Bilateral readmission agreement between a Member State of the European Union and a third country

1994/2215(COS) - 30/11/1994 - Non-legislative basic document

In this recommendation, the Council defines the principles which should guide Member States when concluding agreements with third countries to readmit nationals illegally present on their territory. This framework agreement makes provision for: - conditions of readmission of nationals: each party must readmit to its territory without formality and at the request of the other party any person who does not meet or no longer meets the conditions of entry and residency in the country making the request (this also applies to persons on the territory of a Member State who have been stripped of their nationality of origin and have no assurance of naturalisation in the host country); - conditions of readmission of third country nationals crossing an external border (i.e. a border which is not common to the parties): a third country whose national crosses an external border in order to enter a Member State without meeting current conditions of entry and residency must readmit this person without formality at the request of the Member State in question; - conditions of readmission of third country nationals by the country responsible for entry: a person arriving on the territory of a Member State who does not meet the conditions of entry and residency of that state but who has a valid visa issued by the other party or a resident's permit, must be readmitted by the country which issued them; - the maximum deadline for readmission is one month from acceptance of the request by the country of origin; - readmission requests must be made within one year of the date on which the host country ascertained that the national was illegally present on its territory (time limit). The agreement also contains terms governing the transit of these nationals, the protection of data on them and the costs of transporting these persons to their country of destination (these costs are paid by the state requesting readmission). The Council recommends that the Member States use this standard agreement as a basis for negotiating any readmission agreement with third countries as of 1 January 1995.