

Basic information	
<p><b>2023/0235(NLE)</b></p> <p>NLE - Non-legislative enactments</p>	Procedure completed
<p>EU/Albania Agreement: operational activities carried out by the European Border and Coast Guard Agency in Albania</p> <p><b>Subject</b></p> <p>7.10.04 External borders crossing and controls, visas 7.10.06 Asylum, refugees, displaced persons; Asylum, Migration and Integration Fund (AMIF)</p> <p><b>Geographical area</b></p> <p>Albania</p>	

Key players			
European Parliament	<b>Committee responsible</b>	<b>Rapporteur</b>	<b>Appointed</b>
	LIBE Civil Liberties, Justice and Home Affairs	DÜPONT Lena (EPP)	14/11/2023
		<b>Shadow rapporteur</b> BIELOWSKI Theresa (S&D) OETJEN Jan-Christoph (Renew)	
Council of the European Union			
European Commission	<b>Commission DG</b>	<b>Commissioner</b>	
	Migration and Home Affairs	JOHANSSON Ylva	

Key events			
Date	Event	Reference	Summary
07/07/2023	Preparatory document	COM(2023)0397 	Summary
21/09/2023	Legislative proposal published	11945/2023	Summary
16/10/2023	Committee referral announced in Parliament		
14/02/2024	Vote in committee		
15/02/2024	Committee report tabled for plenary, 1st reading/single reading	A9-0036/2024	Summary
14/03/2024	Decision by Parliament	T9-0169/2024	Summary

14/03/2024	Results of vote in Parliament		
12/04/2024	Act adopted by Council after consultation of Parliament		
18/04/2024	Final act published in Official Journal		

Technical information	
Procedure reference	2023/0235(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legal basis	Treaty on the Functioning of the European Union TFEU 079-p2 Treaty on the Functioning of the European Union TFEU 077-p2
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/9/12677

Documentation gateway				
<b>European Parliament</b>				
Document type	Committee	Reference	Date	Summary
Committee draft report		<a href="#">PE758.032</a>	24/01/2024	
Amendments tabled in committee		<a href="#">PE759.009</a>	12/02/2024	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A9-0036/2024</a>	15/02/2024	<a href="#">Summary</a>
Text adopted by Parliament, 1st reading/single reading		<a href="#">T9-0169/2024</a>	14/03/2024	<a href="#">Summary</a>
<b>Council of the EU</b>				
Document type		Reference	Date	Summary
Legislative proposal		<a href="#">11945/2023</a>	21/09/2023	<a href="#">Summary</a>
<b>European Commission</b>				
Document type		Reference	Date	Summary
Preparatory document		<a href="#">COM(2023)0397</a> 	07/07/2023	<a href="#">Summary</a>
Document attached to the procedure		<a href="#">COM(2023)0399</a> 	07/07/2023	
Document attached to the procedure		<a href="#">SWD(2024)0020</a> 	07/02/2024	

Additional information		

Source	Document	Date
European Commission	EUR-Lex	

Final act
<a href="#">Decision 2024/1169</a> <a href="#">OJ OJ L 18.04.2024</a> <span style="float: right;"><a href="#">Summary</a></span>

## EU/Albania Agreement: operational activities carried out by the European Border and Coast Guard Agency in Albania

2023/0235(NLE) - 07/07/2023 - Preparatory document

**PURPOSE:** to conclude, on behalf of the Union, the Agreement between the European Union and the Republic of Albania on operational activities carried out by the European Border and Coast Guard Agency in the Republic of Albania.

**PROPOSED ACT:** Council Decision.

**ROLE OF THE EUROPEAN PARLIAMENT:** Council may adopt the act only if Parliament has given its consent to the act.

**BACKGROUND:** one of the tasks of the European Border and Coast Guard Agency is to cooperate with third countries in relation to the areas covered by the European Border and Coast Guard Regulation (Regulation (EU) 2019/1896) including through the possible operational deployment of border management teams in third countries. The Agency, as part of the European Border and Coast Guard, is to ensure European integrated border management, one component of which is cooperation with third countries in the areas covered by the Regulation, focusing in particular on neighbouring third countries and countries of origin or transit for irregular migration.

Pursuant to Regulation (EU) 2019/1896, in circumstances requiring the deployment of border management teams from the European Border and Coast Guard standing corps to a third country where the members of the teams will exercise executive powers, a **status agreement should be concluded by the Union with the third country concerned**.

The Republic of Albania lies on the Western Balkans migration route, which sees significant irregular migration towards the European Union, both via land and across the Adriatic Sea. In 2022, more than 144 000 irregular border crossings and attempts were registered by the Agency at the European Union's external borders on the Western Balkan route.

Albania was the first country to agree on a status agreement with the European Union. This agreement was signed in October 2018 and entered into force on 1 May 2019. Joint operations conducted on the basis of that status agreement are however limited to Albania's land borders with the European Union and portions of the Adriatic Sea.

On 18 November 2022, and following the entry into force of Regulation (EU) 2019/1896 which extended the scope of the status agreements, the Commission received Council authorisation to open negotiations with the Republic of Albania as well as Montenegro, Serbia and Bosnia and Herzegovina, for an agreement on operational activities to be carried out by the European Border and Coast Guard Agency in those countries based on this new Regulation.

On 30 November 2022, a meeting was organised by the Commission with the four aforementioned countries, in which the main novelties of the model status agreement were highlighted. The European Commission, on behalf of the European Union, and the Republic of Albania held formal negotiations in view of an agreement on 22 and 23 February 2023 in Tirana. The Commission considers that the objectives set by the Council in its negotiating directives were attained and that the agreement is acceptable for the Union.

**CONTENT:** the proposal for a Council Decision constitutes the legal basis for the conclusion of the Agreement between the European Union and Albania on the operational activities carried out by the European Border and Coast Guard Agency in the Republic of Albania.

A status agreement will allow for the **deployment in the Republic of Albania of European Border and Coast Guard teams** by the European Border and Coast Guard Agency, using all the possibilities offered by Regulation (EU) 2019/1896. Without such a tool, only bilateral deployments by Member States can be used to develop and implement European integrated border management and support the Republic of Albania in managing a significant number of migrants seeking to transit its territory outside of the very limited geographic scope of the current status agreement with the Republic of Albania. A **common approach** is therefore needed to better manage the borders of the Republic of Albania.

The agreement governs all aspects necessary for the **deployment of border management teams from the European Border and Coast Guard standing corps** to a third country where the members of the teams will exercise executive powers. Deployment may take place on Albanian territory, including at its land, sea and air borders with other countries. Operational activities may also take place in the Albanian contiguous zone.

Operational activities carried out under this Agreement will not affect search and rescue obligations under the Law of the Sea, in particular the 1982 United Nations Convention on the Law of the Sea, the 1974 International Convention for the Safety of Life at Sea and the International Convention on Maritime Search and Rescue.

The envisaged agreement will contain practical measures related to the **respect of fundamental rights** and will ensure that fundamental rights are fully respected during activities organised on the basis of the agreement.

## EU/Albania Agreement: operational activities carried out by the European Border and Coast Guard Agency in Albania

2023/0235(NLE) - 21/09/2023 - Legislative proposal

PURPOSE: to conclude the Agreement between the European Union and the Republic of Albania on operational activities carried out by the European Border and Coast Guard Agency in the Republic of Albania.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: pursuant to Regulation (EU) 2019/1896 of the European Parliament and of the Council on the European Border and Coast Guard, in circumstances requiring the deployment of border management teams from the European Border and Coast Guard standing corps to a third country where the members of the teams will exercise executive powers, a **status agreement** is to be concluded by the Union with the third country concerned on the basis of Article 218 of the Treaty on the Functioning of the European Union.

CONTENT: the draft Council Decision aims to approve, on behalf of the Union, the Agreement between the European Union and the Republic of Albania on the **operational activities carried out by the European Border and Coast Guard Agency in the Republic of Albania**.

A status agreement will allow for the deployment in the Republic of Albania of European Border and Coast Guard teams by the European Border and Coast Guard Agency, using all the possibilities offered by Regulation (EU) 2019/1896 on the European Border and Coast Guard.

The agreement governs all aspects necessary for the deployment of border management teams from the European Border and Coast Guard standing corps to a third country where the members of the teams will exercise executive powers. Deployment may take place on Albanian territory, including at its land, sea and air borders with other countries. Operational activities may also take place in the Albanian contiguous zone.

The envisaged agreement will contain practical measures related to the respect of fundamental rights and will ensure that fundamental rights are fully respected during activities organised on the basis of the agreement.

Ireland is not taking part in the adoption of this Decision and is not bound by it or subject to its application. Denmark will decide within a period of six months after the Council has decided on this Decision whether it will implement it in its national law.

## EU/Albania Agreement: operational activities carried out by the European Border and Coast Guard Agency in Albania

2023/0235(NLE) - 14/03/2024 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 441 votes to 101, with 8 abstentions, a legislative resolution on the draft Council decision on the conclusion of the Agreement between the European Union and the Republic of Albania on operational activities carried out by the European Border and Coast Guard Agency in the Republic of Albania.

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 Albania on actions carried out by the European Border and Coast Guard Agency in Albania as foreseen in the Regulation (EU) 2019/1896 on the European Border and Coast Guard. The status agreement covers all aspects that are necessary for carrying out the actions of the Agency in third countries.

The new Agreement will update the previous status agreement from 2019 by also allowing the deployment of Frontex Standing Corps officers at the borders between Albania and neighbouring Western Balkan partners. The Agreement was signed on 15 September 2023 in Tirana.

## EU/Albania Agreement: operational activities carried out by the European Border and Coast Guard Agency in Albania

2023/0235(NLE) - 15/02/2024 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Civil Liberties, Justice and Home Affairs adopted the report by Lena DÜPONT (EPP, DE) on the draft Council decision on the conclusion of the Agreement between the European Union and the Republic of Albania on operational activities carried out by the European Border and Coast Guard Agency in the Republic of Albania.

The committee responsible recommended that the European Parliament **give its consent** to the conclusion of the agreement.

The proposed Council Decision aims to approve the Status Agreement between the European Union and Albania on actions carried out by the European Border and Coast Guard Agency in Albania as foreseen in the Regulation (EU) 2019/1896 on the European Border and Coast Guard.

The purpose of the status agreement is to cover all aspects that are necessary for carrying out the actions of the Agency in third countries.

In accordance with the European Border and Coast Guard Regulation, the Commission presented in its 2021 communication, a model status agreement containing specific provisions for conducting actions on the territory of third countries. The status agreement with Albania is based on the model that the Commission has drawn up.

The new agreement will update the previous status agreement from 2019 by also allowing the deployment of Frontex Standing Corps officers at the borders between Albania and neighbouring Western Balkan partners. The Agreement was signed on 15 September 2023 in Tirana.

## **EU/Albania Agreement: operational activities carried out by the European Border and Coast Guard Agency in Albania**

2023/0235(NLE) - 18/04/2024 - Final act

**PURPOSE:** to conclude the Agreement between the European Union and the Republic of Albania on operational activities carried out by the European Border and Coast Guard Agency in the Republic of Albania.

**NON-LEGISLATIVE ACT:** Council Decision (EU) 2024/1169 on the conclusion of the Agreement between the European Union and the Republic of Albania on operational activities carried out by the European Border and Coast Guard Agency in the Republic of Albania.

**BACKGROUND:** one of the tasks of the European Border and Coast Guard Agency is to cooperate with third countries in relation to the areas covered by the European Border and Coast Guard Regulation (Regulation (EU) 2019/1896) including through the possible operational deployment of border management teams in third countries. The Agency, as part of the European Border and Coast Guard, is to ensure European integrated border management, one component of which is cooperation with third countries in the areas covered by the Regulation, focusing in particular on neighbouring third countries and countries of origin or transit for irregular migration.

Pursuant to Regulation (EU) 2019/1896, in circumstances requiring the deployment of border management teams from the European Border and Coast Guard standing corps to a third country where the members of the teams will exercise executive powers, a status agreement should be concluded by the Union with the third country concerned.

**CONTENT:** under this Decision, the Agreement between the European Union and the Republic of Albania on operational activities carried out by the European Border and Coast Guard Agency in the Republic of Albania is hereby approved on behalf of the Union.

This Decision approves the status agreement between the European Union and Albania on actions carried out by the European Border and Coast Guard Agency in Albania as foreseen in the Regulation (EU) 2019/1896 on the European Border and Coast Guard. Without such a tool, only bilateral deployments by Member States can be used to develop and implement European integrated border management and support the Republic of Albania in managing a significant number of migrants seeking to transit its territory outside of the very limited geographic scope of the current status agreement with the Republic of Albania. A common approach is therefore needed to better manage the borders of the Republic of Albania.

The new Agreement will update the previous status agreement from 2019 by also allowing the deployment of Frontex Standing Corps officers at the borders between Albania and neighbouring Western Balkan partners. The Agreement was signed on 15 September 2023 in Tirana.

The Agreement governs all aspects necessary for the deployment of border management teams from the European Border and Coast Guard standing corps to a third country where the members of the teams will exercise executive powers. Deployment may take place on Albanian territory, including at its land, sea and air borders with other countries. Operational activities may also take place in the Albanian contiguous zone.

It should be noted that operational activities carried out under this Agreement will not affect search and rescue obligations under the Law of the Sea, in particular the 1982 United Nations Convention on the Law of the Sea, the 1974 International Convention for the Safety of Life at Sea and the International Convention on Maritime Search and Rescue.

The envisaged Agreement will contain practical measures related to the respect of fundamental rights and will ensure that fundamental rights are fully respected during activities organised on the basis of the agreement.

**ENTRY INTO FORCE:** 12.04.2024.