



EUROPEAN COMMISSION

Brussels, 22.03.2012
C/2012/ 1888 final

Dear President,

The Commission would like to thank the Senate of the Czech Republic for its Resolution on the Commission Communication on evaluation of the EU Readmission agreements {COM(2011) 76 final}, and apologises for the undue delay in replying.

The Commission believes that the EU Readmission policy is one of the pillars of the EU migration policy and that it is indispensable for proper management of illegal migration flows towards the EU. The Commission welcomes the fact that the Resolution supports most of the measures proposed in the Communication.

The Commission notes the concerns expressed in relation to the automatic offer of visa facilitation as an incentive for readmission negotiations. In this context, it should be stressed that the Communication does not propose any automaticity to offer visa facilitation for each and every readmission negotiations. It rather underlines the need for incentives as such for successful readmission negotiations while pointing to visa related policy tools as one of the possibilities in this regard (see Recommendation 6). This approach was further endorsed by the Council conclusions defining the EU strategy on readmission adopted by the JHA Council on 9-10 June 2011 where the Council concurred that "the use of incentives is important" and that "the incentives may consist of elements of the Global Approach to Migration and/or non-migration related issues embodied into EU framework agreements".

The Commission further notes the disagreement of the Senate with the inclusion of human rights provisions into the EU readmission agreements. In this context, it should be emphasised that the Commission's aim was not to duplicate guarantees laid down by the relevant human rights instruments but rather to complement existing instruments focusing on practical deficiencies which could lead to violations of fundamental rights in the implementation of readmission agreements (see Section 4.3 (i) of the Communication). Bearing in mind this approach, the Commission remains convinced that further reinforcement of fundamental rights guarantees may and should be done also through the EU readmission agreements themselves.

Mr Milan ŠTĚCH

President of the Senate of the Parliament of the Czech Republic

Valdštejnské náměstí 17/4

CZ – 118 01

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The Commission would like to stress that it intends to follow the recommendations from the Communication in question in future proposals for negotiation directives for readmission talks with third countries.

The Commission looks forward to pursuing this political dialogue with the Senate.

Yours faithfully,

*Maroš Šefčovič
Vice-President*