



INFORMAL HIGH-LEVEL ADVISORY GROUP

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Introductory Document:

Modernising European border and visa management - Should we further strengthen border management and cooperate more closely on European level as well as with third states? Should we develop the Schengen border and visa approach further, adapted to the particular relationship with third countries?

STATUS QUO

Despite a difficult situation in general political terms, the European Union in the 1990s - on the basis of the Schengen arrangements - succeeded in establishing a common area in which internal border controls are abolished, and it is expected that this area will be extended to almost all of the Member States by the end of 2007. In addition to the introduction of the Single Market and the euro, this is the element of the European integration project that is perceived and felt most by the Union's citizens. Excessive waiting times at entry and exit at border crossing points along the internal borders have since then largely become a thing of the past. Moreover, the resultant facilitation of free movement of persons and goods has - in addition to modern information and communications technology - significantly contributed towards strengthening the Community's economy and competitive power. Summarizing, the abolition of internal border controls had made Europe safer in terms of internal security via strengthening judicial and police cooperation and setting highest priority on the common external borders. However, international terrorism, organized crime, drug trafficking and illegal migration including the use of modern technologies and communication means also have led to new threats.

While striking a balance between the citizens' needs for freedoms and their security needs, the Community has, in particular, developed the following instruments and strategies for this purpose:

- In 1990, start of the development of a common search system, visa management and uniform provisions governing checks on persons at the external borders as essential elements of Schengen co-operation.
- Establishment of, the European Borders Agency; FRONTEX in 2005 and - in 2007, as projects co-ordinated by the Agency - introduction of rapid border intervention teams

(RABITs), of a Centralised Record of Available Technical Equipment (Toolbox), and of a coastal patrol network in the south Mediterranean area.

- Development of an Integrated Border Management concept (strategic guidelines for a European border management system, also as regards co-operation with third countries; adopted by the European Council in December 2006).
- Development of the common European Security Strategy which is aimed, in particular, at forming a 'ring' of responsibly governed countries from the EU's eastern borders to the Mediterranean (adopted by the European Council in December 2006).
- Development of the common "Strategy for the External Dimension of JHA: Global Freedom, Security and Justice" which takes full account, in particular, of security and migration issues, also in the Community's external relations (adopted by the Council in December 2005).

CHALLENGES TO INTERNAL SECURITY

As regards the next decade, globalization, the resultant growing freedom of world trade (WTO), the increasing accessibility of the Internet and mobile data services, Europe's economic development and its consolidated democratic structures - especially in comparison with its neighbours – give reason to expect that Europe will increasingly become a region of destination for worldwide illegal migration, organized crime and international drug-trafficking, and a target of terrorist attacks.

Since the start of Schengen co-operation, however, the following significant changes have taken place in the meantime:

- since the removal of the Iron Curtain, the European Union has not only been considerably enlarged, but also has won new neighbours at its external borders;
- the abolition of controls at the internal borders has resulted in a significant increase in mobility within the EU;
- thanks to state-of-the-art means of travelling and communication and the EU's positive economic development, also mobility from and in third countries has increased considerably; previously remote countries have drawn closer to the EU;
- increasing use being made of technological developments (inter alia, biometrics, Internet, mobile radio communications);
- greatly intensified threats posed by international - especially Islamist - terrorism.

In addition, account should also be taken of the following political factors:

- the situation in prospective candidate countries (western Balkans);
- the particular political and cultural relations with neighbouring and third countries (e.g. U.S.A., Russia, Ukraine, Moldava, South American region, and North Africa).

- Therefore, in order to be able to respond efficiently to the future challenges in terms of our internal security, decisive importance attaches to close police co-operation, effective common border and visa management, and intensified co-operation with third countries.

QUESTIONS FOR DISCUSSION

Is there a consensus on the analysis of the current situation and on the anticipated challenges to be met by modern border and visa management?

I. QUESTIONS FOR DISCUSSION REGARDING THE ROLE OF FRONTEX

What role should FRONTEX play within the framework of modern common border management? Items for discussion:

- evaluation of the work of national border management organizations, including the possibility of unannounced inspections;
- helping Member States with the procurement of technical equipment;
- operational support provided by Agency staff to Member States;
- performing control tasks at designated border crossing points upon a Member State's request;
- intensified co-operation and exchanges of information with European institutions responsible for the movement of goods and customs regulations.

II. QUESTIONS FOR DISCUSSION REGARDING FURTHER DEVELOPMENT OF THE SCHENGEN BORDER AND VISA APPROACH

Is there a need for further adaptation of common visa and border management to modern challenges? If so, how could it be adapted to modern challenges? Items for discussion:

- synergies between checks on persons and checks on goods (border police / customs);
- consideration of risk profiles in visa-issuing procedures (e.g. differentiation between migration and security risks);
- making use of technological advances in visa-issuing- as well as entry-, stay- and exit-procedures (e.g.; linkage of the registers on third-country nationals staying in Member States);
- special visa arrangements to be applied to acceding countries in the framework of an accession strategy;
- special visa arrangements to be applied to neighbouring states due to close historic relationships (for instance between Poland and Ukraine).

III. QUESTIONS FOR DISCUSSION REGARDING ENHANCED CO-OPERATION WITH THIRD STATES IN BORDER MANAGEMENT TO PREVENT ILLEGAL MIGRATION

What role might FRONTEX - as well as the border police organizations of Member States - play in future as regards co-operation with third countries, especially in view of promoting the

build-up of effective border management organizations, and in the context of joint return operations?

- agreements to be concluded by the Community or FRONTEX with third countries on joint measures to fight illegal migration (e.g. joint maritime surveillance, deployment of document advisers, or possibly pre-border checks to be carried out in third countries under an anticipatory strategy);
- possible concessions to be made by the Community vis-à-vis third countries in order to induce the latter to pursue sustained co-operation in the field of illegal migration (e.g. financial support for the procurement of technical equipment).