EC/Pakistan agreement: readmission agreement

2009/0036(NLE) - 16/02/2010 - Supplementary legislative basic document

PURPOSE: to conclude the Agreement between the European Community and Pakistan on the readmission of persons residing without authorisation.

PROPOSED ACT: Council Decision.

CONTENT: the aim of this proposal is to conclude, on behalf of the Union, the Agreement between the European Community and Pakistan on the readmission of persons residing without authorisation.

The Agreement was signed, on behalf of the European Community, on 26 October 2009 subject to its conclusion. For details of the content of the Agreement, please refer to the initial document of 06/03/2009 as well as Council document 08793/2009.

As consequence of the entry into force of the Treaty of Lisbon on 1 December 2009, the European Union has replaced and succeeded the European Community. The procedures to be followed by the Union in order to conclude the Agreement are governed by Article 218(6) (a) of the Treaty on the Functioning of the European Union (TFEU) which states that the Council shall adopt a decision concluding the agreement.

The Agreement establishes a Joint Readmission Committee which may adopt its rules of procedure. It is appropriate to provide for a simplified procedure for the establishment of the European Union position in this case.

Territorial application: in accordance with Article 3 of the Protocol 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 notified its wish to take part in the adoption and application of this Decision. Ireland, in accordance with the same Protocol, has decided not to participate in the adoption of this Decision. In accordance with Articles 1 and 2 of the Protocol on the position of Denmark, annexed to the Treaty on European Union and 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.