



LIBE_OJ(2018)0927

DRAFT AGENDA

Hearing

The implementation of the Facilitation Directive and humanitarian assistance to irregular migrants

Thursday, 27 September 2018, 15:30 - 17:30

European Parliament, Brussels

Room: PHS - P3C050

Background

The Committee on Civil Liberties, Justice and Home Affairs (LIBE) of the European Parliament is organising this **public hearing** on "***The Implementation of the Facilitation Directive and humanitarian assistance to irregular migrants***", as a follow-up to the recent adoption (5 July 2018) by the European Parliament of a resolution calling on the Commission to develop "**Guidelines for Member States to prevent humanitarian assistance from being criminalised**".

The European Parliament's call for guidelines followed the position already adopted in 2016 in the **European Parliament resolution of 12 April 2016 on the situation in the Mediterranean and the need for a holistic EU approach to migration (2015/2095(INI), "Metsola-Kyenge report")**. The Parliament had then taken the view that "*anyone who provides different forms of humanitarian assistance to those in need should not be criminalised and that Union law should reflect that principle*".

The balance appears difficult to find between the need for punishing and dissuading smugglers with appropriate criminal sanctions, and the need to enable EU citizens to express their human solidarity without risking criminalisation. This tension between the criminalisation of smugglers and of people providing humanitarian assistance results from the current legislation - the "Facilitators package", which includes the Facilitation Directive of 2002 and the Council Framework Decision implementing it. Over the years, it appeared that implementation of the package raised legal ambiguity and uncertainty. The hearing aims at shedding some light on this sensitive matter through the angles of various actors – citizens, NGOs, national and EU authorities.

The programme includes the presentation of an update of the 2015 study commissioned by the European Parliament on the implementation of Directive 2002/90/EC of 28 November 2002 defining the facilitation of unauthorised entry, transit and residence ("***Fit for purpose? The Facilitation Directive and the criminalisation of humanitarian assistance to irregular migrants***"). Points of view and experience of two citizens engaged in NGOs active with assistance to migrants (Constantin Nestler, medical doctor who volunteered on Lifeline and Jugendrettet boats, and Salam Aldeen, engaged in Lesvos for Team Humanity), of a Member State (France), of the Border and Coast Guard Agency (Frontex) and of the Commission will also be presented to MEPs to launch the debate.

Order of business

- 15:30 - 15:35** **Welcome and opening remarks** by **Claude MORAES**, Chair of the Committee on Civil Liberties, Justice and Home Affairs (LIBE), European Parliament
- 15:35 - 15:50** **Presentation of preliminary findings of the update of the Study on “Fit for purpose? The Facilitation Directive and the criminalisation of humanitarian assistance to irregular migrants”** **Lina Vosyliūtė**, Researcher in Rights and Security Program (CEPS) and **Jennifer Allsopp**, Postdoctoral Research Fellow with the Migration Leadership Team, London International Development Centre and SOAS University of London for the Centre for European Policy Studies
- 15:50 - 16:00** **Constantin Nestler**, medical doctor and volunteer **for the Search and Rescue missions *Jugend Rettet Juventa and Lifeline ships***
- 16:00 - 16:10** **Salam Aldeen**, **Founder of Danish NGO team Humanity**, cleared of smuggling charges by Lesvos court in May 2018
- 16:10 - 16:20** **Jean de Croone**, **Deputy Director for Immigration, Ministry of Interior, France**, on the implementation of the Facilitation Directive in France
- 16.20 - 16.25** **Recorded message from Fabrice Leggeri**, Executive Director European Border and Coast Guard Agency (FRONTEX)
- 16.25 - 16.35** **Ioan-Dragos Tudorache**, **Head of Unit, Irregular Migration and Return Policy, DG HOME, European Commission**
- 16:40 - 17:25** **Question-time**
- 17:25 - 17:30** **Closing remarks** by **Claude MORAES**, LIBE Chair

Annex

IMPORTANT NOTICE FOR THOSE WISHING TO ATTEND THE MEETING

The meeting is open to the public. However, for security reasons, participants who do not have a European Parliament access badge must obtain a pass in advance. Those wishing to obtain such a pass should register before **20 September 2018** end of business on the LIBE webpage for the hearing (<http://www.europarl.europa.eu/committees/en/libe/events-hearings.html>). Without proper registration, the Security Service will not provide entry passes.¹

PRACTICAL GUIDELINES FOR THE DEBATE

- *During the discussion, so as to make it possible for the highest number of parliamentarians to intervene, speaking time of speakers will be strictly limited to **the specified time allocated** and speaking time of the Members to **two minutes** per contribution or question in order to ensure a fruitful discussion.*
- *Speakers wishing to supplement their speeches may do so in writing by submitting a document (preferably in English or French) in advance to the secretariat (email: libe-secretariat@europarl.europa.eu). These documents will be circulated during the meeting.*
- *Meeting documents will be progressively added to the Events section of the LIBE Committee pages: <http://www.europarl.europa.eu/committees/en/libe/events-hearings.html>.*

THE MEETING IS BROADCASTED LIVE AND RECORDED

LIBE Committee pages:

<http://www.europarl.europa.eu/activities/committees/homeCom.do?language=EN&body=LIBE>

ADDITIONAL INFORMATION

| | |
|--|---|
| Céline CHATEAU Administrator Office: SQM 08 Y 035 Phone: +32(2)28 3 09 60 celine.chateau@europarl.europa.eu | Ivana URBANOVÁ Assistant Office SQM 08 Y 048 Phone: +32(2)28 4 05 07 ivana.urbanova@europarl.europa.eu |
| Erika SCHULZE Administrator Office: SQM 08 Y 043 Phone: +32(2)28 3 12 45 Erika.schulze@europarl.europa.eu | Răzvan-Nicolae SZABO Assistant Office SQM 08 Y 048 Phone: +32(2)28 3 65 46 razvan-nicolae.szabo@europarl.europa.eu |

¹ The processing of personal data is subject to Regulation (EC) No 45/2001 of 18 December 2001 (OJ.L 8 12.1.2001, p. 1)