

Immigration: liaison officers network

2009/0098(COD) - 08/07/2009 - Legislative proposal

PURPOSE: to amend Council Regulation (EC) No 377/2004 on the creation of an immigration liaison officers network in order to ensure efficient use of this important cooperation tool for the management of migration and external borders.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

CONTENT: in 2004, the Council adopted [Regulation \(EC\) No 377/2004](#), which lays down the obligation to establish forms of cooperation among immigration liaison officers of Member States. Recall that ‘immigration liaison officer’ (or ILO) means any representative of one of the Member States, posted abroad by the immigration service in order to establish and maintain contacts with the authorities of the host country with a view to contributing to the prevention and combating of illegal immigration.

In the light of practical experience gained over the years, it became clear that there was a need to make a number of modifications to the ILO network to make it more effective and improve its scope of action.

The planned changes are as follows:

- **to enable the OLI network to participate in the ICONet network:** by [Decision 2005/267/EC](#), the Council established a secure web-based Information and Coordination Network for Member States’ Migration Management Services (known as ‘ICONet’). This network enables, in particular, the exchange of information on irregular migration, illegal entry and immigration and the return of illegal residents. It is therefore important to include the immigration liaison officers in this network for the exchange of information and practical experience;
- **to establish a legal basis to provide for specific cooperation with Frontex:** the Council adopted Regulation (EC) No 2007/2004 establishing Frontex. This Agency’s tasks include facilitating operational cooperation between Member States and third countries and exchanging information and experience on border control issues. Although immigration liaison officers posted in relevant third countries could provide a substantial contribution to the fulfilment of the tasks of FRONTEX, this potential is not yet adequately exploited. This new form of cooperation has therefore been proposed and immigration liaison officers should be able to collect information concerning illegal immigration that may help the Agency;
- **to reorganise certain meetings of the ILO network:** several Member States have informally agreed to lead regional ILO networks in Africa and to hold meetings in this context. Given that the current wording of the Regulation only encourages Member States holding the Presidency of the Council of the European Union (or Member States serving as acting Presidency) to take the initiative to hold such meetings, the Commission is proposing a clarification to the effect that also Member States agreeing to lead regional networks are in a position to hold such meetings;
- **to clarify the ILO network’s obligation to be accountable:** Regulation (EC) No 377/2004 stipulates that the Member State holding the Presidency of the Council, or the Member State serving as acting Presidency, shall draw up, by the end of each semester, a report on the activities of the network. Such a report shall be drawn up in accordance with a model and a format established by the Commission and will constitute an essential form of information for the preparation, at the end of each Presidency, of an evaluation report to be submitted to the Council. Given that the current procedure for presenting the reports is burdensome for the Commission, it has been proposed that the relevant provisions be adapted in order to rationalise the current system, while ensuring that the European Parliament is duly informed.

Territorial provisions: Norway, Iceland, Switzerland and Liechtenstein shall be associated with the implementation of the Regulation pursuant to the bilateral agreements concluded with the EU on the Schengen acquis. The United Kingdom and Ireland shall not participate in the adoption of the text, pursuant to the protocol annexed to the EU Treaty and subsequent decisions. For the same reasons, Denmark shall not participate in the adoption of the text but may decide within a period of 6 months if it will transpose or not this text into its national law.

IMPACT ASSESSMENT: an impact assessment was not carried out because the present proposal introduces only minor and mainly technical changes into existing legislation.

BUDGETARY IMPLICATION: the proposal has no implication for the Community budget.