of illegal residents.

He considers that the ratification of the Agreement by the Russian Federation and a strong commitment to its implementation should be prerequisites to the enactment of the visa facilitation agreement. He stresses also that all necessary requirements connected to the Agreements on readmission and visa facilitation need to be fulfilled before the Agreements can enter into force. In this regard, he expects a firm commitment from Russia to sign and implement an additional protocol with France, Portugal and Spain regarding the time limit applicable to the detention of illegal immigrants. He insists that the Commission and the Council should inform the European Parliament of the fulfilment of this condition.

He sees the need for the enhancement of the capacity of the Russian Federation in migration management in order for its authorities to be able to meet the responsibilities under the readmission agreement as of its entering into force. Your draftsman is concerned about the absence of a regulatory framework for implementing the Agreement and considers, therefore, that the Commission should seek to provide the Russian authorities with the necessary expertise in order for the country to be in a position to meet its obligations according to the international standards.

He welcomes the fact that the Russian Federation has started dialogue and negotiations with its neighbours on return and readmission in order to be in a position to implement this Agreement regarding the obligation to readmit third-country nationals and stateless persons by the end of a 3-year transition period after its entering into force. The Commission's expertise on negotiating such agreements could serve as an invaluable input in this case as well.

Finally, your draftsman is concerned that the Agreement does not explicitly exclude asylum-seekers from the scope of the Agreement and may, therefore, involve the readmission of asylum-seekers whose claims have not yet been determined on their merits, or whose claims have been rejected or deemed inadmissible pursuant to the application of the "safe third country" concept. Therefore, he insists that the Commission should raise this matter in the joint readmission committee and call for safeguards to ensure that asylum-seekers have access to a fair and effective asylum procedure, inter alia to ensure respect for the principle of *non-refoulement*.

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	Proposal for a Council decision concerning the conclusion of the Agreement between the European Community and the Russian Federation on readmission
References	COM(2006)0191 – C6-0168/2006 – 2006/0064(CNS)
Committee responsible	LIBE
Opinion by Date announced in plenary	AFET 13.6.2006
Enhanced cooperation – date announced in plenary	
Draftsman : Date appointed	Józef Pinior : 3.5.2006
Previous drafts(wo)man	
Discussed in committee	24.1.2007
Date adopted	29.1.2007
Result of final vote	+: 41 -: 12 0: 3
Members present for the final vote	Roberta Alma Anastase, Panagiotis Beglitis, Bastiaan Belder, Marco Cappato, Philip Claeys, Véronique De Keyser, Bronisław Geremek, Ana Maria Gomes, Klaus Hänsch, Jana Hybášková, Anna Ibrisagic, Stanimir Ilchev, Ioannis Kasoulides, Bogdan Klich, Joost Lagendijk, Vytautas Landsbergis, Eugen Mihaescu, Emilio Menéndez del Valle, Willy Meyer Pleite, Pasqualina Napoletano, Annemie Neyts-Uyttebroeck, Baroness Nicholson of Winterbourne, Raimon Obiols i Germà, Justas Vincas Paleckis, Ioan Mircea Pascu, Tobias Pflüger, João de Deus Pinheiro, Mirosław Mariusz Piotrowski, Michel Rocard, Raúl Romeva i Rueda, Libor Rouček, Katrin Saks, José Ignacio Salafranca Sánchez-Neyra, Jacek Saryusz-Wolski, György Schöpflin, Gitte Seeberg, Konrad Szymański, Antonio Tajani, Charles Tannock, Paavo Väyrynen, Inese Vaidere, Geoffrey Van Orden, Josef Zieleniec
Substitute(s) present for the final vote	Laima Liucija Andrikiienė, Alexandra Dobolyi, Árpád Duka-Zólyomi, Jaromír Kohlíček, Janusz Onyszkiewicz, Doris Pack, Rihards Pīks, Józef Pinior, Miguel Portas, Aloyzas Sakalas
Substitute(s) under Rule 178(2) present for the final vote	Hanna Foltyn-Kubicka, Leopold Józef Rutowicz, Czesław Adam Siekierski
Comments (available in one language only)	...