Evaluation and future development of the FRONTEX Agency and a European Border Surveillance System EUROSUR

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The Committee on Civil Liberties, Justice and Home Affairs adopted the report by Javier **MORENO SÁNCHEZ** (PES, ES) on the evaluation and future development of the FRONTEX Agency and of the European Border Surveillance System (EUROSUR), calling on Member States to consider a **global approach** to the challenge of migration, seeking to achieve progress not only in stepping up **checks at the Union's borders**, in combating illegal immigration and returning illegal immigrants to their home countries, but also in **organising legal immigration** and measures to facilitate the integration of legal immigrants, in promoting a global partnership with third countries, and in establishing a consistent human rights policy at EU level. Overall, MEPs consider that the mandate of the FRONTEX Agency must be extended and resources, including financial, must be increased.

Strengthening the mandate of the FRONTEX Agency: MEPs call on the Commission to review the mandate of the Agency in order to strengthen its role and make it more effective. They stress the absolute need to increase the resources available to FRONTEX and regret that some Member States have, so far, not demonstrated sufficient willingness to provide the necessary assets to FRONTEX. In this context, MEPs call on the Member States to formalise, as soon as possible, a system of '**compulsory and irrevocable solidarity**' of the Member States. They call, in particular, for the removal of uncertainty as to the extent of the resources it can count on in real time and ask that Member States clearly define the material resources they can make available to the Agency (especially in terms of surface assets). In the event that those resources are not provided, Member States are called upon to take a rapid decision on altering the scale of FRONTEX's budget to enable it to carry out its missions. In this context, they recall that the Parliament, as an arm of the budgetary authority, has already increased FRONTEX's budget since the Agency's inception and will ensure that the budget is correctly implemented. They consider that such a broadening of the tasks of FRONTEX, and its contribution as part of the daily battle against illegal immigration, could justify the structural development of its logistical and administrative capacities and could justify, when the time is right, the setting up of **two distinct external offices** - one coordinating activities at land borders, the other for sea operations. MEPs call on FRONTEX to establish permanent and uninterrupted operational joint surveillance patrols all year round in all high-risk areas, particularly at sea borders where there is a serious risk of loss of life. In order to eliminate legal vacuums which could hamper its action, MEPs call for the establishment of precise legal conditions for FRONTEX's **sea rescue operations** and ask that the Agency's scope also include the fight against **human trafficking**. The Agency is also called upon to:

- **Cooperate with third countries**: MEPs welcome the major cooperation efforts that have been achieved by almost all the third countries with which FRONTEX has been called upon to cooperate but regret that co-operation on immigration is still lacking in other cases, such as Turkey and Libya. They therefore call for measures to strengthen cooperation in the field of immigration with third countries and to conclude readmission agreements. One of the measures called for by MEPs is the participation of a third country in any joint Member State operation coordinated by FRONTEX;

- **Respect human rights**: MEPs call for the mandate of FRONTEX to explicitly include an obligation to meet international human rights standards and a duty towards asylum seekers in rescue operations at high sea. Cooperation with the United Nations High Commission for Refugees and other relevant non-governmental organisations should also be formalised within the mandate;

- **Strengthen its role in return operations**: FRONTEX should strengthen its role in supporting joint return operations. Member States should involve FRONTEX when planning and organising joint return flights.

At the same time, MEPs call on the Commission and the Member States to consider the feasibility of a European border guard system.

EUROSUR: overall, MEPs welcome the Commission's discussions aimed at setting up the EUROSUR and urge that work begin without delay on the upgrading of the national surveillance systems and their interconnection as a network. In the interest of coherence, FRONTEX should be given the task of assembling the available tools, and in particular of managing the secure web-based Information and Coordination Network for Member States' Migration Management Services (ICONET) and of resuming the work of the Centre for Information, Discussion and Exchange on the Crossing of Frontiers and Immigration (CIREFI). FRONTEX should also cooperate with Europol and other European agencies, as well as with other international bodies and third country border control authorities.

Towards a common policy on border management: MEPs consider the objective of truly EU integrated border management as legitimate and agree that it is important to continuously develop and strengthen it. They stress, however, the need for an evaluation and assessment of existing systems and those under preparation before moving ahead with the new building blocks. They call in particular for a comprehensive master plan, setting out the overall architecture of the EU's border strategy.

Strengthening democratic control: while MEPs call for the strengthening of the role and impact of FRONTEX, they also call for the strengthening of its democratic control by the European Parliament. They call on the Agency to inform Parliament of negotiations to conclude agreements signed with third countries, to present tactical assessments focused on particular border regions, and to publish evaluation reports on joint operations and other coordinated missions. They also point out that democratic oversight of FRONTEX's activities would enhance its legitimacy.