



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 3 February 2014
(OR. en)**

5577/14

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**MIGR 8
COEST 17**

"I/A" ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee (Part 2)/Council
Subject: Adoption of a Council Decision concerning the signature of the Agreement between the European Union and the Republic of Azerbaijan 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 Azerbaijan (doc. 17781/1/11). The Decision authorised the Commission to negotiate on behalf of the Union and gave the Commission the necessary negotiating directives for that purpose.
2. The draft readmission agreement, transmitted by the Commission to the authorities of Azerbaijan, was examined in several rounds of negotiations and it was initialled on 29 July 2013.

3. By a letter received on 29 October 2013, the Commission submitted a proposal for a Council Decision concerning the signature of the Agreement between the European Union and Azerbaijan on the readmission of persons residing without authorisation (doc. 15493/13). The text of the Agreement to be signed was attached to the draft Decision.
4. In accordance with Articles 1 and 2 of 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 to the Treaty on the Functioning of the European Union, and without prejudice to Article 4 of that Protocol, those Member States are not taking part in the adoption of this Decision and are not bound by it or subject to its application.
5. In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Decision and is not bound by it or subject to its application.
6. 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 Azerbaijan 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. 15593/13) on the above Agreement (doc. 15594/13), 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 15596/13, and the Agreement (doc. 15594/13) to the European Parliament for its consent following signature of the Agreement.