



Council of the
European Union

Brussels, 23 May 2017
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REV 2

LIMITE

MIGR 70
VISA 169
COMIX 338

NOTE

From: Presidency

To: Delegations

Subject: Draft Council Conclusions on enhancing return and readmission of illegally staying persons

Delegations will find attached a revised version of the above draft Council Conclusions, following the JHA Counsellors meeting of 22 May 2017. Changes are highlighted in **bold** and ~~striketrough~~.

The Council:

1. Recalls the European Council Conclusions of June, October and December 2016, as well as the European Council Conclusions of March 2017;
2. Recalls the Council Conclusions on the future of the return policy, of October 2015, and the Council Conclusions on return and readmission of illegally staying persons of June 2016;
3. Recognises the importance of linking the negotiations of readmission and visa facilitation agreements, which has been implemented as an important tool, in particular in the framework of the Mobility Partnerships;
4. Considers that it remains necessary to improve the rate of return of illegally staying third country nationals as a matter of urgency;
- ~~• Underlines the importance of introducing a legal link between readmission and visa in the Visa Code;~~
5. Agrees that comprehensive, ~~gradual~~ **incremental**, pragmatic and tailor-made solutions are required in order to improve cooperation with third countries in the field of return and readmission, in line with the Partnership Framework approach;
6. Recalls the views expressed at the JHA Council of March 2017, and agrees on the need to consider the use of the necessary leverage by using all EU policy instruments and tools, including visa policy;
7. Considers that stronger coordination ~~could~~ **should** be established between the two areas of return and visa policy to improve cooperation of third countries on return and readmission. Concerted action by the Member States within the applicable legal framework should continue to provide the possibility for achieving results;
8. **Underlines the importance of a legal link between readmission and visa in the Visa Code;**
9. Calls on the relevant Council preparatory bodies to take forward work in this regard with a view to the practical application of this concerted action, **taking into account the views of the most interested Member States regarding the third country/ies in question.**