



EUROPEAN PARLIAMENT

2009 - 2014

Committee on Foreign Affairs

2009/0036(NLE)

7.6.2010

OPINION

of the Committee on Foreign Affairs

for the Committee on Civil Liberties, Justice and Home Affairs

on the proposal for a Council decision on the conclusion of the Agreement between the European Community and the Islamic Republic of Pakistan on the readmission of persons residing without authorization (5942/2010 – C7-0264/2009 – 2009/0036(NLE))

Rapporteur: Gabriele Albertini

PA_Legapp

SHORT JUSTIFICATION

After 8 years of negotiations between the European Commission and Pakistan, agreement was finally reached on a re-admission procedure for persons residing without authorization, and the agreed text was signed in October 2009, subject to its conclusion. With the coming into force of the Lisbon Treaty, the European Parliament will have to give its consent to the proposed agreement; if Parliament votes to reject the agreement, it cannot come into force. The Committee on Civil Liberties, Justice and Home Affairs (LIBE) is the lead committee and, given the long-standing interest in Pakistan of the Committee on Foreign Affairs, AFET requested authorisation to draft an opinion.

The proposed decision concerning the conclusion of the agreement sets out the necessary internal arrangements for the practical application of the Agreement. In the Explanatory Memorandum attached to the proposal, the Commission points out that the readmission obligations are drawn up in a fully reciprocal way, comprising own nationals as well as third-country nationals and stateless persons. A derogation for Denmark and, latterly, Ireland, from the decision, has been agreed.

The original draft opinion had called on the Committee on Civil Liberties, Justice and Home Affairs, as the committee responsible, to reject the proposal, pointing to the unstable internal situation and the persistent pattern of human rights violations in Pakistan, the absence by the Commission in its negotiations of attempts to ensure that the rights and safety of returnees (both Pakistanis and third country or stateless persons in transit to the final state of destination) would be respected, as hardly reassuring in the context of compulsory readmissions to Pakistan. Also cited as disturbing was the fact that no evaluation has yet been made of the 11 re-admission agreements already in forced, particularly in the light of concerns about respect for human rights.

Members agreed that these were indeed significant concerns but decided that a clear framework for co-operation on readmission with Pakistan was preferable to a situation where there is a risk that Member States proceed to return illegal immigrants on an ad hoc basis and without EU supervision regarding respect for the human rights of returnees, whether of Pakistani origin or third country or stateless people in transit through Pakistan. Article 16 of the Readmission agreement would ensure that the EU had a say in this respect. The Committee reiterated the need for an evaluation of the agreements concluded thus far by the EU but took the view that these general considerations should not lead to the rejection of this particular agreement.

The Committee on Foreign Affairs calls on the Committee on Civil Liberties, Justice and Home Affairs, as the committee responsible, to propose that Parliament give its consent.

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	1.6.2010
Result of final vote	+: 40 -: 10 0: 0
Members present for the final vote	Gabriele Albertini, Sir Robert Atkins, Michael Gahler, Marietta Giannakou, Andrzej Grzyb, Takis Hadjigeorgiou, Ioannis Kasoulides, Tunne Kelam, Nicole Kiil-Nielsen, Maria Eleni Koppa, Andrey Kovatchev, Wolfgang Kreissl-Dörfler, Eduard Kukan, Ryszard Antoni Legutko, Sabine Lösing, Ulrike Lunacek, Barry Madlener, Mario Mauro, Willy Meyer, Francisco José Millán Mon, Alexander Mirsky, Annemie Neyts-Uyttebroeck, Raimon Obiols, Kristiina Ojuland, Pier Antonio Panzeri, Alojz Peterle, Mirosław Piotrowski, Bernd Posselt, Cristian Dan Preda, Fiorello Provera, José Ignacio Salafranca Sánchez-Neyra, Jacek Saryusz-Wolski, Werner Schulz, Ernst Strasser, Charles Tannock, Zoran Thaler, Inese Vaidere, Kristian Vigenin, Boris Zala
Substitute(s) present for the final vote	Elena Băsescu, Nikolaos Chountis, Hélène Flautre, Kinga Gál, Roberto Gualtieri, Judith Sargentini, György Schöpflin, Alf Svensson, Renate Weber
Substitute(s) under Rule 187(2) present for the final vote	Jean-Paul Basset, Michèle Striffler