

Immigration: liaison officers network

2009/0098(COD) - 05/04/2011 - Final act

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.

LEGISLATIVE ACT: Regulation (EU) No 493/2011 of the European Parliament and of the Council amending Council Regulation (EC) No 377/2004 on the creation of an immigration liaison officers network.

BACKGROUND: in 2004, the Council adopted [Regulation \(EC\) No 377/2004](#), which laid down the obligation to establish forms of cooperation among immigration liaison officers of Member States. To recap, '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.

CONTENT: following an agreement reached with the Council in first reading, the following amendments were made to Regulation (EC) No 377/2004 on the creation of an immigration liaison officers network:

- **to enable the ILO network to participate in the ICONet network:** with [Decision 2005/267/EC](#), the Council established a secure web-based Information and Coordination Network for Member States' Migration Management Services (or ICONet network) for the exchange of information on irregular migration, illegal entry and immigration and the return of illegal residents. It is therefore considered important to include the Immigration Liaison Officers in this network to exchange information and practical experience. Information exchange on experience regarding asylum seekers' access to protection is also provided for;
- **cooperation with the FRONTEX Agency :** the Council adopted [Regulation \(EC\) No 2007/2004](#) established a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex). Its tasks include the facilitations of operational cooperation between the Member States and third countries and the exchange of information and practical experience in relation to border controls. It is planned to envisage a new type of cooperation and to permit ILOs to gather information regarding illegal immigration that can assist the Agency;
- **initiation of certain ILO network meetings:** it is planned that every Member State can organise one or several meetings (and not simply the Member States holding the presidency). Representatives of the Commission and Frontex should participate in those meetings. It should be possible to invite other bodies and authorities, such as the European Asylum Support Office and the Office of the United Nations High Commissioner for Refugees;
- **extend the scope of the activity report of ILO networks:** in the context of the activity report on the ILO network that the Member State holding the Council presidency has to draw up for Parliament, Council and the Commission on activities in specific countries and/or regions of particular interest to the Union, it is stipulated that information should be included on the human rights situation in the regions in question. The selection, following a consultation with the Member States and the Commission, of the specific countries and/or regions of particular interest to the Union shall be based on objective migratory indicators, such as statistics on illegal immigration, and risk analyses and other relevant information or reports prepared by Frontex and the European

Asylum Support Office. On the basis of these reports and taking into account aspects relating to human rights, the Commission shall, where relevant, provide a factual summary and, where appropriate, recommendations to the European Parliament and to the Council, on an annual basis, on the development of immigration liaison officers networks.

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

ENTRY INTO FORCE: 16.06.2011.