EUROPEAN UNION
THE COUNCIL

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LIMITE

ASIM 210
FRONTEXT 3

OUTCOME OF PROCEEDINGS

of : Working Party on External Frontiers

on : 21 September 1998

1. **Adoption of the agenda**

The agenda set out in Telex No 3718 of 4 September 1998 was adopted with an "Other business" item on the implementation of the Council Joint Position of 25 October 1996 on pre-frontier assistance and training assignments (OJ L 281, 31.10.1996, p. 1) added at the request of the Presidency.

2. **Austrian Presidency's work programme**
9375/98 CK4 23

The Presidency's work programme on external frontiers, as set out in 9375/98 CK 4 23, was well received by the Working Party.

3. **Proposed seminar to be attended by the Member States of the European Union, the European Commission and the applicant States of Estonia, Poland, Slovenia, the Czech Republic and Hungary, together with a suggestion for the establishment of an EU Committee of Experts**

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(a) the measure

The Presidency pointed out that this seminar had to be viewed as part of a broader, more extensive measure containing four steps of equal importance with no hierarchy between them.

These four steps may be described as follows:

- Seminar to be held in Klagenfurt from 19 to 23 October, to be attended by the Member States, the Commission and Estonia, Hungary, Poland, the Czech Republic and Slovenia,

- Seminar to be attended by the Member States, the Commission and Cyprus (venue and date in 1998 to be determined),

- Seminar to be attended by the Member States, the Commission, Bulgaria, Romania, the Slovak Republic, Latvia and Lithuania (venue and date to be determined, probably late 1998 - early 1999), and

- Seminar to be attended by all the applicant countries with the aim of drawing up a model for cooperation with them for controls at external borders.

The German, Portuguese and United Kingdom delegations expressed their appreciation of this measure and commented on the importance of the external border controls issue for the applicant countries.

Other delegations (E/F) welcomed the measure but questioned the seminars' contents.

Following comments by various delegations (DK/FIN/S/UK) on the possible drawbacks of putting applicant countries together in a number of groups, the Presidency emphasized that the steps were on an equal footing and said that they were being divided up solely for organizational reasons: the Presidency's idea was to hold meetings in steps so that the same aspects and problems could be worked on in each of those steps and a joint strategy then put in place at the final seminar. The Presidency pointed out that this measure had to be within the context of accession and it was clear that the position of each applicant State with regard to appraising the time of its accession would not be prejudged by this division into several steps.

The Italian delegation voiced the need for a broader geo-migratory perspective. In its opinion, the importance of the Mediterranean countries, to which the proposed Presidency measure should be extended, must not be overlooked.

(b) the content

The Spanish and French delegations disagreed with the seminar content (presentation of the Schengen acquis). The Spanish delegation said that presentation of the Schengen acquis in its entirety was in breach of the relevant decision of the Schengen Executive Committee which had dismissed the idea of presenting some of the annexes to the common handbook. In its opinion, the expression "in its entirety" (used in the first point on page 2 of 10852/98 ASIM 195 FRONTEXT 1) should be deleted. It also said that the reference to the "guide to effective practices for controls of persons at external frontiers" should be clarified to make it plain that this was an unofficial, non-compulsory document. The French delegation pointed out that, in the current state of play, it was for the Schengen Presidency to make such a presentation and that coordination with the various bodies both within the Union and in Schengen working in the same field was necessary.

The German delegation said that this measure linked in with Schengen measures and constituted an important step in the process of presenting the acquis.

In response to these comments, the Presidency explained that the proposal was not intended as an official presentation of the Schengen acquis which was clearly an operation for the Schengen Presidency. The work of these meetings should be viewed as complementing work already carried out or to be undertaken in other Union or Schengen bodies. It would be coordinated to avoid danger of duplication and to focus the content of the measure on appropriate, relevant issues.

(c) Proposal to set up a committee of experts

The Commission representative provided oral information on the progress of missions with "border" aspects conducted under the PHARE Programme. The Commission would send delegations a document via the General Secretariat setting out that information in writing.

The Presidency stated that the proposal to set up a committee of experts would be studied at the Working Party's next meeting, once the proceedings of the Working Party on Collective Evaluation had yielded some material.

4. Report by the Chairman of the Schengen Working Party on Frontiers on work in progress, including work in the Schengen Task Force

Following statements by the French and Spanish delegations, which questioned the wisdom of including this item on the agenda, it was decided that the Schengen Presidency should be asked to coordinate the viewpoints of delegations to that international organization so that such a statement could be made at Union level at a forthcoming meeting.

5. **Proposal on the compiling of information on all aid projects in the field of border controls and surveillance carried out in the applicant States by the European Union and, on a bilateral basis, by the Member States of the European Union.**

The Presidency explained that the purpose of this proposal was to increase transparency and collect the most exhaustive information possible in this sector. The idea was to make action undertaken both by Member States, individually or collectively, and the Union more effective and to achieve greater clarity in the field. To put the idea into practice, the Presidency proposed using a simple network to collect information which would then be studied in order to identify duplication and loopholes, and to increase cost-effectiveness.

The German delegation said that a decision to compile such information had also been taken within the Schengen context. It suggested that there be coordination between the Union and Schengen Presidencies, and that the Commission be involved.

In response to comments by the French delegation which wondered how the proposed action would fit in with the work of the Working Party on Collective Evaluation, the Presidency explained that its proposal was solely to collect information, not evaluate it.

The Presidency would send delegations, via the Council General Secretariat, a written proposal containing a grid to structure the information requested.

6. **Other business**

(a) **Implementation of the Council Joint Position of 25 October 1996 on pre-frontier assistance and training assignments**

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The Presidency presented this document to the Working Party and asked delegations to send any comments in writing to the Council General Secretariat.