Council of the European Union

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PROPOSAL

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	18 December 2015
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2015) 666 final
Subject:	Proposal for a COUNCIL DECISION determining the EU position for a Recommendation of the Joint Readmission Committee set up under the Readmission Agreement between the European Community and the Russian Federation, with regard to readmission applications requiring the arrangement of interviews

Delegations will find attached Commission document COM(2015) 666 final.

Encl.: COM(2015) 666 final

EUROPEAN
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Brussels, 18.12.2015
COM(2015) 666 final

2015/0305 (NLE)

Proposal for a

COUNCIL DECISION

determining the EU position for a Recommendation of the Joint Readmission Committee set up under the Readmission Agreement between the European Community and the Russian Federation, with regard to readmission applications requiring the arrangement of interviews

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

The Agreement between the European Union and Russia on readmission entered into force on 1 June 2007. According to Article 19(1)(b) of the Agreement, the Joint Readmission Committee has the task "to decide on arrangements necessary for the uniform execution of [the] Agreement". According to Article 6(3) of the Committee's Rules of Procedure adopted by its Decision No 1/2007 of 25 July 2007, the Committee may adopt recommendations.

A first recommendation with regard to readmission applications requiring the arrangement of interviews was adopted by the Joint Readmission Committee on 2 June 2009. It appeared that this recommendation should be further clarified by a second one to provide guidelines when time limits for the arrangement of interviews could not be respected, in order to reschedule those interviews.

2. RESULTS OF CONSULTATIONS WITH THE INTERESTED PARTIES AND IMPACT ASSESSMENTS

The project of the recommendation annexed to this proposal for a Council Decision was discussed and agreed with the Russian side during the 12th, 13th and 14th meetings of the Committee and was prepared in close cooperation with the Member States who were also present during the discussions of the Committee on the issue. For lack of a scheduled meeting of the Working Party on Integration, Migration and Expulsion, the Commission consulted on 20 October 2014 the Justice and Home Affairs Counsellors on this draft recommendation, which did not render any comments.

3. FINANCIAL AND BUDGET IMPACT

This proposal has no impact on the EU budget.

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the third paragraph of Article 79 in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) The Agreement of 25 May 2006[1] between the European Community and the Russian Federation on readmission (hereinafter referred to as the "Readmission Agreement") entered into force on 1 June 2007.

(2) Article 19 of the Readmission Agreement sets up a Joint Readmission Committee to be responsible for the tasks specified therein.

(3) Article 19(1)(b) of the Readmission Agreement lays down that the Joint Readmission Committee is to decide on arrangements necessary for the uniform execution of the Agreement.

(4) The interview is one of the elements of the readmission procedure provided for in the Agreement and according to Article 9 (4) should be arranged when none of the documents listed in Annexes 2 and 3 to the Agreement can be attached by the requesting party to the readmission application,

(5) A first recommendation with regard to readmission applications requiring the arrangement of interviews was adopted by the Joint Readmission Committee on 2 June 2009. It appeared that this recommendation should be further clarified by a second one to provide guidelines when time limits for the arrangement of interviews could not be respected, in order to reschedule those interviews.

(6) It is therefore appropriate to determine the Union position in relation to the recommendation with regard to readmission applications requiring the arrangement of interviews to be adopted by the Committee,

[1] OJ L 129 of 17 May 2007, p. 40.

HAS ADOPTED THIS DECISION:

Article 1

1. The position to be taken by the European Union within the Joint Readmission Committee set up by Article 19 of the Agreement between the European Community and the Russian Federation on readmission, regarding the adoption of the recommendation with regard to readmission applications requiring the arrangement of interviews shall be based on the draft Joint Readmission Committee recommendation attached to this Decision.

2. Minor technical corrections to the draft Joint Readmission Committee recommendation may be agreed by the representatives of the Union in the Joint Committee without further decision of the Council.

Done at Brussels,

For the Council
The President