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NOTE

From: General Secretariat of the Council

To: Permanent Representatives Committee/Council

Subject: Proposal for a Regulation of the European Parliament and of the Council establishing a common system for the return of third-country nationals staying illegally in the Union, and repealing Directive 2008/115/EC of the European Parliament and of the Council, Council Directive 2001/40/EC and Council Decision 2004/191/EC

- General approach
- Statement by the EL delegation

Delegations will find in the annex a statement by the EL delegation in relation to the abovementioned regulation.

STATEMENT BY GREECE

Greece attaches great importance in the establishment of a common EU system for returns, as soon as possible. A common system will enhance the uptake of voluntary returns and disincentivize unauthorized movements between the Member States by providing for a credible forced return pillar and by harmonizing certain rules and procedures, including the application of a mandatory system of mutual recognition and enforcement of return decisions.

In this context, Greece extends its sincere appreciation to the Danish Presidency, for the dedicated efforts throughout the negotiation process in improving the text and in pursuit of a balanced compromise. In particular, Greece welcomes the improvements made regarding the provisions regulating return hub, entry ban, return of third country-nationals posing security risks, obligations during the return procedure, measures to promote return and detention.

However, Greece believes that the triggering mechanism for the transition to the mandatory system of mutual recognition of return decisions should be simpler, faster and more efficient and not through a new amendment of the Regulation in the future.

Furthermore, Greece maintains its substantial reservations regarding the broadening of possibilities for transfers between the Member States on the basis of a vague cooperation framework [Art. 8 (1)(b) combined with Article 44 (1)(c)].

For those reasons, Greece is abstaining on the General Approach on the Regulation on establishing a common system for the return of third-country nationals staying illegally in the EU, as it currently stands, and during the upcoming trilogues will continue to advocate, in particular, for a certain and swifter transition to the mandatory application of the mutual recognition of return decisions.
