Control of external borders: development of a common policy, Thessaloniki Council

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PURPOSE : to review progress and make recommendations on measures to combat illegal immigration.
CONTENT : at Laeken and in Seville, the European Council re-emphasised the importance of measures to combat illegal immigration. In Seville, in particular, it launched a number of detailed initiatives, including operational measures, aimed at implementing this priority quickly. This Communication reviews the progress made in the last few months in order to make a political evaluation and draw up guidelines as to the priorities to be pursued before the completion of the overall programme defined at the Tampere European Council. The Commission examines recent policy developments, including visa policy, border control policy and return policy. It feels that the following guidelines should be considered as priorities for guiding the actions of the Union's institutions over the coming months in implementing, in accordance with the conclusions of the Seville European Council, the action plans adopted in 2002: - the principle of solidarity between Member States should be reinforced and consolidated. Although this solidarity can take a variety of forms, in particular through the strengthening of operational cooperation, it is of major financial importance. For this reason the principle of solidarity should be reflected in budgets within the new post-2007 financial perspective. In the meantime, the Commission is willing to examine, in agreement with the budgetary, the possibility of using part of the budgetary margin available for internal policies to support a solidarity drive over the period 2004-2006 which could include: - a structural approach to requirements in terms of external border controls, extending beyond a simple reinforcement of the ARGO programme; - with the renewal of the ERF, the adoption of a more targeted approach, concentrating available resources, to reception and integration of refugees and displaced persons; - the gradual development of the Visa Information System (VIS), in the light of the options to be selected by the Council on the basis of the results of a feasibility study. The Commission is also willing to examine a separate instrument designed to assist a common returns policy by financing specific programmes covering the various stages of this process. The Commission also makes the following points: - the conclusions of the Seville European Council laid the basis for strong action on external border controls. This initiative has led to the introduction of a number of pilot projects to try out various forms of cooperation. The Commission feels that requirements in terms of planning, support (training, information gathering and processing, network analysis, etc.), organisation and evaluation of operational cooperation could require, beyond the creation of a joint unit made up of practitioners, the establishment of a Community operational structure. The role of this body would be to implement the strategic guidelines adopted by the Council with the assistance, if need be, of the "centres" set up as pilot projects whose contribution would have been validated by the Council. Clearly, such an operational body could only be fully effective if it was endowed with the powers and resources necessary. Within the context of the resources allocated by the budgetary authority,this operational structure could play a role in the management of Community financing. It could also mark the first step on the road to the creation of a "European Corps of Border Guards", which the Commission still firmly believes is necessary to support and complement the actions of Member States' bodies in the management of their external borders; - the Council must set up by the end of 2003 the guidelines necessary for the development of a common visa information system. It must also settle the preparation of the legal basis allowing it to be set up, and the release of financial resources in accordance with the options chosen. In this framework a coherent approach is needed on biometric identifiers or biometric data in the EU; this would result in harmonised solutions for documents for third country nationals, EU citizens' passports and information systems (VIS and SIS II); - the implementation of a common return policy for illegal immigrants is largely dependent on action by the Member States. Nevertheless, greater efficiency can be achieved by increasing cooperation and introducing the necessary legislative framework, in addition to the possible adoption of a specific financial instrument. The Commission is therefore asking the Council to look into the possibility of conferring on the operational structure, which would be set up for border control, similar responsibilities

for the organisation of cooperation on returns; - work on developing a common policy on readmission must continue. The Commission recommends that a detailed assessment of geographical priorities be carried out. It should take into account in particular the importance of the third country concerned and the state of its relations and cooperation with the Community and the Member States, before entering into other negotiations, especially in the context of the implementation of the Cotonou Agreement; - the common policy to combat illegal immigration must be based on strengthening the Union's ability to gather, exchange and process information on this phenomenon and working towards greater consistency of action in the field of combating trafficking in human beings. On the latter, the Commission will concentrate on combating undeclared work by the fixing of objectives under the European employment strategy and indirectly by the swift adoption of the proposal for a directive on admission for employment purposes.