

12509/95

LIMITE

RELEX 45

"I/A" ITEM NOTE

from: Permanent Representatives Committee

on : 12 December 1995

to : Council and Representatives of the Governments of the Member States meeting within the Council

Nos prev. docs: 10277/95 RELEX 30
SN 4064/95

Subject: **Readmission**
– **Community agreements**

As the German, Austrian and Netherlands delegations have now lifted their reservations, the Permanent Representatives Committee has agreed to recommend, in respect of Community agreements ⁽¹⁾, that the Council and the Representatives of the Governments of the Member States, meeting within the Council, approve the Presidency proposal annexed hereto.

(¹) The JHA Council has already approved the arrangements for mixed-type agreements (see 11955/1/95 REV 1).

**Draft conclusions approved by the Council and the Representatives
of the Governments of the Member States meeting within the Council**

The Council and the Representatives of the Governments of the Member States, meeting within the Council, agree that entry of the following draft statements in the negotiating mandate for a Community agreement will be considered on a case by case basis when directives for the negotiation of future such agreements are adopted:

1. Draft statements by the Community and by State X
(These statements would be made when the agreements were signed and would form part of the final act)

"The European Community recalls the importance attached by its Member States to effective cooperation with third countries to facilitate the readmission of nationals of the latter who are present illegally in the territory of a Member State."

"State X undertakes to conclude readmission agreements with the Member States of the European Union which so request."

2. Draft statement by the Representatives of the Governments of the Member States, meeting within the Council, for the Council minutes

At the time of the Decision concluding the Community agreement in question, to be adopted by the Council solely on the basis of the relevant provisions of the Treaty, the Representatives of the Governments of the Member States, meeting within the Council, duly prepared, will examine whether the third country with which that Community agreement has been signed subject to conclusion has complied with its commitment to conclude bilateral readmission agreements with the Member States of the European Union which have so requested.