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At the beginning of the debate, the rapporteur, Mr. Busuttil (EPP, MT) underlined that the first years of experience with the Agency and the recent influx of immigrants had shown that there was a need to strengthen its effectiveness. He was satisfied that an agreement had been found with the Council and highlighted four points where the Parliament had in particular contributed to the improvement of the text:

- increasing the visibility of the Agency by denominating border guards engaged in FRONTEX missions as 'European Border Guards' and requesting the Commission to do a feasibility study on the establishment of European border guards proper;
- strengthening the effectiveness of the Agency, including by putting a legal obligation on Member States to deliver on their own previous commitments and enabling the Agency to purchase, lease, own or even co-own its own equipment. The Agency will also be empowered to process personal data – under strict conditions – if this can help it in the fight against crime.
- improving human rights aspects, including the possibility to suspend or terminate a FRONTEX mission if human rights violations occur;
- increasing democratic scrutiny by the Parliament.

Minister Miller, on behalf of the Council, delivered the speech set out in the annex. He welcomed in particular the agreement found on amending the FRONTEX Regulation and thanked the Hungarian Presidency for its efforts. He underlined that the changes will increase the tasks of the Agency and provide it with increased human and technical resources, including the creation of European Border Guard Teams. He also underlined the strengthened protection of human rights and the increased risk analysis capacity of the Agency.

Commissioner Malmström in her intervention underlined the importance of the management of the EU's external borders for the functioning of Schengen. This was the responsibility of Member States but FRONTEX and EU made a substantial contribution to this, e.g. in the cases of Greece and Italy. She considered that the agreement reached struck a balance between various interests. She in particular highlighted the following aspects of the agreement: human rights aspects had been strengthened (very much thanks to the Parliament), amongst others through a system of monitoring return operations and increased obligations on Member States to honour commitments on providing human and technical resources. She also stated that the agreement would facilitate increased co-operation with third countries, including by allowing for technical assistance to these countries.

In the subsequent interventions by speakers on behalf of the Groups and by other speakers, the correlation between internal freedom of movement and a strong external border, and the consequent need to strengthen FRONTEX was mentioned including by Mr. Díaz de Mera García Consuegra (EPP, ES). A large number of speakers emphasised the human rights aspects and the Parliament's contribution to improve the text on this point. However, for some including Ms. Lochbihler (Greens/EFA, DE) speaking on behalf of AFET, Ms. Guillaume (S&D, FR) on behalf of S&D and Ms. Flautre (Greens/EFA, FR) on behalf of Greens/EFA, further improvements could be made, foremost in establishing a genuinely independent human rights monitoring of FRONTEX operations. The links to immigration policy and the establishment of a common asylum policy was also mentioned (Ms. Guillaume and Commissioner Malmström).

**Speech of Minister Miller on the FRONTEX, Plenary session of the European Parliament,
13 September 2011**

President, Honourable Members,

The Council very much welcomes the agreement reached on the amendment of Council Regulation (EC) No 2007/2004 establishing a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX).

The European Council and Council have called for the strengthening of FRONTEX on several occasions over the last few years. Recent events in North Africa and the consequent increase in migratory pressure on the EU Southern maritime borders have underlined in particular the importance of strengthening the Agency's operational capabilities.

In its Declaration adopted on 11 March 2011 the European Council called for rapid agreement to be reached on the strengthening of FRONTEX capabilities, and in its conclusions of 24/25 March 2011 called for agreement by June 2011.

The fact that this deadline has been respected is due to intensive work in both the Council and Parliament and in the negotiations between our two institutions. Both were required to make compromises to reach a successful outcome. I would in particular like to pay tribute to the work of the Hungarian Presidency of the Council and to the Parliament's negotiating team, led by Rapporteur Simon Busuttil.

Since its establishment in October 2005, FRONTEX has rapidly developed its operational activities and now plays a vital role in managing operational cooperation at the external borders of the European Union. The Agency is coordinating a number of joint operations and pilot projects at the EU's external borders, focusing in particular on some high-risk areas such as the EU's Southern maritime borders.

The amendment of the FRONTEX Regulation is an important step. It will significantly extend the Agency's tasks in a number of areas as well as equipping it better to undertake both existing and new tasks. It includes the creation of European Border Guard Teams, as a common pool to be deployed during all FRONTEX operations, previously distinguished as FRONTEX Joint Support

Teams and Rabbits (Rapid Border Intervention Teams). It also includes improved provisions on financing as well as on ensuring the availability of adequate human and technical resources. FRONTEX will also be required to pay special attention to Member States facing specific and disproportionate burdens on their national asylum systems.

The amendment of FRONTEX Regulation will include strengthened provisions for the protection of fundamental rights, including the establishment of a Consultative Forum on Fundamental Rights and the designation of a Fundamental Rights Officer. A Code of conduct will guarantee respect for fundamental rights, and in cases of violations of fundamental rights FRONTEX operations will have to be suspended or terminated. In addition, provisions on the processing by the Agency of personal data collected in the context of its operational activities will be introduced.

The risk analysis capacity of FRONTEX will be strengthened in order to allow it to react more quickly to new situations as they develop. There will also be new provisions on training and research activities, a strengthened coordinating role regarding joint return operations and the possibility of launching technical assistance projects and deploy liaison officers in third countries.

The Presidency is in no doubt that this revision of the FRONTEX mandate will significantly enhance the Agency's operational capabilities. We welcome this opportunity to reinforce the efficient management of the European Union's external borders.

We also welcome the commitment by the Commission to undertake to launch a feasibility study on the creation of a European system of border guards.

This will help ensure that EU policy in the area of border management will continue to develop over the coming years.

Allow me to conclude, Mr President, by once again thanking this Parliament for its constructive approach to this Regulation. I look forward to its endorsement of the outcome of our negotiations at tomorrow's vote.