

Illegal immigration: Civil Liberties Committee advocates rapid reaction teams

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Expert rapid reaction teams may be formed to provide technical and operational help at times of big influxes of illegal migrants over the external borders of any EU Member State if Parliament as a whole endorses a report approved by the Civil Liberties Committee on Wednesday. This report, the fruit of an agreement with Council on a proposed regulation, will be put to a first reading plenary vote in April.

Given the difficulties that some southern Member States face in coping with massive arrivals of illegal immigrants by sea, in 2005 the Council asked the European Commission to table a proposal to create "Rapid Border Intervention Teams". It stipulated that these teams should pool Member States financial means and human resources to act in emergencies at EU frontiers, but always under the co-ordination of the EU frontier management agency Frontex. A draft regulation would lay down common rules for the tasks that can be carried out by the "guest" border officers of other Member States within Frontex joint operations. In negotiations, questions immediately arose over the funding of the teams and the need for all Member States to contribute financial and human means.

Mandatory solidarity

The principle of "mandatory solidarity", under which all Member States must deploy especially-trained border guards upon Frontex's request was enshrined in the agreement reached with the Council by Parliament's rapporteur Gerard Deprez (ALDE, BE). Rapid intervention teams will be mobilised "for a limited period" and only if the country faces an "urgent and exceptional pressure". The decision as to whether an influx amounts to an "emergency" justifying a request to mobilise an intervention team will be taken by the Director of Frontex.

Member State contributions

According to the draft regulation, it will be up to Frontex Management Board to decide by a three-quarters majority the profiles and the overall number of border guards to be made available by each Member State. EU countries will then be required to contribute border guards corresponding to the required profiles, unless they themselves face "an exceptional situation substantially affecting the discharge of national tasks".

The salaries of border guards deployed in rapid border intervention teams deployed in a host country will continue to be paid by the home countries, but the extra costs of operations (travel expenses, repatriation, insurance, living costs), will be borne by Frontex. To this end, Parliament has boosted the agency's budget by €10 million for 2007.

Tasks and powers

Team members may only perform tasks and exercise powers "under the instructions from and, as a general rule, in the presence of border guards of the host Member State", says the draft regulation. A provision inserted by MEPs in the compromise text stresses that the exercise of these powers needs to be proportionate to the objectives and "shall not discriminate against persons on the grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation".

Procedure: Co-decision, first reading --- Plenary vote: April

10/04/2007

Committee on Civil Liberties, Justice and Home Affairs

In the chair: : Philip Bradbourn (EPP-ED, UK)