Council of the European Union
General Secretariat

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WORKING DOCUMENT

From:	Presidency
To:	Working Party on Integration, Migration and Expulsion (IMEX Expulsion) JHA Counsellors (Migration, Integration, Expulsion)
Subject:	Flash note from the Presidency - Working Party on Integration, Migration and Expulsion (IMEX Expulsion)/Mixed Committee (EU-Iceland/Norway and Switzerland/Liechtenstein) on 19 November 2025 and JHA Counsellors meeting (IMEX Expulsion)/Mixed Committee (EU-Iceland/Norway/Switzerland/Liechtenstein) on 20 November 2025

Delegations will find enclosed the Presidency flash for the Working Party on Integration, Migration and Expulsion (IMEX Expulsion)/Mixed Committee (EU-Iceland/Norway and Switzerland/Liechtenstein) meeting on 19 November and JHA Counsellors meeting (IMEX Expulsion)/Mixed Committee (EU-Iceland/Norway/Switzerland/Liechtenstein) on 20 November 2025.

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FLASH

Working Party on Integration, Migration and Expulsion (IMEX Expulsion) 19 November 2025 and JHA Counsellors (IMEX Expulsion) 20 November 2025

Dear Colleagues,

We are pleased to invite you to the sixth and final Integration, Migration and Expulsion Working Party (IMEX Expulsion) meeting under the Danish Presidency, scheduled for 19 November 2025, and to the next JHA Counsellors (IMEX Expulsion) meeting under the Danish Presidency, scheduled for 20 November 2025.

Both meetings will start at 10:00 and are expected to finish at 18:30 and will be held in the COMIX format. The agenda for the IMEX Expulsion Working Party meeting was published on the Delegates Portal on 14 November 2025 (doc CM 5090/25).

There are two substantial items on the agenda: 1) a brief follow-up by the Presidency on Ireland's participation in the Return Regulation; and 2) examination of the Presidency's third compromise proposal on the draft Return Regulation.

The process since the last IMEX Expulsion meeting

At its meeting on 30 and 31 October 2025, the IMEX Expulsion Working Party examined the Presidency's second compromise proposal on the Return Regulation. The interventions and written comments seemed to suggest that Member States overall saw the second compromise proposal as yet another step in the right direction. At the same time, it was clear that hard work was still needed to address some issues.

Based on the remarks made during the meeting and subsequent written comments, we organised a JHA Counsellors meeting for 10 November to present and examine a number of Articles that we considered finalised following some mostly minor changes.

We have concluded that, while most of these Articles indeed could be considered as generally agreed upon, there were also some that had to be revisited for final adjustments.

The updated third compromise proposal that will be presented at this last IMEX Expulsion Working Party meeting during the Danish Presidency hopefully represents another significant step towards reaching a general approach on this very important file.

We would like to – once again - thank the Member States, the Council Legal Service and the Commission for their hard work and very constructive input through this intense process.

Mutual recognition:

Article 9 on mutual recognition continues to be a challenging element of the Return Regulation.

At the IMEX Expulsion Working Party meeting on 30-31 October, delegations were invited to express their views on possible ways forward and a number of suggestions have been made.

At the JHA Counsellors meeting on 10 November, we had a dedicated discussion on Article 9 on mutual recognition. The revised version of Article 9 that was presented at this meeting was modified to further enhance flexibility for the enforcing Member State to choose the fastest and most efficient way to enforce a return decision and avoid situations where it would be unable to act or implement return.

Finally, another compromise version pertaining to mutual recognition, which aimed to provide clarity on essential questions and concerns of Member States, was discussed as a dedicated JHA Counsellors meeting on 14 November.

Mutual recognition will also be on the agenda of the COREPER meeting on 19 November.

The day after, on 20 November, we plan to have a discussion on Article 9 at the JHA Counsellors meeting, hoping to see a meaningful development that clearly points towards an agreement on this issue within the limited time that remains.

Ireland's participation in the Regulation

At the JHA Counsellors meeting on 10 November, we discussed Ireland's participation in the Return Regulation. Following presentations from the Commission's Legal Service, the Council's Legal Service and the Irish Delegation respectively, the Presidency invited delegations to express their views on Ireland's participation.

At the IMEX Expulsion Working Party meeting on 19 November, we will provide a brief follow-up on Ireland's participation in the Return Regulation. We therefore invite the delegations who have not yet indicated a clear position on this issue to reach out to the Presidency before then.

Examination of the third compromise proposal at the meeting

We plan to examine the third compromise proposal both at the IMEX Expulsion Working Party meeting on 19 November as well as at the JHA Counsellors meeting on 20 November.

We will examine articles both days. *We expect to discuss the first 3 batches at the IMEX Expulsion Working Party meeting on 19 November*.

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For the preparation of your interventions, please note that we will proceed as follows:

Batch 1: Articles 4, 7, 8, 12

Batch 2: Articles 17, 44, 36, 37, 52, recitals (23), (23a)

Batch 3: Articles 26, 28, 32, 42

Batch 4: Articles 21, 21a, 22, 23, 23a, 23b, 23c, 29, 30, 31

Batch 5: Article 9, 49, recitals (9a), (18), (18a), (18b), (19)

Batch 6: Other recitals and article 1, 11, 39, 40, 41

Batch 7: Articles 2, 3, 5, 6, 10, 13, 14, 15,16, 18, 19, 20, 24,25, 27, 33, 34, 35, 38, 43, 45, 46, 47, 48, 50, 51

Should you have any questions or AOB points to propose, please do not hesitate to contact us at the following e-mail address: IMEXExpulsion.WP.DK25@uim.dk

Best regards,

The Danish Presidency IMEX-team