Council of the European Union

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'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Council Decision on the signing of the Agreement between the European Union and the Federal Republic of Nigeria on the return and readmission of persons who do not, or no longer, fulfil the conditions for entry, presence, or residence in the territory of either Party - Adoption Draft Council Decision on the conclusion of the Agreement between the European Union and the Federal Republic of Nigeria on the return and readmission of persons who do not, or no longer, fulfil the conditions for entry, presence, or residence in the territory of either Party - Request for the consent of the European Parliament

1. On 12 September 2016, the Council adopted a Decision authorising the Commission to open negotiations on the agreement between the European Union and the Federal Republic of Nigeria on the return and readmission of persons who do not, or no longer, fulfil the conditions for entry, presence, or residence in the territory of either Party (11975/16 MIGR 154 COAFR 240, which refers to the negotiating directives set out in document 11946/16 MIGR 153 COAFR 238 EU RESTRICTED). This Decision authorised the Commission to negotiate on behalf of the Union and gave the Commission the necessary negotiating directives for that purpose.

2. The negotiations started on 26 October 2016 and after 14 rounds of negotiations the text of the Agreement was initialled during the 8th Nigeria-EU Ministerial Dialogue on 23 March 2026 in Abuja.

3. On 6 July 2026, the Commission submitted to the Council:

   – a recommendation for a Council Decision on the signing of the Agreement between the European Union and the Federal Republic of Nigeria on the return and readmission of persons who do not, or no longer, fulfil the conditions for entry, presence, or residence in the territory of either Party (11586/26+ADD 1);

   – a recommendation for a Council Decision on the conclusion of the Agreement between the European Union and the Federal Republic of Nigeria on the return and readmission of persons who do not, or no longer, fulfil the conditions for entry, presence, or residence in the territory of either Party (11582/26+ADD 1).

4. These proposals t were examined at the JHA counsellors meeting on 9 September 2026.

5. Ireland has notified, by a letter of 8 October 2026[1], its wish to take part in the adoption and application of the above-mentioned Decisions and the recital on Ireland participation has been included in the revised Decisions.

6. In accordance with the provisions of the Treaty, the consent of the European Parliament is required before the Council adopts the Decision on the conclusion of the readmission agreement.

[1] 14143/26

7. In light of the above, and subject to confirmation by the Permanent Representatives' Committee, the Council is invited to:

– adopt the Council Decision on the signing, on behalf of the Union, of the Agreement between the European Union and the Federal Republic of Nigeria on the return and readmission of persons who do not, or no longer, fulfil the conditions for entry, presence, or residence in the territory of either Party, as set out in document 12948/26 (text finalised by the lawyer linguists) ;

– note that the European Parliament will be informed in accordance with Article 218(10) TFEU and that the above-mentioned Council Decision on the signing will be transmitted to the European Parliament;

– decide that the text of the above-mentioned Decision will be published in the Official Journal, "L" series, in accordance with Article 17(1)(d) of the Council's Rules of Procedures.

– confirm the agreement in principle on the text of the draft Council Decision on the conclusion of the Agreement between the European Union and the Federal Republic of Nigeria on the return and readmission of persons who do not, or no longer, fulfil the conditions for entry, presence, or residence in the territory of either Party, as set out in document 12941/26, as well as the text of the readmission agreement, as set out in document 12944/26 (texts finalised by the lawyer linguists), and decide to forward the draft Decision on the conclusion of the said agreement and the text of the readmission agreement to the European Parliament for its consent.