



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 26 October 2007**

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**Interinstitutional Files:**

**2007/0142 (CNS)**

**2007/0146 (CNS)**

**2007/0147 (CNS)**

**2007/0153(CNS)**

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**14031/07**

**MIGR 99**

**COWEB 211**

**"I/A" ITEM NOTE**

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from : General Secretariat of the Council

to : Permanent Representatives Committee / Council

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Subject : Adoption of a Council Decision concerning the conclusion of the Agreement between the European Community and Bosnia and Herzegovina on the readmission of persons residing without authorisation

Adoption of a Council Decision concerning the conclusion of the Agreement between the European Community and the Republic of Montenegro on the readmission of persons residing without authorisation

Adoption of a Council Decision concerning the conclusion of the Agreement between the European Community and the former Yugoslav Republic of Macedonia on the readmission of persons residing without authorisation

Adoption of a Council Decision concerning the conclusion of the Agreement between the European Community and the Republic of Serbia on the readmission of persons residing without authorisation

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1. On 13 November 2006 the Council adopted Decisions authorising the Commission to negotiate agreements between the European Community and respectively Bosnia-Herzegovina, the Republic of Montenegro, the former Yugoslav Republic of Macedonia and the Republic of Serbia on the readmission of persons residing without authorisation.

2. By letter received respectively on 17 July with respect to Bosnia-Herzegovina, on 20 July with respect to the Republic of Montenegro and the former Yugoslav Republic of Macedonia, and on 23 July with respect to the Republic of Serbia, the Commission submitted to the Council the relevant proposals.
3. The draft readmission agreements transmitted by the Commission to the authorities of the above-mentioned countries were examined in various rounds of negotiations. The readmission agreements were respectively initialled in Brussels on 10 April 2007, with respect to Bosnia-Herzegovina, on 11 April 2007, with respect to the Republic of Montenegro, on 12 April 2007, with respect to the former Yugoslav Republic of Macedonia and on 16 May 2007 with respect to the Republic of Serbia.
4. On 18 September 2007 the Council adopted the Decisions concerning the signing of the four agreements. The four agreements were signed in Brussels on 18 September 2007.
5. On 24 October 2007 the European Parliament rendered its opinion on the four Agreements.
6. The United Kingdom, in accordance with Article 3 of the Protocol on the position of the United Kingdom and Ireland, annexed to the Treaty on European Union and to the Treaty establishing the European Community, has notified its wish to take part in the adoption and application of these Decisions.
7. Ireland, in accordance with Articles 1 and 2 of the Protocol on the position of the United Kingdom and Ireland, annexed to the Treaty on European Union and to the Treaty establishing the European Community, and without prejudice to Article 4 of the said Protocol, is not participating in the adoption of these Decisions and is not bound by or subject to their application.
8. Denmark, in accordance with Articles 1 and 2 of the Protocol annexed to the Treaty on the European Union and the Treaty establishing the European Community, will not participate in the adoption of these Decisions and will not be bound by or subject to their application.

9. The Permanent Representatives Committee is asked to confirm the agreement reached on the Decisions on conclusion and suggest that the Council:
- adopt, under part "A" of the agenda of a forthcoming session, the Decisions as set out in docs. 13762/07 MIGR 92 COWEB 194 (Bosnia-Herzegovina), 13761/07 MIGR 91 COWEB 193 (Montenegro), 13759/07 MIGR 90 COWEB 192 (FYROM) 13758/07 MIGR 89 COWEB 191 (Serbia) (texts finalised by the Legal Linguistic experts);
  - decide that the above Decisions be published in the Official Journal, "L" series, in accordance with Article 17(1)(g) of the Council's Rules of Procedure.
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