

Basic information	
<p>2003/0817(CNS)</p> <p>CNS - Consultation procedure Regulation</p>	Procedure completed
<p>Immigration: creation of a liaison officers network. Initiative Greece</p> <p>Repealed by 2018/0153(COD) Amended by 2009/0098(COD)</p> <p>Subject</p> <p>7.10.08 Migration policy</p>	

Key players				
European Parliament	Committee responsible		Rapporteur	Appointed
	LIBE	Citizens' Freedoms and Rights, Justice and Home Affairs	ROURE Martine (PSE)	09/07/2003
	Committee for opinion		Rapporteur for opinion	Appointed
	AFET	Foreign Affairs, Human Rights, Common Security, Defense	SOULADAKIS Ioannis (PSE)	08/07/2003
	DEVE	Development and Cooperation	The committee decided not to give an opinion.	
Council of the European Union	Council configuration		Meetings	Date
	Justice and Home Affairs (JHA)		2529	2003-10-02
	Justice and Home Affairs (JHA)		2561	2004-02-19
European Commission	Commission DG		Commissioner	
	Agriculture and Rural Development			

Key events			
Date	Event	Reference	Summary
03/06/2003	Legislative proposal published	09870/2003	Summary
19/06/2003	Committee referral announced in Parliament		
02/10/2003	Debate in Council		Summary
07/10/2003	Vote in committee		Summary

07/10/2003	Committee report tabled for plenary, 1st reading/single reading	A5-0344/2003	
05/11/2003	Debate in Parliament		
19/02/2004	Act adopted by Council after consultation of Parliament		
19/02/2004	End of procedure in Parliament		
02/03/2004	Final act published in Official Journal		

Technical information	
Procedure reference	2003/0817(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Repealed by 2018/0153(COD) Amended by 2009/0098(COD)
Legal basis	EC Treaty (after Amsterdam) EC 066 EC Treaty (after Amsterdam) EC 063-p3
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/5/19682

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A5-0344/2003	07/10/2003	
Council of the EU				
Document type	Reference	Date	Summary	
Legislative proposal	09870/2003 OJ C 140 14.06.2003, p. 0012-0014	03/06/2003	Summary	
European Commission				
Document type	Reference	Date	Summary	
Document attached to the procedure	SWD(2018)0197 	17/05/2018	Summary	

Additional information		
Source	Document	Date

European Commission	EUR-Lex	
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Final act		
Regulation 2004/0377 OJ L 064 02.03.2004, p. 0001-0004		Summary

Immigration: creation of a liaison officers network. Initiative Greece

2003/0817(CNS) - 03/06/2003 - Legislative proposal

PURPOSE : proposal from the Council for a Council Regulation on the creation of an immigration liaison officers network. **CONTENT** : the plan for the management of the external borders of the Member States envisages the setting up of networks of immigration liaison officers posted in third countries. This proposal seeks to formalise the existence and functioning of such a network - drawing on experiences gained in the operation of running projects, including the Belgian-led Western Balkans ILO network - through a legally binding instrument. The draft Regulation sets out the obligation to establish forms of cooperation among immigration liaison officers of the Member States, the objectives of such cooperation, the functions and appropriate qualifications of such liaison officers, as well as their responsibilities vis-à-vis the host country and the sending Member State. The main points of the proposal are as follows: - Immigration liaison officers may be posted to the national consular authorities of Member States in third countries, to the relevant authorities of other Member States and also to the competent authorities of third countries, for a reasonable time period to be determined by the posting Member State. They will collect information for use at either operational or strategic level, or both. Such information will particularly concern: - flows of illegal immigrants originating from or transiting through the host country; - routes followed by those flows of illegal immigrants in order to reach the territories of the Member States; - the "modus operandi" of illegal immigrants, including the means of transport used; - the activities of criminal organisations involved in the smuggling of immigrants; - new developments with regard to flows of illegal immigrants; - methods used for counterfeiting or falsifying identity documents and travel documents; - ways to assist the host countries in preventing illegal immigration flows; - ways to facilitate the repatriation of illegal immigrants to their country of origin; - information transmitted via the early warning system. Immigration liaison officers may also help to identify third country nationals and return them to their country of origin. The proposal sets out provisions for Member States to inform each other and the Council and the Commission of information relating to immigration liaison officers. The Commission will draw up a summary factual report to be submitted to the European Parliament and to the Council before the end of each year.

Immigration: creation of a liaison officers network. Initiative Greece

2003/0817(CNS) - 02/10/2003

The Council, pending the opinion of the European Parliament and the lifting of some parliamentary reservations, reached a general approach on the Regulation creating an immigration liaison officers network (ILO). Each Member State will ensure that its immigration liaison officers establish and maintain direct contacts with the competent authorities in the host country and any appropriate organisation within the host country, with a view to facilitating and expediting the collection and exchange of information. Immigration liaison officers will collect information for use either at the operational level, or at a strategic level, or both. Immigration liaison officers shall also be entitled to render assistance in establishing the identity of third country nationals and in facilitating their return to their country of origin. It is recalled that the discussions regarding the creation of an immigration liaison officers (ILO) network started on 28 May 2001, when the Council adopted conclusions establishing a network of immigration liaison officers to ensure a coordinated response to the problem of illegal flows of migrants through the Western Balkan region and to work with and assist countries in that region.

Immigration: creation of a liaison officers network. Initiative Greece

2003/0817(CNS) - 19/02/2004 - Final act

PURPOSE : to establish an immigration liaison officers network. **LEGISLATIVE ACT** : Council Regulation 377/2004/EC on the creation of an immigration liaison officers network. **CONTENT** : This Regulation establishes that immigration liaison officers must maintain direct contacts with the competent authorities in the host country with a view to facilitating and expediting the collection and exchange of information. The information shall in particular concern issues such as: - flows of illegal immigrants originating from or transiting through the host country; - routes followed by those flows of illegal immigrants in order to reach the territories of the Member States; - their modus operandi, including the means of transport used, the involvement of intermediaries, etc.; - the existence and activities of criminal organisations involved in the smuggling of immigrants; - incidents and events that may be or become the cause for new developments with respect to flows of illegal immigrants, - methods used for counterfeiting or falsifying identity documents and travel documents; - ways and means to assist the authorities in host countries in preventing illegal immigration flows originating from or transiting through their territories; - ways and means to facilitate the return and repatriation of illegal immigrants to their countries of origin; - legislation and legal practices relevant to the issues referred to above; - information transmitted via the early warning system. Immigration liaison officers shall also be entitled to render assistance in establishing the identity of third country nationals and in facilitating their return to their country of origin. The main points of the Regulation are as follows: - There are some provisions on data protection; - Member States must inform one another, the Council and the Commission of their secondments of immigration liaison officers, including a description of their duties. The Commission will provide a collection of this information to the Council and Member States; - Member States shall ensure that their immigration liaison officers posted to the same

third countries or regions constitute local or regional cooperation networks among each other. The Regulation sets out a list of prescribed activities for the network; - Member States agree that immigration liaison officers who are posted to a third country shall also look after the interests of one or more other Member States and share certain tasks among each other; - The immigration liaison officers could be posted to the national consular authorities of Member States in third countries or to the relevant authorities of other Member States, but also to the competent authorities of the third countries, as well as to international organisations for a reasonable time period to be determined by the posting Member State. ENTRY INTO FORCE : 5 January 2004.

Immigration: creation of a liaison officers network. Initiative Greece

2003/0817(CNS) - 06/11/2003 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted its resolution drafted by Martine ROURE (PES, F) making some amendments to the Commission's proposals. (Please see the document dated 07/10/03.) Parliament specified that the Commission should request its delegations in the countries in which immigration originates to provide access to information on immigration for citizens of those countries, in cooperation with the embassies of the Member States, the authorities of the countries concerned and the immigration liaison officers. In addition, the officers should implement a common information policy aimed at making the local population aware of the existence of legal ways of immigrating and warning them of the dangers of illegal immigration and of slave-trafficking networks.

Immigration: creation of a liaison officers network. Initiative Greece

2003/0817(CNS) - 17/05/2018

The Commission presents a staff working document accompanying its [proposal for a regulation](#) of the European Parliament and of the Council on the creation of a European network of immigration liaison officers.

The document assesses:

- Regulation (EC) 377/2004 on the creation of an immigration liaison officers network ('ILO Regulation') in terms of the Regulation's effectiveness, efficiency, relevance, coherence and EU added-value, identifying gaps and areas for improvement;
- the work of the individual immigration liaison officers (ILOs) and of developments within ILO Networks since the adoption of the Regulation.

The evaluation process included consultation of a wide range of sources, including analysis of Presidency reports and documents on the work of the Member States Expert Group on ILO Networks, the organisation of fact-finding missions in 14 countries where ILOs are deployed (Pakistan, Jordan, Egypt, Nigeria, Ethiopia, South Africa, Albania (Western Balkans region), Morocco, Senegal, Ghana, Turkey, Thailand, China, and Russia), and surveys of ILOs and their managers. An external evaluation was carried out as well as consultation with stakeholders. The Commission recalls that in the context of rising migratory pressures the utilisation of ILOs has increased dramatically to a point where almost 500 ILOs are currently deployed by Member States in third countries, together with 13 European Migration Liaison Officers (EMLOs).

Results of the evaluation:

Bilateral nature of ILOs: the report confirms that ILOs and their networks **remain relevant** in the current global migration context and retain coherence with the Union polices on migration in all their aspects, in particular those aimed at preventing and combating irregular migration. The ILOs have operational expertise, first-hand knowledge and contacts in host third countries that are relevant and useful when pursuing cooperation on migration issues with authorities and collecting information to support evidence-based policy making.

However, the evaluation also revealed that immigration liaison officers are **tightly bound to their home administration** in terms of taking and prioritising their work as well as sharing information. It highlighted the lack of consideration given to this aspect in the existing Regulation, which concentrates on directing how immigration liaison officers should design, develop and manage networks locally in third countries, and neglects to address the fact that the vast majority of ILOs are Member State resources with **clear bilateral objectives** and guided by national administration.

Need for formal networks: the current Regulation **has not been responsible for instigating the systematic establishment of formal networks**. Indeed, evidence suggests that networking takes place in some form or another in any location where three or more ILOs are deployed. These networks may differ significantly by location, the levels of collaboration available, and the levels of network formalisation. ILOs involvement in different networks depends on their individual mandates, tasks, the bilateral priorities of the sending country as well as less objective factors such as the personalities of liaison officers.

A more **systematic approach** is evidently required. The evaluation cited the experience of the Immigration Liaison Officers Managers Network, (ILOMN), which draws together managers of ILO networks from some EU Member States and non-EU/non-Schengen states into a semiformal group who meet twice a year.

Promoting the exchange of information: the current Regulation **has not promoted a systematic flow of strategic information** and operational analysis upwards from the ILO networks to the EU bodies, i.e. Commission, European External Action Service, EU Delegations and EU Agencies, as well as horizontally across the networks and Member States.

Stakeholder consultations: stakeholders voiced need for **better cooperation and coordination mechanisms** to be established. Member States, in particular, stressed the value of cooperation with non-EU states deploying liaison officers and wanted flexibility as to the formation of the local and

regional networks of immigration liaison officers. The Union Agencies solicited a closer cooperation with the networks of immigration liaison officers and more effective sharing of information with the Agencies and use of analytical product produced by the Agencies. Lastly, there was a unanimous agreement across all stakeholders consulted on the **ineffectiveness** of the current provisions linked to information sharing and reporting mechanisms.