

Civil Liberties Committee backs new European Border and Coast Guard

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Plans to set up an integrated EU border management system, with a flagship European Border and Coast Guard agency, bringing together Frontex and national border management authorities, were backed by the Civil Liberties Committee on Monday. They would enable extra border guard teams to be rapidly deployed to EU countries whose external borders are under pressure. National authorities would still manage their borders on a day-to-day basis, but could seek help from the new agency in a crisis.

"The EU needs safer, better managed external borders and thus the European Border and Coast Guard (EBCG) as soon as possible. The European Border and Coast Guard is not a silver bullet that can solve the migration crisis that the EU is facing today or restore the Schengen area. Yet it is the first step without which the rest of legislative proposals to tackle the migration crisis and save Schengen as initially foreseen would be a fruitless battle. We need to show Europeans that the EU can make a decision and can be efficient", said rapporteur Artis Pabriks (EPP, LV).

MEPs amended the original proposal to make the new agency more efficient in dealing with the challenges faced by the EU at its borders, with regard to both migration and internal security and with the aim of preserving free movement within the Schengen area, and increasing transparency and accountability to the European Parliament, while respecting the sovereignty of EU member states.

Specifically, they amended the original Commission proposal so that it is up to member states (in the Council) to decide on the intervention, by qualified majority, and not the Commission.

The draft regulation was approved by 40 votes to 10, with 5 abstentions.

Council may decide to launch rapid border interventions in crisis situations

In cases where a member state is faced with increased pressures on its external border, such as disproportionate migratory pressure or cross-border crime, rapid border intervention teams could be temporarily deployed either at the request of a member state or by Council decision:

- following a member state request, an operational plan would be agreed with the EBCG, which would deploy, within three working days, the necessary staff and provide technical equipment and
- in cases where a member state does not take up the measures proposed by the EBCG or migratory pressure is jeopardising the functioning of the Schengen area, the Commission may present the Council with proposal to act. The Council will then decide by qualified majority on the need to send border intervention

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teams. The operational plan should be agreed by the member state concerned and the EBCG before deployment can take place.

Return operations

MEPs also agreed to further expand the role of the agency in return, by allowing it to assist member states with return operations (i.e. returning illegally-staying non-EU nationals to their country of origin), both operationally and technically, while the decision itself stays at national level. Nevertheless, MEPs decided that the EBCG should not organise return operations to any third country where risks of fundamental rights violations exist, in accordance with the *non-refoulement* principle.

Pool of guards

The EBCG agency will not have its own border guards but will be able to call on a rapid reaction pool of 1,500 border guards to be nominated by member states. Member states without land or sea external borders would need to make available to the EBCG 3% of their national border guards, while for those with land or sea external borders the share would be 2%.

Accountability

According to the approved text, the European Border and Coast Guard Agency shall be accountable to the Parliament and Council.

Next steps

Inter-institutional talks with Council to reach an agreement on the new legislation will start on 31 May. The negotiating mandate was in fact adopted by 44 votes to 9, with 2 abstentions.

Press conference

On **Tuesday 31 May at 09.00**, there will be a press conference on the European border and coast guard with rapporteur Artis PABRIKS (EPP, LV). Live [here](#).

Procedure: Co-decision (Ordinary Legislative Procedure)

Further information

- Video recording of debate will be available here (30.05.2016): <http://www.europarl.europa.eu/ep-live/en/committees/?legislature=8&start-date=30-05-2016&end-date=31-05-2016&committee=LIBE>
- Civil liberties, Justice and Home Affairs Committee
: <http://www.europarl.europa.eu/committees/en/libe/home.html>
- Dynamic page containing latest videos and photos:
: <http://audiovisual.europarl.europa.eu/Page.aspx?id=2393>
- EPRS: European Border and Coast Guard System:
: http://www.eprs.sso.ep.parl.union.eu/eprs/auth/en/product_browse.html
- EP Study: The proposal for a European Border and Coast Guard: evolution or revolution in external border management?
: [http://www.europarl.europa.eu/RegData/etudes/STUD/2016/556934/IPOL_STU\(2016\)556934_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2016/556934/IPOL_STU(2016)556934_EN.pdf)
- European Commission's press release on the border and coast guard package
: http://europa.eu/rapid/press-release_IP-15-6327_en.htm

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