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'I/A' ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: Council decision on the signing, on behalf of the Union, of the Agreement between the European Union and the Republic of Belarus on the readmission of persons residing without authorisation

- Adoption

Draft Council decision on the conclusion of the Agreement between the European Union and the Republic of Belarus on the readmission of persons residing without authorisation

- Request for the consent of the European Parliament

1. On 28 February 2011, the Council adopted a Decision authorising the Commission to open negotiations on agreements between the European Union and the Republic of Belarus on the readmission of persons residing without authorisation (6623/1/11 REV 1 EU RESTREINT). This Decision authorised the Commission to negotiate on behalf of the Union and gave the Commission the necessary negotiating directives for that purpose.
2. The negotiations were formally launched on 30 January 2014 and the first round of formal negotiations was held in Minsk on 13 June 2014. It was followed by three rounds of negotiations first in Brussels on 25 November 2014 then and on 11 March 2015 and on 20 June 2017 in Minsk. The chief negotiators initialled the text of the agreement on 17 June 2019 via exchange of emails.

3. On 30 August 2019, the Commission submitted to the Council:
 - A proposal for a Council decision on the signing, on behalf of the Union, of the Agreement between the European Union and the Republic of Belarus on the readmission of persons residing without authorisation (11846/19);
 - A proposal for a Council decision on the conclusion of the Agreement between the European Union and the Republic of Belarus on the readmission of persons residing without authorisation (11848/19+ADD1).
4. The proposals for the Council decisions on the signing and conclusion of the abovementioned agreement were examined and endorsed by the Integration, Migration and Expulsion Working Party (IMEX Expulsion) at its meeting on 23 September 2019.
5. In accordance with the provisions of the Treaty, the consent of the European Parliament is required before the Council adopts the Decisions on the conclusion of the readmission agreement.
6. In light of the above, and subject to confirmation by the Permanent Representatives' Committee, the Council is invited to:
 - adopt the Council Decision on the signing, on behalf of the Union, of the Agreement between the European Union and the Republic of Belarus on the readmission of persons residing without authorisation, as set out in document 12144/1/19 REV 1 (text finalised by the lawyer linguists) on the above-mentioned Agreement (which is set out in document 12160/19 - text finalised by the lawyer linguists);
 - note that the European Parliament will be informed in accordance with Article 218(10) TFEU and that the Council Decision on the signing will be transmitted to the European Parliament;

- decide that the text of the above-mentioned Decision will be published in the Official Journal, "L" series, in accordance with Article 17(1)(d) of the Council's Rules of Procedures.
- decide to forward the draft Council Decision on the conclusion of the Agreement between the European Union and the Republic of Belarus on the readmission of persons residing without authorisation, as set out in document 12158/1/19 REV 1, as well as the text of the readmission agreement, as set out in document 12160/19 (texts finalised by the lawyer linguists), to the European Parliament for its consent.
