

Procedure file

Basic information	
CNS - Consultation procedure Decision	2003/0043(CNS) Procedure completed
EC/Sri Lanka agreement: readmission of persons residing without authorisation	
Subject 6.40.08 Relations with Asian countries 7.10.04 External borders crossing and controls, visas 7.10.08 Migration policy	
Geographical area Sri Lanka	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	LIBE Civil Liberties, Justice and Home Affairs	PPE-DE KLAMT Ewa	13/09/2004
	Former committee responsible		
	LIBE Civil Liberties, Justice and Home Affairs	PSE SOUSA PINTO Sérgio	19/05/2003
	Committee for opinion	Rapporteur for opinion	Appointed
	AFET Foreign Affairs	PPE-DE VAN ORDEN Geoffrey	13/09/2004
	DEVE Development	The committee decided not to give an opinion.	
	Former committee for opinion		
	AFET Foreign Affairs	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	Employment, Social Policy, Health and Consumer Affairs2644		03/03/2005
European Commission	Commission DG	Commissioner	
	External Relations		

Key events			
21/03/2003	Legislative proposal published	SEC(2003)0255	Summary
15/09/2004	Committee referral announced in Parliament		

25/11/2004	Vote in committee		Summary
29/11/2004	Committee report tabled for plenary, 1st reading/single reading	A6-0048/2004	
14/12/2004	Results of vote in Parliament		
14/12/2004	Decision by Parliament	T6-0090/2004	Summary
03/03/2005	Act adopted by Council after consultation of Parliament		
03/03/2005	End of procedure in Parliament		
17/05/2005	Final act published in Official Journal		

Technical information

Procedure reference	2003/0043(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	International agreement
Legislative instrument	Decision
Legal basis	EC Treaty (after Amsterdam) EC 063-p3; EC Treaty (after Amsterdam) EC 300-p2/3-a1
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/6/22466; LIBE/5/19429

Documentation gateway

Legislative proposal	SEC(2003)0255	21/03/2003	EC	Summary
Supplementary legislative basic document	10666/2003	02/07/2004	CSL	Summary
Supplementary legislative basic document	12383/2004	24/09/2004	CSL	
Committee report tabled for plenary, 1st reading/single reading	A6-0048/2004	29/11/2004	EP	
Text adopted by Parliament, 1st reading/single reading	T6-0090/2004 OJ C 226 15.09.2005, p. 0023-0048 E	14/12/2004	EP	Summary

Additional information

European Commission	EUR-Lex
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Final act

Decision 2005/372 OJ L 124 17.05.2005, p. 0041-0042 Summary

EC/Sri Lanka agreement: readmission of persons residing without authorisation

PURPOSE : to propose a Council Decision on conclusion of the readmission agreement between Sri Lanka and the EC. **CONTENT** : to recall, the Justice and Home Affairs Council authorised the Commission to negotiate a readmission agreement between the EC and the Democratic Socialist Republic of Sri Lanka, by its decision of 8 September 2000. The Commission transmitted, in January 2001, a draft Readmission Agreement text to the Sri Lanka authorities. After a series of formal negotiations, the Agreement was initialled on 30 May 2002. The proposed Decision concerning the conclusion sets out the necessary internal arrangements for the practical application of the Agreement. In particular, it contains the following main points: 1) Readmission obligations by Sri Lanka : - the Agreement provides that Sri Lanka must readmit all persons

who do not, or no longer, fulfil the conditions for being in the territory of the requesting Member State, so long as they are nationals of Sri Lanka; - Sri Lanka must issue the person to be readmitted with the travel document needed. This must be valid for at least six months, and there are provisions for extending the period of validity or issuing a new document. If Sri Lanka has not acknowledged receipt of the Member State's request within 30 calendar days, it will be deemed to accept the use of the common provisional travel document for return purposes. The latter is annexed to the Agreement; - on the readmission of third country nationals and stateless persons, the Agreement provides that Sri Lanka will readmit all those who either held a valid visa or residence authorisation issued by Sri Lanka or came directly from Sri Lanka to the Member State. There are exemptions for persons in airside transit and persons to whom the requesting Member State issued a visa or residence authorisation with a longer period of validity. 2) There are reciprocal readmission obligations by the Community. 3) Readmission procedure: this contains the necessary technical provisions on the readmission application, means of evidence, time limits, transfer modalities and modes of transportation. Some procedural flexibility is provided by the fact that only a written communication is needed where a person is willing to return voluntary and has valid travel documents. 4) Transit operations - Member States and Sri Lanka must restrict the transit of third-country nationals or stateless persons to cases where such persons cannot be returned to the State of destination directly. There are provisions on transit procedure. 5) With regard to costs, the Agreement provides that transport costs will be met by the requesting State. 6) There are also provisions on data protection. The agreement specifies that personal data must be collected for the explicit and legitimate purpose of implementing the Agreement and not further processed in a way incompatible with that purpose. 7) A joint readmission committee will be established to monitor and implementing the Agreement. In order to execute the Agreement, Member states are empowered to conclude bilateral implementing Protocols with Sri Lanka. The provisions of this Agreement take precedence over any Protocol, in case of incompatibility. The Agreement does not apply to Denmark.?

EC/Sri Lanka agreement: readmission of persons residing without authorisation

The Council proceeded with an analysis of the text of the Agreement with Sri Lanka and approved the conclusions of the negotiations obtained by the Commission.

On 9 July 2003, a new version of the draft decision on the conclusion of the Agreement was adopted by all the delegations. This new version differs slightly from the original text and states that the United Kingdom shall participate in the adoption of and the application of the Agreement and not Ireland as was stated in the previous version of the draft. Denmark shall not participate in the application of this Agreement.

The common guidelines on the draft decision were adopted the same day which stipulate that the consultation deadline for the text of the decision is set at 14 July 2003.

Lastly, it should be noted that the new version of the draft decision was adopted on 29 April 2004 aiming to bring certain technical amendments to the Annex 6 of the Agreement concerning the applications for the request for transit.

EC/Sri Lanka agreement: readmission of persons residing without authorisation

The committee adopted the report by Ewa KLAMT (EPP-ED, DE) approving the conclusion of the agreement (consultation procedure).

EC/Sri Lanka agreement: readmission of persons residing without authorisation

The European Parliament adopted a resolution drafted by Ewa KLAMT (EPP-ED, DE) and approved the conclusion of the agreement.

EC/Sri Lanka agreement: readmission of persons residing without authorisation

PURPOSE: the conclusion of the Agreement between the European Community and the Democratic Socialist Republic of Sri Lanka on the readmission of persons residing without authorization.

LEGISLATIVE ACT: Council Decision 2005/372/EC.

CONTENT: The Council adopted a Decision approving the conclusion of an Agreement with the Republic of Sri Lanka on the readmission of persons residing without authorisation.

The Republic of Sri Lanka undertakes to readmit to its territory, at the request of an EU Member State and without further formalities other than those stipulated in the Agreement, any of its nationals who do not fulfil the conditions in force for entry into or residence in the territory of the requesting Member State. The Agreement provides for the creation of a joint readmission committee responsible for monitoring the correct application of the Agreement.