Council of the European Union

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COEST 194

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject:	COUNCIL DECISION on the signing, on behalf of the Union, of the Agreement between the European Union and the Republic of Belarus on the readmission of persons residing without authorisation

COUNCIL DECISION (EU) 2019/…

of …

on the signing, on behalf of the Union, of the Agreement between the European Union and the Republic of Belarus on the readmission of persons residing without authorisation

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 79(3), in conjunction with Article 218(5) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) On 28 February 2011, the Council authorised the Commission to open negotiations with the Republic of Belarus on an Agreement between the European Union and the Republic of Belarus on the readmission of persons residing without authorisation ('the Agreement'). The negotiations were successfully concluded by the initialling of the Agreement via exchange of emails on 17 June 2019.

(2) In the Eastern Partnership Summit Declaration of 7 May 2009, the Union and the partner countries reaffirmed their political support towards full liberalisation of the visa regime in a secure environment, and towards promoting mobility by concluding visa facilitation and readmission agreements with Eastern Partnership countries.

(3) The purpose of the Agreement is to establish rapid and effective procedures for the identification and safe and orderly return of persons who do not, or no longer, fulfil the conditions for entry to, presence in, or residence on the territory of Belarus or of a Member State of the Union, and to facilitate the transit of such persons in a spirit of cooperation.

(4) In accordance with Articles 1 and 2 of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, and without prejudice to Article 4 of that Protocol, those Member Sates are not taking part in the adoption of this Decision and are not bound by it or subject to its application.

(5) In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Decision and is not bound by it or subject to its application.

(6) The Agreement should be signed and the Joint Declarations attached to the Agreement be approved,

HAS ADOPTED THIS DECISION:

Article 1

The signing on behalf of the Union of the Agreement between the European Union and the Republic of Belarus on the readmission of persons residing without authorisation is hereby authorised, subject to the conclusion of the said Agreement[1+].

Article 2

The Joint Declarations attached to the Agreement shall be approved on behalf of the Union.

Article 3

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the Union.

Article 4

This Decision shall enter into force on the date of its adoption.

Done at …,

For the Council
The President

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1 The text of the Agreement will be published together with the decision on its conclusion.
+ Delegations: see document ST 12160/19.