

*Courtesy translation*



THE SENATE  
OF THE PARLIAMENT OF THE CZECH REPUBLIC  
11<sup>TH</sup> TERM

**169<sup>th</sup>**

**RESOLUTION OF THE SENATE**

Delivered on the 7<sup>th</sup> session held on 31<sup>st</sup> May 2017

**on the EU Return Policy Package**

**Senate Print no. K 032/11, COM(2017) 200** - Communication from the Commission to the European Parliament and the Council on a More Effective Return Policy in the European Union – a Renewed Action Plan

**Senate Print no. J 033/11, C(2017) 1600** - Commission Recommendation of 7.3.2017 on making returns more effective when implementing the Directive 2008/115/EC of the European Parliament and of the Council

**The Senate**

**I.**

**1. Welcomes**

the Commission's effort to increase the effectiveness of the EU return policy, which represents one of the basic tools to tackle migration crisis and to combat illegal migration;

**2. Notes**

that the Senate pays constant attention to this issue and therefore recalls its 633<sup>rd</sup> Resolution from 23. 10. 2014 on the Communication from the Commission on EU Return Policy and its 252<sup>th</sup> Resolution from 22. 10. 2015 on the package of measures on return policy and the external dimension of the migration crisis, in which the Senate generally supported establishing an effective, coherent and credible return policy, more thorough monitoring of the implementation of the Return Directive, operational and other forms of cooperation between Member States, as well as deepening the dialogue and practical cooperation with third countries (e.g. when identifying returnees and obtaining the necessary documentation from non-EU authorities);

**II.**

**1. Supports**

in general the proposed measures and agrees with the Position of the Government;

**2. Emphasizes**

primarily that the return processes need to be simplified and accelerated;

**3. Points out,**

in accord with the Government, that some recommendations regarding e. g. the detention of individuals and families with children or the time limits for appeals may be contrary to the constitutional, international and EU framework for the protection of fundamental rights as it is currently interpreted by the competent courts; therefore it is necessary to amend accordingly the Directive 2008/115/EC of the European Parliament and of the Council on common standards and procedures in Member States for returning illegally staying third-country nationals;

**4. Has doubts,**

in accord with the Government, about the effectiveness of the submitted recommendations if the third countries concerned are unwilling to cooperate and take back their own nationals and therefore considers it appropriate to focus particularly on increasing the effectiveness of readmission agreements and their better enforcement;

**5. Appreciates**

additional financial resources that will be earmarked from the Asylum, Migration and Integration Fund (AMIF) in 2017 for the Member States' national return programmes and for the readmission capacity building;

**III.**

**1. Requests**

the Government to inform the Senate, should the Government adopt measures following up on the Commission's recommendations;

**2. Authorises**

the President of the Senate to forward this resolution to the European Commission.

Milan Štěch  
sign manual  
President of the Senate

Michael Canov  
sign manual  
Senate Verifier