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'I' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee
No. prev. doc.:	11296/20
Subject:	Draft Council Implementing Decision setting out a recommendation on addressing the deficiencies identified in the 2019 evaluation of **Germany** on the application of the Schengen acquis in the field of **return** **-** Decision to use the written procedure for the adoption

1. Following the Council's adoption of Regulation (EU) No 1053/2013 establishing an evaluation and monitoring mechanism to verify the application of the Schengen acquis, a team of experts from the Member States and the Commission carried out an evaluation of Germany on the application of the Schengen acquis in the field of return in 2019.

2. In accordance with that Regulation, the Commission submitted to the Council a proposal for a Council Implementing Decision setting out a Recommendation designed to address the deficiencies identified in the course of the evaluation and ensure that Germany applies all Schengen rules related to return correctly and effectively.

3. The Working Party for Schengen Matters (Evaluation), including the Mixed Committee partners Norway, Iceland, Switzerland and Liechtenstein, agreed on the proposal for the Council Implementing Decision setting out a Recommendation on 25 September 2020.

4. The Permanent Representatives Committee is therefore asked:

- to recommend that the Council adopt the draft Council Implementing Decision, as set out in 11296/20;

- to decide, in accordance with the first subparagraph of Article 12(1) of the Council's Rules of Procedure and Article 1 of Council Decision 2020/430, that the Council uses the written procedure for its adoption.