



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 12 March 2013**

**7317/13**

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**Interinstitutional File:  
2012/0331 (NLE)**

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**MIGR 22  
COEST 49  
OC 132**

**"I/A" ITEM NOTE**

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from: General Secretariat of the Council  
to: Permanent Representatives Committee (Part 2)/ Council (Environment)  
Subject: COUNCIL DECISION on the signature of the Agreement between the European Union and the Republic Armenia on the readmission of persons residing without authorisation  
**COMMON GUIDELINES**  
Consultation deadline: 21.03.2013

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1. On 19 December 2011, the Council adopted a Decision authorising the Commission to negotiate a readmission agreement between the European Union and Armenia (doc. 17780/1/11 RESTREINT UE, MIGR 200, COEST 459). The Decision authorised the Commission to negotiate on behalf of the Community and gave it the necessary negotiating directives for that purpose.
2. The draft readmission agreement, transmitted by the Commission to the authorities of Armenia, was examined in several rounds of negotiations and it was initialled on 18 October 2012.

3. By a letter received on 27 November 2012, the Commission submitted a proposal for a Council Decision concerning the signature of the Agreement between the European Union and Armenia on the readmission of persons residing without authorisation (doc. 16909/12, MIGR 136, COEST 412). The text of the Agreement to be signed was attached to the draft Decision.
4. In accordance with 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 the Treaty on the Functioning of the European Union, the United Kingdom has not notified as yet whether it wishes to take part in this Agreement in accordance with that Protocol (the deadline for exercising its opt-in rights expires on 18 March).
5. In accordance with 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 the Treaty on the Functioning of the European Union, Ireland has not notified as yet whether it wishes to take part in this Agreement in accordance with that Protocol (the deadline for exercising its opt-in rights expires on 18 March).
6. The provisions of this Agreement, which falls within the scope of Title V of Part Three of the Treaty on the Functioning of the European Union, do not apply to the Kingdom of Denmark, in accordance with Protocol 22 on the position of Denmark Annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union.
7. The Permanent Representatives Committee could confirm the agreement reached on the Decision on the signing on behalf of the European Union of the Agreement between the European Union and Armenia on readmission of persons residing without authorisation and suggest that the Council:

- adopt, under part "A" of the agenda of a forthcoming session, the Decision (doc. 5861/13 MIGR 12 COEST 21 OC 42) on the above Agreement (doc. 5860/13 MIGR 11 COEST 20 OC 41), as finalised by the Legal Linguistic experts;
  
- decide - with a view to preparing for the future conclusion of the above Agreement, as an "A" item on the agenda of one of its forthcoming meetings - to forward the draft Decision on the conclusion of the said Agreement, set out in documents 5859/13 MIGR 10 COEST 19 OC 40 and 5860/13 MIGR 11 COEST 20 OC 41, to the European Parliament for its consent following signature of the Agreement.

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