

Basic information	
<p>2012/0219B(NLE)</p> <p>NLE - Non-legislative enactments</p> <p>EU/Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama agreement: political dialogue and cooperation agreement, Article 49(3) thereof</p> <p>See also 2012/0219A(NLE)</p> <p>Subject</p> <p>6.40.10 Relations with Latin America, Central America, Caribbean islands 7.10.06 Asylum, refugees, displaced persons; Asylum, Migration and Integration Fund (AMIF)</p> <p>Geographical area</p> <p>Costa Rica El Salvador Guatemala Honduras Nicaragua Panama</p>	Procedure completed

Key players				
European Parliament	Committee responsible		Rapporteur	Appointed
	LIBE Civil Liberties, Justice and Home Affairs		WEBER Renate (ALDE)	16/12/2013
Council of the European Union	Council configuration		Meetings	Date
	Foreign Affairs		3309	2014-04-14
European Commission	Commission DG		Commissioner	
	European External Action Service		ASHTON Catherine	

Key events			
Date	Event	Reference	Summary
16/09/2013	Legislative proposal published	12400/2013	Summary
09/12/2013	Committee referral announced in Parliament		
12/02/2014	Vote in committee		
17/02/2014	Committee report tabled for plenary, 1st reading/single reading	A7-0119/2014	Summary
26/02/2014	Decision by Parliament	T7-0136/2014	Summary

26/02/2014	Results of vote in Parliament		
14/04/2014	Act adopted by Council after consultation of Parliament		
14/04/2014	End of procedure in Parliament		
15/04/2014	Final act published in Official Journal		

Technical information	
Procedure reference	2012/0219B(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Amendments and repeals	See also 2012/0219A(NLE)
Legal basis	Treaty on the Functioning of the European Union TFEU 218-p6a Treaty on the Functioning of the European Union TFEU 079-p3
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/7/14663

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee draft report		PE526.178	09/01/2014	
Amendments tabled in committee		PE527.956	30/01/2014	
Committee report tabled for plenary, 1st reading/single reading		A7-0119/2014	17/02/2014	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0136/2014	26/02/2014	Summary
Council of the EU				
Document type	Reference	Date	Summary	
Legislative proposal	12400/2013	16/09/2013	Summary	
Document attached to the procedure	13368/2012	16/09/2013		

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

Final act

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

2012/0219B(NLE) - 16/09/2013 - Legislative proposal

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) thereto.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: the [EU-Central American 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 by 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.

It is now necessary to approve the draft Agreement as regards Article 49(3) thereof.

LEGAL BASIS: Article 79(3), in conjunction with Article 218(6)(a) of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: this proposal aims to call on the Council to conclude, on behalf of the European Union, 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**.

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

N.B.: the draft Decision includes a specific notification concerning the provisions of the Agreement that fall within the scope of Title V of Part Three of the TFEU. This notification clarifies that the United Kingdom and Ireland should be considered as separate Contracting Parties, and not as part of the European Union, unless the European Union together with the United Kingdom and/or Ireland have notified the Central American Party that the United Kingdom and/or Ireland are bound as part of the European Union in accordance with the 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. If the United Kingdom and/or Ireland cease to be bound as part of the European Union in accordance with Article 4a of Protocol No 21, the European Union together with the United Kingdom and/or Ireland shall immediately inform the Central American Party of any change in their position in which case they shall remain bound by the provisions of the Agreement in their own right. The same applies to Denmark in accordance with the 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.

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

2012/0219B(NLE) - 26/02/2014 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a legislative resolution on the draft Council decision 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.

Parliament gave its consent to the conclusion of the Agreement.

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

2012/0219B(NLE) - 17/02/2014 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Civil Liberties, Justice and Home Affairs adopted the report by Renate WEBER (ALDE, RO) on the draft Council decision 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.

The committee recommended the European Parliament to give its consent to the conclusion of the Agreement (the LIBE committee is supposed to look only into issues covered by the Article 49, paragraph 3 of the [Political Dialogue and Cooperation Agreement](#), notably the reciprocal readmission of illegal migrants).

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.