



EUROPEAN PARLIAMENT

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Committee on Foreign Affairs

2013/0120B(NLE)

6.2.2014

OPINION

of the Committee on Foreign Affairs

for the Committee on Civil Liberties, Justice and Home Affairs

on the draft Council decision on the conclusion of a Framework Agreement on Comprehensive Partnership and Cooperation between the European Community and its Member States, of the one part, and the Republic of Indonesia, of the other part, as regards matters related to readmission (11313/2013 – C7-0356/2013 – 2013/0120B(NLE))

Rapporteur: Emilio Menéndez del Valle

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SHORT JUSTIFICATION

The inclusion of the readmission matters in the Framework Agreement with Indonesia is in line with the recommendation by the evaluation of EU readmission agreements in 2011. Article 34(4) of the Framework Agreement refers to further negotiations so as to conclude a readmission agreement with specific obligations for the Parties. Such negotiations will cover nationals of third countries as well.

The Rapporteur considers that the inclusion of readmission matters in the Framework Agreement with Indonesia will facilitate and provide a solid basis for future negotiations on a readmission agreement. The Rapporteur suggests that the negotiations on the specific obligations should start without unnecessary delay.

As regards the implementation of the future readmission agreement, a Joint Readmission Committee (JRC) is foreseen. The Rapporteur suggests that the Parliament should have the right to attend the meetings of the JRC with an observer status. Moreover, the Rapporteur suggests that representatives of civil society should also be granted access to follow the meetings of the Joint Readmission Committee.

The rapporteur further calls on the Commission to inform the European Parliament, at every stage, of the outcome of the implementation of the agreements, in accordance with the principle of cooperation between the institutions. The Parliament is particularly interested in being informed on how the human rights safeguards have been regulated and worked in protection of the fundamental rights of the persons subject to readmission. The Rapporteur also reminds that, as a principle, persons should not be subject to readmission or return ("refoulement") where there are fears that they could be subject to persecution, punishment, inhumane treatment or torture in the country to be returned, in line with the 1951 Refugee Convention and the 1984 Convention against Torture.

The Rapporteur considers that readmission agreements can provide a transparent and fair framework and rules for returning irregular migrants to their home country. The inclusion of readmission matters in the Framework Agreement with Indonesia should provide an impetus and accelerate the process leading to the conclusion of a readmission agreement in the future.

For these reasons and with these remarks regarding the implementation of a specific readmission agreement with Indonesia in the future, the Rapporteur proposes that the European Parliament give its consent to matters related to readmission in the Framework Agreement on Comprehensive Partnership and Cooperation between the European Community and its Member States and Republic of Indonesia, namely Article 34(3) and Article 34(4).

The Committee on Foreign Affairs calls on the Committee on Civil Liberties, Justice and Home Affairs, as the committee responsible, to propose that Parliament gives its consent.

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	6.2.2014
Result of final vote	+: 48 -: 4 0: 0
Members present for the final vote	Hiltrud Breyer, Elmar Brok, Jerzy Buzek, Tarja Cronberg, Arnaud Danjean, Mário David, Mark Demesmaeker, Michael Gahler, Marietta Giannakou, Ana Gomes, Andrzej Grzyb, Richard Howitt, Liisa Jaakonsaari, Anneli Jäätteenmäki, Jelko Kacin, Tunne Kelam, Nicole Kiil-Nielsen, Maria Eleni Koppa, Andrey Kovatchev, Eduard Kukan, Vytautas Landsbergis, Krzysztof Lisek, Ulrike Lunacek, Marusya Lyubcheva, Willy Meyer, María Muñoz De Urquiza, Annemie Neyts-Uyttebroeck, Norica Nicolai, Raimon Obiols, Ria Oomen-Ruijten, Pier Antonio Panzeri, Ioan Mircea Pașcu, Bernd Posselt, Hans-Gert Pöttering, Cristian Dan Preda, José Ignacio Salafranca Sánchez-Neyra, Nikolaos Salavrakos, György Schöpflin, Werner Schulz, Sophocles Sophocleous, Geoffrey Van Orden, Nikola Vuljanić, Boris Zala
Substitute(s) present for the final vote	Charalampos Angourakis, Reinhard Bütikofer, Véronique De Keyser, Kinga Gál, Antonio López-Istúriz White
Substitute(s) under Rule 187(2) present for the final vote	María Auxiliadora Correa Zamora, Leonidas Donskis, Verónica Lope Fontagné, Marie-Christine Vergiat