

EU/Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama agreement: political dialogue and cooperation agreement, Article 49(3) thereof

2012/0219B(NLE) - 14/04/2014 - Final act

PURPOSE: to conclude the Political Dialogue and Cooperation Agreement between the European Community and its Member States, of the one part, and the Republics of Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama, of the other part, as regards Article 49(3).

NON LEGISLATIVE ACT: Council Decision 2014/210/EU on the conclusion on behalf of the European Union of the Political Dialogue and Cooperation Agreement between the European Community and its Member States, of the one part, and the Republics of Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama, of the other part, as regards Article 49(3) thereof.

BACKGROUND: [the EU – Central America Political Dialogue and Cooperation Agreement](#) was signed on 15 December 2003, subject to its conclusion at a later date. All Contracting Parties to the Agreement, including all the Member States of the Union at the time of the signing of the Agreement, have now deposited their instruments of ratification, with the exception of the Union.

Article 49(3) of the Agreement sets out the obligations for the Contracting Parties on **readmission of illegal migrants**. As a consequence, that provision falls within the scope of Title V of Part Three of the Treaty on the Functioning of the European Union (TFEU), and in particular Article 79(3) thereof as well as Protocol (No 21) on the position of the United Kingdom and Ireland in respect of the Area of Freedom, Security and Justice and Protocol (No 22) on the position of Denmark, both annexed to the Treaty on European Union and to the TFEU.

It is for this reason that it was necessary to provide a distinct and parallel decision to approve the Agreement as regards Article 49(3) thereof.

A [separate decision on the conclusion of the Agreement](#) with the exception of Article 49(3) thereof, will be adopted **in parallel to this Decision**.

CONTENT: with this Decision, the Council concluded, with Parliament's approval, the Agreement negotiated in 2003 between the EU and its Member States, of the one part, and the Republics of Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama, of the other part, **as regards Article 49 (3)**.

For further details of the main elements of this Agreement with the exception of Article 49(3), please refer to the [parallel Decision aiming](#) to approve the political dialogue Agreement.

Territorial provisions: 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 Treaties, those Member States are not taking part in the adoption of this Decision and are not bound by it or subject to its application.

In accordance with Articles 1 and 2 of Protocol (No 22) on the position of Denmark, annexed to the Treaties, Denmark is not taking part in the adoption of the Decision and is not bound by it or subject to its application.

ENTRY INTO FORCE: 16.04.2014. The date of entry into force of the Protocol will be published in the Official Journal by the General Secretariat of the Council.