

JHA 124  
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EUROPEAN UNION  
THE COUNCIL

Brussels, 11 April, 1997

7338/97

LIMITE

ASIM 71

**NOTE**

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from : the Presidency

to : Asylum/Migration Group

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**Subject: Results of the joint meeting between the Working Group Asia/Oceania and members of the Migration Working Party concerning readmission of nationals of China, India and Viet Nam illegally resident on the territory of Member States**

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Introduction

One of the priorities in the field of immigration and asylum identified in the Council's multiannual work programme for the period 1 July 1996 to 30 June 1998 is:

- improving co-operation regarding the expulsion of illegal immigrants; problems of readmission.

In the past, the Migration Working Party and CIREFI have acquired much information on the problem of readmission of third country nationals illegally resident on the territory of Member States (doc. 5684/2/97 ASIM 22 REV 2 and doc. 4588/4/96 CIREFI 3 REV 4), which can be regarded as partial implementation of this element of the multiannual work programme. However, a mere stock-taking exercise is not in itself a sufficient measure to solve the existing readmission problems. This would require at least a dialogue with the countries of origin concerned, which could usefully be placed in the context of the Union's general external relations. In particular, in the context of political and economic contacts of the European Union and/or Member States with the third countries concerned, the possibilities for putting this subject matter on the agenda could usefully be explored.

Against this background, the Migration Working Party of 20 January 1997 supported a Presidency's proposal to organise an interpillar discussion on how to promote more successful co-operation in the field of readmission with certain specified third countries (on the basis of doc. 11904/96 ASIM 163). At its meeting of 11 and 12 February 1997, the Migration Working Party selected China, India and Viet Nam for the purpose of this inter-pillar examination. On that occasion, the Working Party also agreed that:

- it would identify the problems: on the basis of the contributions received from delegations, the Presidency would prepare dossiers on the three countries concerned;
- then a brainstorming session would be held with experts from the first and second pillars competent on the relations with the selected third countries, to discuss with them how to make progress in this area;
- the outcome of the brainstorming would be submitted to the Council via the K.4 Committee and Coreper. A structured monitoring of the process could be worked out, which could be extended to other countries later on.

On 5 March 1997, the chairman of the Migration Working Party introduced these ideas to the members of the CFSP Asia/Oceania Group, which agreed to set up such a meeting for 9 April 1997.

Outcome of the meeting between the Working Group Asia/Oceania and members of the Migration Working Party (9 April 1997)

The discussion in the Working Group Asia/Oceania produced the following results:

It was generally acknowledged that closer co-operation with China, India and Viet Nam in the field of readmission should be encouraged. In particular, the following practical forms of co-operation could be envisaged with these countries:

- the speeding up of procedures in issuing travel documents (*laissez-passers*) by the diplomatic representations of these countries in the Member States;
- the secondment of security officers in diplomatic representations in Member States, to assist in speeding up procedures for establishing the identity of their nationals;
- other ways to improve the procedure for establishing the identity of third country nationals to be returned, such as technical assistance and returning the persons to their country of origin for further identity investigations;
- discussion of the problems which the nationals of these countries may face with regard to the issuing of entry permits needed to enter their country, even in case these persons have valid travel documents;
- in case of Viet Nam, dialogue on the concrete implementation of the declarations on readmission which is part of the EC-Viet Nam Co-operation Agreement.

The subject will be put on the agenda of the next high level meetings between the EU(-Troika) and each of these three countries. In order to help the Asia/Oceania Working Group in preparing these meetings, the Migration Working Group will provide background information and formulate specific proposals, aimed at strengthening practical co-operation with the three countries concerned in the field of readmission.

In order to fully benefit from the expertise of the embassies of Member States and of the Commission delegation in the countries concerned, it is furthermore proposed to organise regular meetings between them to evaluate the situation and suggest additional ways of promoting practical co-operation.

Finally, it was agreed that, subject to the Council's approval, further interpillar meetings of this nature could be organised, the first of which should be devoted to co-operation with the Maghreb/Mashrak countries.