



EUROPEAN PARLIAMENT

2009 - 2014

Committee on Foreign Affairs

2012/0332(NLE)

27.6.2013

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 Union and the Republic of Armenia on the readmission of persons residing without authorisation
(05859/2013 – C7-0113/2013 – 2012/0332(NLE))

Rapporteur: Tomasz Piotr Poręba

PA_Leg_Consent

SHORT JUSTIFICATION

In its Communication on Strengthening the European Neighbourhood Policy (ENP) of 4 December 2006¹, the Commission had recommended that negotiations on readmission and visa facilitation should be initiated with ENP countries. According to the common approach for the development of EU policy on visa facilitation agreed at the level of COREPER by the Member States in December 2005, a visa facilitation agreement would not be concluded without a readmission agreement being in place.

The Prague Summit Joint Declaration of 7 May 2009 establishing the Eastern Partnership has underlined the importance of promoting the mobility of citizens in a secure environment, through visa facilitation and readmission agreements. It set visa liberalisation as the long term objective that has to be accompanied by improvement in security conditions to fight cross border crime and irregular migration. The Warsaw Summit of September 2011 reconfirmed these objectives, stressing particularly that further cooperation and coordination should include the prevention of and the fight against illegal migration, the promotion of secure and well managed migration and mobility and integrated border management as a goal.

The proposed decision takes into account and reflects the existing framework for cooperation with Armenia, in particular Partnership and Cooperation Agreement which entered into force in 1999, the EU-Armenia European Neighbourhood Policy Action Plan adopted in November 2006, the Declarations from the Eastern Partnership Summit, as well as the ongoing negotiations for the EU-Armenia Association Agreement.

The formal authorisation for negotiation of the readmission agreement with Armenia was adopted on 19 December 2011. The negotiations began in February 2012 and the agreed text was initialled on 18 October 2012.

The proposed decision for the conclusion of the agreement contains a set of standard elements included in the readmission agreements concluded between the EU and third countries. The readmission obligations are drawn in a fully reciprocal way and comprise nationals, third country nationals and stateless persons, establishing also the prerequisites for the obligation to readmit the latter two. The agreement sets out the arrangements for the practical application of the agreement, including the establishment of a Joint Readmission Committee, the conditions for the accelerated procedure, clauses on costs, data protection and relation to other international obligations. The agreement applies to the territories of Armenia and the EU, with the exclusion of Ireland, Denmark, and the United Kingdom.

The agreement contains a clause reaffirming that agreement shall be applied as to ensure respect for human rights and for the obligations and responsibilities of the parties under the relevant international instruments applicable to them.

Armenia has ratified a number of relevant international conventions, including the 1951 Geneva Convention relating to the status on refugees and the 1967 Protocol. It is a member of the Council of Europe and of the Organisation for Security and Cooperation in Europe.

¹ COM(2006)0726

Armenia is a partner country within the framework of the Eastern Partnership, which is based on commitments to the principles of international law and to fundamental values, including the respect for human rights and fundamental freedoms and the negotiations for a new and enhanced EU-Armenia Association Agreement has been launched on 15 July 2010. Moreover, an EU-Armenia Human Rights Dialogue has been launched in December 2009 and four rounds have been held to date.

Considering the above elements, the Rapporteur of the opinion thus believes that sufficiently sound framework is in place in Armenia to ensure that the rights of those persons treated under the agreement will be respected. The readmission agreement should be concluded in a timely manner and enter into force simultaneously with the agreement on visa facilitation, since the two agreements are linked.

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	27.6.2013
Result of final vote	+: 28 -: 1 0: 1
Members present for the final vote	Bastiaan Belder, Michael Gahler, Ana Gomes, Anna Ibrisagic, Liisa Jaakonsaari, Anneli Jäätteenmäki, Jelko Kacin, Tunne Kelam, Eduard Kukan, Alexander Graf Lambsdorff, Marusya Lyubcheva, Ria Oomen-Ruijten, Bernd Posselt, Hans-Gert Pöttering, Tokia Saïfi, José Ignacio Salafranca Sánchez-Neyra, Nikolaos Salavrakos, Marek Siwiec, Charles Tannock, Eleni Theoharous, Geoffrey Van Orden, Boris Zala
Substitute(s) present for the final vote	Antonio López-Istúriz White, Marietje Schaake, Traian Ungureanu, Ivo Vajgl, Janusz Władysław Zemke
Substitute(s) under Rule 187(2) present for the final vote	Leonidas Donskis, Danuta Jazłowiecka, Gabriel Mato Adrover