EU/Serbia status agreement: actions carried out by the European Border and Coast Guard Agency in Serbia

2018/0409(NLE) - 13/05/2020 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 569 votes to 109, with 13 abstentions, a legislative resolution on the draft Council decision on the conclusion of the Status Agreement between the European Union and the Republic of Serbia on actions carried out by the European Border and Coast Guard Agency in the Republic of Serbia.

Following the recommendation of the Committee on Civil Liberties, Justice and Home Affairs, the European Parliament gave its consent to the conclusion of the Agreement.

The proposed Council Decision aims to approve the Status Agreement between the European Union and Serbia on actions carried out by the European Border and Coast Guard Agency in Serbia as foreseen in the Regulation (EU) 2016/1624 on the European Border and Coast Guard.

Regulation (EU) 2016/1624 explicitly provides that, in cases where it is envisaged that European Border and Coast Guard teams will be deployed to a third country, in actions where the team members will have executive powers, or where other actions in third countries require it, a status agreement shall be concluded by the Union with the third country concerned.

The purpose of the Status Agreement is to provide a legally binding framework that should set out the scope of the operation, the rules on civil and criminal liability, and the tasks and powers of the deployed members of the teams. The status agreements should also guarantee the full respect of fundamental rights and should establish dedicated complaints mechanisms to be used in case of fundamental rights violations during these operations.

The Status Agreement with Serbia is one of several similar agreements concluded with the Western Balkan countries. It would allow for joint operations, rapid border interventions and/or return operations to take place on the territory of Serbia with the involvement of the Agency. The return operations would relate solely to third country nationals being returned from the European Union to Serbia.