



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 15 October 2013
(OR. en)**

14762/13

**Interinstitutional File:
2012/0332 (NLE)**

**MIGR 110
COEST 315**

"I/A" ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee (Part 2)/Council
Subject: Adoption of a Council Decision on the conclusion of the Agreement between the European Union and the Republic Armenia on the readmission of persons residing without authorisation

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. On 4 February 2013, the Council decided to forward the draft Decision on conclusion as contained in 5859/13 MIGR 10 COEST 19 OC 40 as well as the text of the Agreement as contained in 5860/13 MIGR 11 COEST 20 OC 41 (texts finalised by the legal linguist experts) to the European Parliament for its consent.
5. The readmission agreement was signed by the European Union and Armenia in Brussels on 19 April 2013¹.
6. On 9 October 2013, the European Parliament gave its consent to the conclusion of the Agreement and instructed its President to forward its position to the Council, the Commission and the governments and parliaments of the Member States and of the Republic of Armenia.
7. In parallel to the readmission agreement, a Council Decision concerning the conclusion of a visa facilitation agreement with Armenia is also to be adopted by the Council².
8. 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 expired on 18 March 2013).

¹ The Council Decision on signing, on behalf of the European Union, of the Agreement between the European Union and the Republic of Armenia on the readmission of persons residing without authorisation was published in OJ L 87, 27.3.2013, p. 1.

² See doc. 5835/13 VISA 24 COEST 18 OC 46

9. 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 expired on 18 March 2013).
10. 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.
11. The Permanent Representatives Committee is invited to confirm the agreement reached on the Decision on the conclusion 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 (as set out in doc. 5859/13 MIGR 10 COEST 19 OC 40 - text finalised by the Legal Linguistic experts) on the above Agreement (which is set out in doc. 5860/13 MIGR 11 COEST 20 OC 41 - text finalised by the Legal Linguistic experts);
 - decide that the text of the above Decision and of the Agreement be published in the Official Journal, "L" series, in accordance with Article 17(1)(d) of the Council's Rules of Procedures.