



2015/0310(COD)

21.4.2016

AMENDMENTS

344 - 636

Draft report

Artis Pabriks

(PE578.803v01-00)

on the proposal for a regulation of the European Parliament and of the Council on the European Border and Coast Guard and repealing Regulation (EC) No 2007/2004, Regulation (EC) No 863/2007 and Council Decision 2005/267/EC

Proposal for a regulation

(COM(2015)0671 – C8-0408/2015 – 2015/0310(COD))

Amendment 344

Emil Radev, Mariya Gabriel, Andrej Plenković

Proposal for a regulation

Article 6 – paragraph 1

Text proposed by the Commission

1. To ensure a coherent European integrated border management at all external borders, the Agency shall facilitate and render more effective the application of existing and future Union measures relating to the management of external borders, in particular the Schengen Borders Code established by Regulation (EC) No 562/2006.

Amendment

1. To ensure a coherent European integrated border management at all **EU** external borders, the Agency shall facilitate and render more effective the application of existing and future Union measures relating to the management of external borders, in particular the Schengen Borders Code established by Regulation (EC) No 562/2006.

Or. en

Amendment 345

Iliana Iotova, Tonino Picula, Emilian Pavel, Miriam Dalli

Proposal for a regulation

Article 6 – paragraph 1

Text proposed by the Commission

1. To ensure a coherent European integrated border management at all external borders, the Agency shall facilitate and render more effective the application of existing and future Union measures relating to the management of external borders, ***in particular*** the Schengen Borders Code established by Regulation (EC) No 562/2006.

Amendment

1. To ensure a coherent European integrated border management at all external borders, the Agency shall facilitate and render more effective the application of existing and future Union measures relating to the management of external borders, ***including*** the Schengen Borders Code established by Regulation (EC) No 562/2006.

Or. en

Amendment 346

Péter Niedermüller, Cécile Kashetu Kyenge, Tanja Fajon, Josef Weidenholzer, Caterina

Proposal for a regulation
Article 6 – paragraph 1

Text proposed by the Commission

1. To ensure a coherent European integrated border management at all external borders, the Agency shall facilitate and render more effective the application of existing and future Union measures relating to the management of external borders, in particular the Schengen Borders Code established by Regulation (EC) No 562/2006.

Amendment

1. To ensure a coherent European integrated border management at all external borders, the Agency shall facilitate and render more effective the application of existing and future Union measures relating to the management of external borders, in particular the Schengen Borders Code established by Regulation (EC) No 562/2006, ***contribute to the identification, development and sharing of good practices and promote EU border management legislation and standards with a particular focus on fundamental rights and international protection.***

Or. en

Amendment 347
Kostas Chrysogonos

Proposal for a regulation
Article 6 – paragraph 1

Text proposed by the Commission

1. To ensure a coherent European integrated border management at all external borders, the Agency shall facilitate and render more effective the application of existing and future Union measures relating to the management of external borders, in particular the Schengen Borders Code established by Regulation (EC) No 562/2006.

Amendment

1. To ensure a coherent European integrated border management at all external borders, the Agency shall facilitate and render more effective the application of existing and future Union measures relating to the management of external borders, in particular the Schengen Borders Code established by Regulation (EC) No 562/2006, ***contribute to the identification, development and sharing of good practices, and promote EU border management legislation and standards and their implementation in a manner which ensures respect for fundamental rights and international protection***

obligations.

Or. en

Amendment 348
Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation
Article 6 a (new)

Text proposed by the Commission

Amendment

Article 6 a

Accountability

***The Agency shall be accountable to the
European Parliament and the Council.***

Or. en

Amendment 349
Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation
Article 7 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. In view of contributing to an efficient, high and uniform level of border control ***and return***, the Agency shall perform the following tasks:

1. In view of contributing to an efficient, high and uniform level of border control the Agency shall perform the following tasks:

Or. en

Amendment 350
Emil Radev, Mariya Gabriel, Andrej Plenković, Traian Ungureanu, Csaba Sógor

Proposal for a regulation
Article 7 – paragraph 1 – point a

Text proposed by the Commission

(a) establish a monitoring and risk analysis centre with the capacity to monitor migratory flows and to carry out risk analysis as regards all aspects of integrated border management;

Amendment

(a) establish a monitoring and risk analysis centre with the capacity to monitor ***security threats to the external borders of the EU including*** migratory flows and to carry out risk analysis as regards all aspects of integrated border management;

Or. en

Amendment 351

Péter Niedermüller, Tanja Fajon, Josef Weidenholzer

Proposal for a regulation

Article 7 – paragraph 1 – point a

Text proposed by the Commission

(a) establish a monitoring and risk analysis centre with the capacity to monitor ***migratory flows*** and to carry out risk analysis as regards all aspects of integrated border management;

Amendment

(a) establish a monitoring and risk analysis centre with the capacity to monitor and to carry out risk analysis as regards all aspects of integrated border management;

Or. en

Amendment 352

Nathalie Griesbeck, Filiz Hyusmenova, Maite Pagazaurtundúa Ruiz, Cecilia Wikström, Sophia in 't Veld, Petr Ježek, Louis Michel, Angelika Mlinar, Morten Helveg Petersen, Gérard Deprez

Proposal for a regulation

Article 7 – paragraph 1 – point a

Text proposed by the Commission

(a) establish a ***monitoring and risk analysis*** centre with the capacity to monitor migratory flows and to carry out risk analysis as regards all aspects of integrated border management;

Amendment

(a) establish a ***Risk Analysis and Vulnerability Assessment*** Centre with the capacity to monitor migratory flows and to carry out risk analysis as regards all aspects of integrated border management ***and the capacity to carry out vulnerability assessments including the assessment of***

the capacity of Member States to face threats and pressures at the external borders.

Or. en

Justification

For reasons of efficiency and to avoid duplication of tasks, it is more logical to have, within the Agency, one "Centre" (as proposed by the Commission) responsible for carrying the monitoring and risk analysis and also the vulnerability assessments.

Amendment 353

Gérard Deprez, Louis Michel, Petr Ježek

Proposal for a regulation

Article 7 – paragraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(aa) ensure regular monitoring of the management of the external borders through liaison officers of the Agency in Member States;

Or. fr

Amendment 354

Nathalie Griesbeck, Filiz Hyusmenova, Maite Pagazaurtundúa Ruiz, Cecilia Wikström, Sophia in 't Veld, Louis Michel, Angelika Mlinar, Morten Helveg Petersen, Gérard Deprez

Proposal for a regulation

Article 7 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) carry out a vulnerability assessment including the assessment of the capacity of Member States to face threats and pressures at the external borders;

deleted

Or. en

Justification

Deleted and moved to previous paragraph.

Amendment 355

Brice Hortefeux, Rachida Dati

Proposal for a regulation

Article 7 – paragraph 1 – point b

Text proposed by the Commission

(b) carry out a vulnerability assessment including the assessment of the capacity of Member States to face threats and pressures at the external borders;

Amendment

(b) carry out a vulnerability assessment including the assessment of the capacity **and preparedness** of Member States to face threats and pressures at the external borders, **including disproportionate migratory pressures and security-related threats**;

Or. fr

Amendment 356

Péter Niedermüller, Tanja Fajon, Josef Weidenholzer, Ana Gomes, Elly Schlein, Birgit Sippel

Proposal for a regulation

Article 7 – paragraph 1 – point b

Text proposed by the Commission

(b) carry out a vulnerability assessment including the assessment of the capacity of Member States to face **threats** and pressures at the external borders;

Amendment

(b) carry out a vulnerability assessment including the assessment of the capacity of Member States to face **challenges** and pressures at the external borders **while complying with the relevant EU legislation and their international human rights obligations**;

Or. en

Amendment 357

Salvatore Domenico Pogliese

Proposal for a regulation
Article 7 – paragraph 1 – point b

Text proposed by the Commission

(b) carry out a vulnerability assessment including the assessment of the **capacity** of Member States **to face** threats and pressures at the external borders;;

Amendment

(b) carry out a vulnerability assessment including the assessment of the **organisational capacities** of Member States **in facing** threats and pressures at the external borders; **this includes the excessive pressures deriving from migratory flows and consequent threats to the security of Member States;**

Or. it

Amendment 358
Ana Gomes

Proposal for a regulation
Article 7 – paragraph 1 – point c

Text proposed by the Commission

(c) assist Member States in circumstances requiring increased technical and operational assistance at the external borders by coordinating and organising joint operations, taking into account that some situations may involve humanitarian emergencies and rescue at sea;

Amendment

(c) assist Member States in circumstances requiring increased technical and operational assistance at the external borders by coordinating and organising joint operations, taking into account that some situations may involve humanitarian emergencies and **search and** rescue at sea;

Or. en

Amendment 359
Carlos Coelho, Barbara Matera

Proposal for a regulation
Article 7 – paragraph 1 – point c

Text proposed by the Commission

(c) assist Member States in circumstances requiring increased technical

Amendment

(c) assist Member States in circumstances requiring increased technical

and operational assistance at the external borders by coordinating and organising joint operations, *taking into account that some situations may involve humanitarian emergencies* and rescue at sea;

and operational assistance at the external borders by coordinating and organising joint operations, *including search and rescue operations* at sea;

Or. en

Amendment 360

Emil Radev, Mariya Gabriel, Andrej Plenković

Proposal for a regulation

Article 7 – paragraph 1 – point c

Text proposed by the Commission

(c) assist Member States in circumstances requiring increased technical and operational assistance at the external borders by coordinating and organising joint operations, taking into account that some situations may involve humanitarian emergencies and rescue at sea;

Amendment

(c) assist **EU** Member States in circumstances requiring increased technical and operational assistance at the external borders, *especially at the external borders of those EU Member States facing specific and disproportionate pressures*, by coordinating and organising joint operations, taking into account that some situations may involve humanitarian emergencies and rescue at sea;

Or. en

Amendment 361

Elissavet Vozemberg-Vrionidi

Proposal for a regulation

Article 7 – paragraph 1 – point c

Text proposed by the Commission

(c) assist Member States in circumstances requiring increased technical and operational assistance at the external borders by coordinating and organising joint operations, taking into account that some situations may involve humanitarian emergencies and *rescue at sea*;

Amendment

(c) assist Member States in circumstances requiring increased technical and operational assistance at the external borders by coordinating and organising joint operations, taking into account that some situations may involve humanitarian emergencies and *maritime distress*

situations;

Or. en

Amendment 362

Ska Keller

Proposal for a regulation

Article 7 – paragraph 1 – point c

Text proposed by the Commission

(c) assist Member States in circumstances requiring increased technical and operational assistance at the external borders by coordinating and organising joint operations, *taking into account that some situations may involve* humanitarian emergencies and rescue at sea;

Amendment

(c) assist Member States in circumstances requiring increased technical and operational assistance at the external borders by coordinating and organising joint operations, *including* humanitarian emergencies and rescue at sea;

Or. en

Amendment 363

Nathalie Griesbeck, Filiz Hyusmenova, Maite Pagazaurtundúa Ruiz, Cecilia Wikström, Sophia in 't Veld, Louis Michel, Angelika Mlinar, Morten Helveg Petersen, Gérard Deprez

Proposal for a regulation

Article 7 – paragraph 1 – point c

Text proposed by the Commission

(c) assist Member States in circumstances requiring increased technical and operational assistance at the external borders by coordinating and organising joint operations, *taking into account that some situations may involve humanitarian emergencies and rescue at sea;*

Amendment

(c) assist Member States in circumstances requiring increased technical and operational assistance at the external borders by coordinating and organising joint operations;

Or. en

Justification

Deleted and moved to a specific point in paragraph 1. Following the recent events in the Mediterranean and the dramatic loss of lives, it is clear that the new FRONTEX / EBCG must also focus on search and rescue at sea. It has to be clearly specified in specific paragraphs and recitals.

Amendment 364

Ska Keller

Proposal for a regulation

Article 7 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) assist Member States in ensuring the protection and saving the lives of migrants and refugees in accordance with Regulation (EU) No 656/2014 of the European Parliament and of the Council;

Or. en

Amendment 365

Ignazio Corrao, Laura Agea, Laura Ferrara

Proposal for a regulation

Article 7 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) assist Member States in protecting and saving the lives of people in distress at sea in accordance with Regulation (EU) No 656/2014;

Or. en

Amendment 366

Nathalie Griesbeck, Filiz Hyusmenova, Maite Pagazaurtundúa Ruiz, Cecilia Wikström, Sophia in 't Veld, Petr Ježek, Louis Michel, Angelika Mlinar, Morten Helveg Petersen, Gérard Deprez

Proposal for a regulation
Article 7 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) carry out and assist Member States in humanitarian emergency operations and in search and rescue operations of persons in distress at sea;

Or. en

Justification

Following the recent events in the Mediterranean and the dramatic loss of lives, it is clear that the new FRONTEX / EBCG must also focus on search and rescue at sea. It has to be clearly specified in specific paragraphs and recitals.

Amendment 367

Lucy Anderson, Claude Moraes, Marju Lauristin, Miltiadis Kyrkos, Merja Kyllönen, Ismail Ertug, Christine Revault D'Allonnes Bonnefoy

Proposal for a regulation
Article 7 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) assist Member States in circumstances requiring increased technical and operational assistance at the external borders, by launching rapid border interventions at the external borders of those Member States facing specific and disproportionate pressures, taking into account that some situations may involve humanitarian emergencies and rescue at sea;

(d) assist Member States in circumstances requiring increased technical and operational assistance at the external borders, by launching rapid border interventions at the external borders of those Member States facing specific and disproportionate pressures, **with active support over SAR capacities and operations, as defined by the International Conventions such as SOLAS and SAR**, taking into account that some situations may involve humanitarian emergencies and rescue at sea;

Or. en

Amendment 368

Nathalie Griesbeck, Maite Pagazaurtundúa Ruiz, Filiz Hyusmenova, Cecilia Wikström, Sophia in 't Veld, Louis Michel, Angelika Mlinar, Morten Helveg Petersen, Gérard Deprez

Proposal for a regulation

Article 7 – paragraph 1 – point d

Text proposed by the Commission

(d) assist Member States in circumstances requiring increased technical and operational assistance at the external borders, by launching rapid border interventions at the external borders of those Member States facing specific and disproportionate pressures, ***taking into account that some situations may involve humanitarian emergencies and rescue at sea***;

Amendment

(d) assist Member States in circumstances requiring increased technical and operational assistance at the external borders, by launching rapid border interventions at the external borders of those Member States facing specific and disproportionate pressures;

Or. en

Justification

Deleted and moved to a specific point in paragraph 1. Following the recent events in the Mediterranean and the dramatic loss of lives, it is clear that the new FRONTEX / EBCG must also focus on search and rescue at sea. It has to be clearly specified in specific paragraphs and recitals.

Amendment 369

Ska Keller

Proposal for a regulation

Article 7 – paragraph 1 – point d

Text proposed by the Commission

(d) assist Member States in circumstances requiring increased technical and operational assistance at the external borders, by launching rapid border interventions at the external borders of those Member States facing specific and disproportionate pressures, ***taking into account that some situations may involve***

Amendment

(d) assist Member States in circumstances requiring increased technical and operational assistance at the external borders, by launching rapid border interventions at the external borders of those Member States facing specific and disproportionate pressures, ***including*** humanitarian emergencies and rescue at

humanitarian emergencies and rescue at sea;

sea;

Or. en

Amendment 370
Ska Keller

Proposal for a regulation
Article 7 – paragraph 1 – point d

Text proposed by the Commission

(d) assist Member States in circumstances requiring increased technical and operational assistance at the external borders, by launching rapid border interventions at the external borders of those Member States facing specific and disproportionate pressures, *taking into account that some situations may involve humanitarian emergencies and rescue at sea;*

Amendment

(d) assist Member States in circumstances requiring increased technical and operational assistance at the external borders, by launching rapid border interventions at the external borders of those Member States facing specific and disproportionate pressures, *including humanitarian emergencies and rescue at sea;*

Or. en

Amendment 371
Emil Radev, Andrej Plenković

Proposal for a regulation
Article 7 – paragraph 1 – point d

Text proposed by the Commission

(d) assist Member States in circumstances requiring increased technical and operational assistance at the external borders, by launching rapid border interventions at the external borders of those Member States facing specific and disproportionate pressures, taking into account that some situations may involve humanitarian emergencies and rescue at sea;

Amendment

(d) assist **EU** Member States in circumstances requiring increased technical and operational assistance at the external borders, by launching rapid border interventions at the external borders of those **EU** Member States facing specific and disproportionate pressures, taking into account that some situations may involve humanitarian emergencies and rescue at sea;

Amendment 372

Elissavet Vozemberg-Vrionidi

Proposal for a regulation

Article 7 – paragraph 1 – point d

Text proposed by the Commission

(d) assist Member States in circumstances requiring increased technical and operational assistance at the external borders, by launching rapid border interventions at the external borders of those Member States facing specific and disproportionate pressures, taking into account that some situations may involve humanitarian emergencies and *rescue at sea*;

Amendment

(d) assist Member States in circumstances requiring increased technical and operational assistance at the external borders, by launching rapid border interventions at the external borders of those Member States facing specific and disproportionate pressures, taking into account that some situations may involve humanitarian emergencies and *maritime distress situations*;

Or. en

Amendment 373

Carlos Coelho, Barbara Matera

Proposal for a regulation

Article 7 – paragraph 1 – point d

Text proposed by the Commission

(d) assist Member States in circumstances requiring increased technical and operational assistance at the external borders, by launching rapid border interventions at the external borders of those Member States facing specific and disproportionate pressures, *taking into account that some situations may involve humanitarian emergencies* and rescue at sea;

Amendment

(d) assist Member States in circumstances requiring increased technical and operational assistance at the external borders, by launching rapid border interventions at the external borders of those Member States facing specific and disproportionate pressures, *including search* and rescue *operations* at sea;

Or. en

Amendment 374

Péter Niedermüller, Cécile Kashetu Kyenge, Marju Lauristin, Tanja Fajon, Josef Weidenholzer, Caterina Chinnici, Miltiadis Kyrkos, Christine Revault D'Allonnes Bonnefoy, Ana Gomes, Elly Schlein

Proposal for a regulation

Article 7 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(da) coordinate Member State action, and provide technical and operational assistance to Member States, in the context of search and rescue operations for persons in distress at sea in accordance with Regulation (EU) No 656/2014;

Or. en

Justification

It is clear that the Agency has a role to play in SAR Operations. This role should be properly identified among its tasks with reference to the relevant Union law governing its involvements in such operations.

Amendment 375

Péter Niedermüller, Marju Lauristin, Tanja Fajon, Josef Weidenholzer

Proposal for a regulation

Article 7 – paragraph 1 – point d b (new)

Text proposed by the Commission

Amendment

(db) establish, in conjunction with the relevant national authorities and with the European Asylum Support Office, mechanisms and procedures for the identification, provision of initial information to and onward referral of persons arriving at the external borders who are in need of, or wish to apply for, international protection;

Or. en

Justification

The identification, provision of initial information and onward referral of persons arriving at the external borders who are in need of, or wish to apply for, international protection, is a key competent of border management.

Amendment 376

Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation

Article 7 – paragraph 1 – point f

Text proposed by the Commission

(f) set up a technical equipment pool to be deployed in joint operations, rapid border interventions and in the framework of migration management support teams, ***as well as in return operations and return interventions;***

Amendment

(f) set up a technical equipment pool to be deployed in joint operations, rapid border interventions and in the framework of migration management support teams;

Or. en

Amendment 377

Ana Gomes

Proposal for a regulation

Article 7 – paragraph 1 – point g

Text proposed by the Commission

(g) deploy European Border and Coast Guard Teams and technical equipment to provide assistance in screening, identification and fingerprinting ***in the framework of the migration management support teams*** at hotspot areas;

Amendment

(g) deploy European Border and Coast Guard Teams and technical equipment to provide assistance ***to EASO upon request, namely*** in screening, identification and fingerprinting at hotspot areas;

Or. en

Amendment 378

Helga Stevens, Monica Macovei, Angel Dzhambazki, Jussi Halla-aho

Proposal for a regulation
Article 7 – paragraph 1 – point g

Text proposed by the Commission

(g) deploy European Border and Coast Guard Teams and technical equipment to provide assistance *in* screening, *identification* and fingerprinting in the framework of the migration management support teams at hotspot areas;

Amendment

(g) deploy European Border and Coast Guard Teams and technical equipment to provide assistance *to the European Asylum Support Office (EASO) and/or national authorities in each Member State which are responsible for border control or for other tasks carried out at the external border in terms of* screening, *identifying* and fingerprinting in the framework of the migration management support teams at hotspot areas;

Or. en

Amendment 379
Gérard Deprez, Louis Michel, Petr Ježek

Proposal for a regulation
Article 7 – paragraph 1 – point g a (new)

Text proposed by the Commission

(ga) cooperate with national authorities and European agencies with responsibility for enforcement in action to prevent and detect cross-border crime and in investigations into such crime;

Amendment

Or. fr

Amendment 380
Emil Radev, Mariya Gabriel, Andrej Plenković

Proposal for a regulation
Article 7 – paragraph 1 – point i

Text proposed by the Commission

(i) deploy the necessary equipment and staff for the rapid reserve pool for the

Amendment

(i) deploy the necessary equipment and staff for the rapid reserve pool for the

practical execution of the measures needed to be taken in a situation requiring urgent action at the external borders;

practical execution of the measures needed to be taken in a situation requiring urgent action at the external borders *of the Member States of the EU*;

Or. en

Amendment 381
Ska Keller

Proposal for a regulation
Article 7 – paragraph 1 – point j

Text proposed by the Commission

(j) assist Member States in circumstances requiring increased technical assistance and operational assistance for implementing the obligation to return *illegally* staying third-country nationals, including through the coordination or organisation of return operations;

Amendment

(j) assist Member States in circumstances requiring increased technical assistance and operational assistance for implementing the obligation to return *irregularly* staying third-country nationals, including through the coordination or organisation of return operations;

Or. en

Amendment 382
Emil Radev, Mariya Gabriel, Andrej Plenković

Proposal for a regulation
Article 7 – paragraph 1 – point j

Text proposed by the Commission

(j) assist Member States in circumstances requiring increased technical assistance and operational assistance for implementing the obligation to return illegally staying third-country nationals, including through the coordination or organisation of return operations;

Amendment

(j) assist *EU* Member States, *especially those facing specific and disproportionate pressures*, in circumstances requiring increased technical assistance and operational assistance for implementing the obligation to return illegally staying third-country nationals, including through the coordination or organisation of return operations;

Or. en

Amendment 383

Péter Niedermüller, Josef Weidenholzer, Tanja Fajon, Miltiadis Kyrkos, Ana Gomes

Proposal for a regulation

Article 7 – paragraph 1 – point j

Text proposed by the Commission

(j) assist Member States in circumstances requiring increased technical assistance and operational assistance for implementing the obligation to return ***illegally staying*** third-country nationals, including through the coordination or organisation of return operations;

Amendment

(j) assist Member States in circumstances requiring increased technical assistance and operational assistance for implementing the obligation to return ***those*** third-country nationals ***who are the subject of a final return decision issued by a Member State***, including through the coordination or organisation of return operations;

Or. en

Amendment 384

Monika Hohlmeier

Proposal for a regulation

Article 7 – paragraph 1 – point j a (new)

Text proposed by the Commission

Amendment

(ja) support Member States in circumstances requiring increased technical and operational assistance at the external borders in the fight against organised cross-border crime and terrorism, in cooperation with Europol and Eurojust;

Or. en

Amendment 385

Marina Albiol Guzmán, Marie-Christine Vergiat, Barbara Spinelli, Malin Björk

Proposal for a regulation

Article 7 – paragraph 1 – point l

Text proposed by the Commission

Amendment

(l) set up and deploy European Return Intervention Teams during return interventions;

deleted

Or. en

Amendment 386

Marina Albiol Guzmán, Marie-Christine Vergiat, Barbara Spinelli, Malin Björk

Proposal for a regulation

Article 7 – paragraph 1 – point m

Text proposed by the Commission

Amendment

(m) assist Member States on training of national border guards and experts on return, including the establishment of common training standards;

deleted

Or. en

Amendment 387

Michal Boni

Proposal for a regulation

Article 7 – paragraph 1 – point m

Text proposed by the Commission

Amendment

(m) assist Member States on training of national border guards and experts on return, including the establishment of common training standards;

(m) assist Member States on training of national border guards and experts *in all areas, especially* on return, including the establishment of common training standards;

Or. en

Amendment 388

Ignazio Corrao, Laura Agea, Laura Ferrara

Proposal for a regulation
Article 7 – paragraph 1 – point m

Text proposed by the Commission

(m) assist Member States on training of national border guards and experts on return, including the establishment of common training standards;

Amendment

(m) assist Member States on training of national border guards and experts on return ***and fundamental rights***, including the establishment of common training standards;

Or. en

Amendment 389

Gérard Deprez, Louis Michel, Petr Ježek, Nathalie Griesbeck

Proposal for a regulation
Article 7 – paragraph 1 – point m

Text proposed by the Commission

(m) assist Member States on training of national border guards and experts on return, including the establishment of common training standards;

Amendment

(m) assist Member States on training of national border guards and experts on return, including the establishment of common training standards ***and programmes***;

Or. fr

Amendment 390

Marina Albiol Guzmán, Malin Björk

Proposal for a regulation
Article 7 – paragraph 1 – point n

Text proposed by the Commission

(n) participate in the development and management of research and innovation activities relevant for the control and surveillance of external borders, including the use of advanced surveillance technology such as remotely piloted aircraft systems and develop pilot projects regarding matters covered by this

Amendment

deleted

Amendment 391

Ska Keller

Proposal for a regulation

Article 7 – paragraph 1 – point n

Text proposed by the Commission

(n) participate in the development and management of research and innovation activities relevant for the control and surveillance of external borders, ***including the use of advanced surveillance technology such as remotely piloted aircraft systems*** and develop pilot projects regarding matters covered by this Regulation;

Amendment

(n) participate in the development and management of research and innovation activities relevant for the control and surveillance of external borders and develop pilot projects regarding matters covered by this Regulation;

Amendment 392

Péter Niedermüller, Tanja Fajon, Josef Weidenholzer, Miltiadis Kyrkos, Ana Gomes

Proposal for a regulation

Article 7 – paragraph 1 – point o

Text proposed by the Commission

(o) develop and operate, in accordance with Regulation (EC) No 45/2001⁴⁰ and Framework Decision 2008/977/JHA, information systems that enable swift and reliable exchanges of information regarding emerging risks at the management of the external borders, irregular ***immigration*** and return, in close cooperation with the Commission, Union agencies, bodies and offices as well as the European Migration Network established by Council Decision 2008/381/EC;⁴¹

Amendment

(o) develop and operate, in accordance with Regulation (EC) No 45/2001⁴⁰ and Framework Decision 2008/977/JHA, information systems that enable swift and reliable exchanges of information regarding emerging risks at the management of the external borders, irregular ***migration*** and return, in close cooperation with the Commission, Union agencies, bodies and offices as well as the European Migration Network established by Council Decision 2008/381/EC;⁴¹

⁴⁰ Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ L 8, 12.1.2001, p. 1).

⁴¹ Council Decision 2008/381/EC of 14 May 2008 establishing a European Migration Network (OJ L 131, 21.5.2008, p. 7).

⁴⁰ Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ L 8, 12.1.2001, p. 1).

⁴¹ Council Decision 2008/381/EC of 14 May 2008 establishing a European Migration Network (OJ L 131, 21.5.2008, p. 7).

Or. en

Amendment 393
Anna Maria Corazza Bildt

Proposal for a regulation
Article 7 – paragraph 1 – point o

Text proposed by the Commission

(o) develop and operate, in accordance with Regulation (EC) No 45/2001⁴⁰ and Framework Decision 2008/977/JHA, information systems that enable swift and reliable exchanges of information regarding emerging risks at the management of the external borders, irregular immigration and return, in close cooperation with the Commission, Union agencies, bodies and offices as well as the European Migration Network established by Council Decision 2008/381/EC;⁴¹

⁴⁰ Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ L 8, 12.1.2001,

Amendment

(o) develop and operate, in accordance with Regulation (EC) No 45/2001⁴⁰ and Framework Decision 2008/977/JHA, information systems that enable swift and reliable exchanges of information **between Member States and with neighbouring third countries**, regarding emerging risks at the management of the external borders, irregular immigration and return, in close cooperation with the Commission, Union agencies, bodies and offices as well as the European Migration Network established by Council Decision 2008/381/EC;⁴¹

⁴⁰ Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ L 8, 12.1.2001,

p. 1).

⁴¹ Council Decision 2008/381/EC of 14 May 2008 establishing a European Migration Network (OJ L 131, 21.5.2008, p. 7).

p. 1).

⁴¹ Council Decision 2008/381/EC of 14 May 2008 establishing a European Migration Network (OJ L 131, 21.5.2008, p. 7).

Or. en

Amendment 394

Mariya Gabriel, Emil Radev

Proposal for a regulation

Article 7 – paragraph 1 – point p

Text proposed by the Commission

(p) provide the necessary assistance for the development and operation of a European border surveillance system and, **as appropriate, to** the development of a common information-sharing environment, including interoperability of systems, in particular by developing, maintaining and coordinating the Eurosur framework in accordance with Regulation (EU) No 1052/2013;

Amendment

(p) provide the necessary assistance for the development and operation of a European border surveillance system and **encourage** the development of a common information-sharing environment, including interoperability of systems, in particular by developing, maintaining and coordinating the Eurosur framework in accordance with Regulation (EU) No 1052/2013;

Or. bg

Amendment 395

Ska Keller

Proposal for a regulation

Article 7 – paragraph 1 – point p a (new)

Text proposed by the Commission

Amendment

(pa) adopt and promote the highest standards for border management practices, allowing for transparency and public scrutiny and ensuring respect, protection and promotion of fundamental rights and rule of law;

Or. en

Amendment 396
Marina Albiol Guzmán

Proposal for a regulation
Article 7 – paragraph 1 – point q

Text proposed by the Commission

Amendment

(q) cooperate with the European Fisheries Control Agency and the European Maritime Safety Agency to support the national authorities carrying out coast guard functions by providing services, information, equipment and training, as well as by coordinating multipurpose operations;

deleted

Or. en

Amendment 397
Ska Keller

Proposal for a regulation
Article 7 – paragraph 1 – point q

Text proposed by the Commission

Amendment

(q) cooperate with the European Fisheries Control Agency and the European Maritime Safety Agency to support the national authorities carrying out coast guard functions by providing services, information, equipment and training, as well as by coordinating multipurpose operations;

(q) cooperate with the European Fisheries Control Agency and the European Maritime Safety Agency, *each within their mandate*, to support the national authorities carrying out coast guard functions, *including the saving of lives of migrants and refugees*, by providing services, information, equipment and training, as well as by coordinating multipurpose operations;

Or. en

Amendment 398
Elissavet Vozemberg-Vrionidi

Proposal for a regulation
Article 7 – paragraph 1 – point q

Text proposed by the Commission

(q) cooperate with the European Fisheries Control Agency and the European Maritime Safety Agency to support the national authorities carrying out coast guard functions by providing services, information, equipment and training, as well as by coordinating multipurpose operations;

Amendment

(q) cooperate with the European Fisheries Control Agency and the European Maritime Safety Agency ***each within their mandate*** to support the national authorities carrying out coast guard functions, ***in accordance with national law*** by providing services, information, equipment and training, as well as by coordinating multipurpose operations;

Or. en

Amendment 399
Brice Hortefeux, Rachida Dati

Proposal for a regulation
Article 7 – paragraph 1 – point q

Text proposed by the Commission

(q) cooperate with the European Fisheries Control Agency and the European Maritime Safety Agency to support the national authorities carrying out coast guard functions by providing services, information, equipment and training, as well as by coordinating multipurpose operations;

Amendment

(q) cooperate with the European Fisheries Control Agency and the European Maritime Safety Agency, ***in accordance with the remits of those agencies***, to support the national authorities carrying out coast guard functions by providing services, information, equipment and training, as well as by coordinating multipurpose operations;

Or. fr

Amendment 400
Péter Niedermüller, Tanja Fajon, Josef Weidenholzer, Miltiadis Kyrkos

Proposal for a regulation
Article 7 – paragraph 1 – point r

Text proposed by the Commission

(r) assist Member States and third countries in the context of operational cooperation between them in the *fields of external* border management *and return*.

Amendment

(r) assist Member States and third countries in the context of operational cooperation between them in the *field of integrated* border management *as defined in Article 4*.

Or. en

Amendment 401

Jaromír Štětina

Proposal for a regulation

Article 7 – paragraph 1 – point r

Text proposed by the Commission

(r) assist Member States and third countries in the context of *operational* cooperation *between them* in the fields of external border management and return.

Amendment

(r) assist Member States and third countries in the context of *their* cooperation in the fields of external border management and return.

Or. en

Amendment 402

Ignazio Corrao, Laura Agea, Laura Ferrara

Proposal for a regulation

Article 7 – paragraph 1 – point r a (new)

Text proposed by the Commission

Amendment

(ra) Adopt and promote the highest standards for border management practices, allowing for transparency and public scrutiny and ensuring respect, protection and promotion of fundamental rights and rule of law.

Or. en

Amendment 403
Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation
Article 7 – paragraph 1 – point r a (new)

Text proposed by the Commission

Amendment

(ra) *Adopt and promote the highest standards for border management practices, allowing for transparency and public scrutiny and ensuring respect, protection and promotion of fundamental rights and rule of law.*

Or. en

Amendment 404
Brice Hortefeux, Rachida Dati

Proposal for a regulation
Article 7 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Amendment

Member States may continue cooperation at an operational level with other Member States and/or third countries at external borders, ***including military operations on a law enforcement mission and in the field of return, where such cooperation is compatible with the action of the Agency.*** Member States shall refrain from any activity which could jeopardise the functioning of the Agency or the attainment of its objectives.

Member States may continue cooperation at an operational level with other Member States and/or third countries at external borders. Member States shall refrain from any activity which could jeopardise the functioning of the Agency or the attainment of its objectives.

Or. fr

Amendment 405
Marina Albiol Guzmán, Malin Björk, Kostas Chrysogonos

Proposal for a regulation
Article 7 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Member States may continue cooperation at an operational level with other Member States *and/or third countries at external borders, including military operations on a law enforcement mission and in the field of return*, where such cooperation is compatible with the action of the Agency. Member States shall refrain from any activity which could jeopardise the functioning of the Agency or the attainment of its objectives.

Amendment

Member States may continue cooperation at an operational level with other Member States where such cooperation is compatible with the action of the Agency. Member States shall refrain from any activity which could jeopardise the functioning of the Agency or the attainment of its objectives.

Or. en

Amendment 406

Elissavet Vozemberg-Vrionidi

Proposal for a regulation

Article 7 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Member States may continue cooperation at an operational level with other Member States and/or third countries *at external borders, including military operations on a law enforcement mission* and in the field of return, where such cooperation *is compatible with* the action of the Agency. Member States shall refrain from any activity which could jeopardise the functioning of the Agency or the attainment of its objectives.

Amendment

Member States may continue cooperation at an operational level with other Member States and/or third countries *as well as other governmental or non-governmental entities or institutions or organizations at external borders* and in the field of return, where such cooperation *complements* the action of the Agency. Member States shall refrain from any activity which could jeopardise the functioning of the Agency or the attainment of its objectives.

Or. en

Amendment 407

Miriam Dalli

Proposal for a regulation

Article 7 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Member States may continue cooperation at an operational level with other Member States and/or third countries at external borders, ***including military operations on a law enforcement mission and in the field of return***, where such cooperation is compatible with the action of the Agency. Member States shall refrain from any activity which could jeopardise the functioning of the Agency or the attainment of its objectives.

Amendment

Member States may continue cooperation at an operational level with other Member States and/or third countries at external borders, where such cooperation is compatible with the action of the Agency. Member States shall refrain from any activity which could jeopardise the functioning of the Agency or the attainment of its objectives.

Or. en

Amendment 408

Ska Keller

Proposal for a regulation

Article 7 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Member States may continue cooperation at an operational level with other Member States and/or third countries at external borders, ***including military operations on a law enforcement mission*** and in the field of return, where such cooperation is compatible with the ***action*** of the Agency. Member States shall refrain from any activity which could jeopardise the functioning of the Agency or the attainment of its objectives.

Amendment

Member States may continue cooperation at an operational level with other Member States and/or third countries at external borders and in the field of return, where such cooperation is compatible with the ***operation*** of the Agency. Member States shall refrain from any activity which could jeopardise the functioning of the Agency or the attainment of its objectives.

Or. en

Amendment 409

Geoffrey Van Orden

Proposal for a regulation

Article 7 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Member States may continue cooperation at an operational level with other Member States and/or third countries at external borders, including military operations on a law enforcement mission and in the field of return, ***where such cooperation is compatible with the action of the Agency. Member States shall refrain from any activity which could jeopardise the functioning of the Agency or the attainment of its objectives.***

Amendment

Member States may continue cooperation at an operational level with other Member States and/or third countries at external borders, including military operations on a law enforcement mission and in the field of return.

Or. en

Amendment 410

Marina Albiol Guzmán

Proposal for a regulation

Article 7 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Member States shall report to the Agency on that operational cooperation with other Member States ***and/or third countries at the external borders and in the field of return.*** The Executive Director of the Agency (‘the Executive Director’) shall inform the Management Board of the Agency (‘the Management Board’) on those matters on a regular basis and at least once a year.

Amendment

Member States shall report to the Agency on that operational cooperation with other Member States. The Executive Director of the Agency (‘the Executive Director’) shall inform the Management Board of the Agency (‘the Management Board’) on those matters on a regular basis and at least once a year.

Or. en

Amendment 411

Ska Keller

Proposal for a regulation

Article 7 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Member States shall report to the Agency on that operational cooperation with other Member States and/or third countries at the external borders and in the field of return. The Executive Director of the Agency ('the Executive Director') shall inform the Management Board of the Agency ('the Management Board') on those matters on a regular basis and at least once a year.

Amendment

Member States shall report to the Agency on that operational cooperation with other Member States and/or third countries at the external borders and in the field of return. The Executive Director of the Agency ('the Executive Director') shall inform the Management Board of the Agency ('the Management Board') **and the European Parliament** on those matters on a regular basis and at least once a year.

Or. en

Amendment 412

Marina Albiol Guzmán, Cornelia Ernst, Marie-Christine Vergiat, Barbara Spinelli, Malin Björk

**Proposal for a regulation
Article 7 – paragraph 3**

Text proposed by the Commission

3. *The Agency may engage in communication activities on its own initiative in the fields within its mandate. Communication activities shall not be detrimental to the tasks referred to in paragraph 1 and shall be carried out in accordance with relevant communication and dissemination plans adopted by the Management Board.*

Amendment

deleted

Or. en

Amendment 413

Ana Gomes

**Proposal for a regulation
Article 7 – paragraph 3**

Text proposed by the Commission

3. The Agency may engage in communication activities on its own initiative in the fields within its mandate. Communication activities shall not be detrimental to the tasks referred to in paragraph 1 and shall be carried out in accordance with relevant communication and dissemination plans adopted by the Management Board.

Amendment

3. The Agency may engage in communication activities on its own initiative in the fields within its mandate, ***namely with the aim of increasing transparency and public accountability of its activities***. Communication activities shall not be detrimental to the tasks referred to in paragraph 1 and shall be carried out in accordance with relevant communication and dissemination plans adopted by the Management Board.

Or. en

Amendment 414

Ska Keller

Proposal for a regulation

Article 7 – paragraph 3

Text proposed by the Commission

3. The Agency ***may*** engage in communication activities ***on its own initiative in the fields within its mandate***. Communication activities shall not be detrimental to the ***tasks referred to in paragraph 1 and*** shall be carried out in accordance with relevant communication and dissemination plans adopted by the Management Board.

Amendment

3. The Agency ***shall*** engage in communication activities ***in the fields within its mandate. It shall provide the public with accurate, detailed and timely information about its activities and analyses***. Communication activities shall not be detrimental to the ***attainment of the objective of operations***. ***Communication activities*** shall be carried out in accordance with relevant communication and dissemination plans adopted by the Management Board.

Or. en

Amendment 415

Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation

Article 7 – paragraph 3

Text proposed by the Commission

3. The Agency *may* engage in communication activities *on its own initiative in the fields within its mandate*. Communication activities shall not be detrimental to the *tasks referred to in paragraph 1 and* shall be carried out in accordance with relevant communication and dissemination plans adopted by the Management Board.

Amendment

3. The Agency *shall* engage in communication activities *in the fields within its mandate. It shall provide the public with accurate, detailed and timely information about its activities and analyses*. Communication activities shall not be detrimental to the *attainment of the objective of operations. Communication activities* shall be carried out in accordance with relevant communication and dissemination plans adopted by the Management Board.

Or. en

Amendment 416

Péter Niedermüller, Tanja Fajon, Josef Weidenholzer

Proposal for a regulation

Article 8 – title

Text proposed by the Commission

Duty to cooperate *in good faith*

Amendment

Duty to cooperate *sincerely*

Or. en

Amendment 417

Péter Niedermüller, Tanja Fajon, Josef Weidenholzer

Proposal for a regulation

Article 8 – paragraph 1

Text proposed by the Commission

The Agency and the national authorities which are responsible for border management, including coast guards to the extent that they carry out border control tasks, shall *be subject to a duty to cooperate in good faith, and an obligation to exchange information*.

Amendment

The Agency and the national authorities which are responsible for border management, including coast guards to the extent that they carry out border control tasks, shall *carry out their tasks in accordance with Article 4(3) of the Treaty on European Union*.

Amendment 418

Brice Hortefeux, Rachida Dati

Proposal for a regulation

Article 8 – paragraph 1

Text proposed by the Commission

The Agency and the national authorities which are responsible for border management, including coast guards to the extent that they carry out border control tasks, shall be subject to a duty to cooperate in good faith, and an obligation to exchange information.

Amendment

The Agency and the national authorities which are responsible for border management **and for returns**, including coast guards to the extent that they carry out border control tasks, shall be subject to a duty to cooperate in good faith, and an obligation to exchange information.

Or. fr

Amendment 419

Péter Niedermüller, Tanja Fajon, Josef Weidenholzer, Miltiadis Kyrkos, Ana Gomes

Proposal for a regulation

Article 9 – paragraph 1

Text proposed by the Commission

The national authorities which are responsible for border management, including coast guards to the extent that they carry out border control tasks, shall provide the Agency in a timely and accurate manner with all the information necessary for the Agency to perform the tasks conferred on it by this Regulation, in particular for the Agency to monitor the migratory flows towards and within the Union, to carry out risk analysis and to perform the vulnerability assessment.

Amendment

The national authorities which are responsible for border management, including coast guards to the extent that they carry out border control tasks, shall **in accordance with Article 4(3) of the Treaty on European Union**, provide the Agency in a timely and accurate manner with all the information necessary for the Agency to perform the tasks conferred on it by this Regulation, in particular for the Agency to monitor the migratory flows towards and within the Union, to carry out risk analysis and to perform the vulnerability assessment.

Or. en

Amendment 420

Emil Radev, Mariya Gabriel, Andrej Plenković

Proposal for a regulation

Article 9 – paragraph 1

Text proposed by the Commission

The national authorities which are responsible for border management, including coast guards to the extent that they carry out border control tasks, shall provide the Agency in a timely and accurate manner with all the information necessary for the Agency to perform the tasks conferred on it by this Regulation, in particular for the Agency to monitor *the* migratory flows towards and within the Union, to carry out risk analysis and to perform the vulnerability assessment.

Amendment

The national authorities which are responsible for border management, including coast guards to the extent that they carry out border control tasks, shall provide the Agency in a timely and accurate manner with all the information necessary for the Agency to perform the tasks conferred on it by this Regulation, in particular for the Agency to monitor *threats to the public order and internal security of the EU including* migratory flows towards and within the Union, to carry out risk analysis and to perform the vulnerability assessment.

Or. en

Amendment 421

Miriam Dalli

Proposal for a regulation

Article 9 – paragraph 1

Text proposed by the Commission

The national authorities which are responsible for border management, including coast guards to the extent that they carry out border control tasks, *shall provide* the Agency in a timely and accurate manner *with* all the information necessary for the Agency to perform the tasks conferred on *it* by this Regulation, *in particular for the Agency to monitor the migratory flows towards and within the Union, to carry out risk analysis and to perform the vulnerability assessment.*

Amendment

To be able to perform to the best of their abilities the tasks conferred on them by this Regulation, the national authorities which are responsible for border management *and return*, including coast guards, to the extent that they carry out border control tasks *and* the Agency *shall in accordance with relevant Union and national laws share* in a timely and accurate manner all the information necessary for the Agency *and the relevant national authorities* to perform the tasks

conferred on *them* by this Regulation.

Or. en

Justification

The duty to provide information should be a two-way duty between the Member State and the Agency who should share information between themselves

Amendment 422

Brice Hortefeux, Rachida Dati

Proposal for a regulation

Article 9 – paragraph 1

Text proposed by the Commission

The national authorities which are responsible for border management, including coast guards to the extent that they carry out border control tasks, shall provide the Agency in a timely and accurate manner with all the information necessary for the Agency to perform the tasks conferred on it by this Regulation, in particular for the Agency to monitor the migratory flows towards and within the Union, to carry out risk analysis and to perform the vulnerability assessment.

Amendment

The national authorities which are responsible for border management *and for returns*, including coast guards to the extent that they carry out border control tasks, shall provide the Agency in a timely and accurate manner with all the information necessary for the Agency to perform the tasks conferred on it by this Regulation, in particular for the Agency to monitor the migratory flows towards and within the Union, to carry out risk analysis and to perform the vulnerability assessment.

Or. fr

Amendment 423

Helga Stevens, Monica Macovei, Geoffrey Van Orden, Angel Dzhambazki, Timothy Kirkhope, Jussi Halla-aho

Proposal for a regulation

Article 9 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

If the Agency is not provided with this information in a timely and accurate

manner, this shall be taken into account when performing the vulnerability assessment, unless duly justified reasons exist to withhold the data.

Or. en

Amendment 424

Nathalie Griesbeck, Maite Pagazaurtundúa Ruiz, Cecilia Wikström, Sophia in 't Veld, Petr Ježek, Louis Michel, Angelika Mlinar, Morten Helveg Petersen, Gérard Deprez

Proposal for a regulation

Article 9 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

Member States must provide the Agency with information on the budget and financial resources dedicated to border management at a national level.

Or. en

Justification

Currently, there is no available information on how much is spent at a national level - by Member States - for border management in Europe. It is key to have these information at a European level to be able to evaluate European and national policies in the area of border management.

Amendment 425

Nathalie Griesbeck, Filiz Hyusmenova, Maite Pagazaurtundúa Ruiz, Cecilia Wikström, Sophia in 't Veld, Petr Ježek, Louis Michel, Angelika Mlinar, Morten Helveg Petersen, Gérard Deprez

Proposal for a regulation

Article 10 – title

Text proposed by the Commission

Amendment

Monitoring of migratory flows and risk analysis

Risk Analysis and Vulnerability Assessment Centre

Or. en

Justification

For reasons of efficiency and to avoid duplication of tasks, it is more logical to have, within the Agency, one "Centre" (as proposed by the Commission) responsible for carrying the monitoring and risk analysis and also the vulnerability assessments.

Amendment 426

Miriam Dalli

Proposal for a regulation

Article 10 – paragraph 1

Text proposed by the Commission

1. The Agency shall establish a monitoring and risk analysis centre with the capacity to monitor migratory flows towards and within the Union. For this purpose, the Agency shall **develop** a common integrated risk analysis model, which shall be applied by the Agency and the Member States.

Amendment

1. The Agency shall establish a monitoring and risk analysis centre with the capacity to monitor migratory flows towards and within the Union. For this purpose, the Agency shall **by a decision of the Management board, establish** a common integrated risk analysis model, which shall be applied by the Agency and the Member States.

Or. en

Justification

It is important to clarify how the Agency will establish this strategy and the Management Board is most appropriate to do this.

Amendment 427

Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation

Article 10 – paragraph 1

Text proposed by the Commission

1. The Agency shall **establish a monitoring and risk analysis centre with the capacity** to monitor migratory flows towards and within the Union. For this purpose, the Agency shall develop a common integrated risk analysis model,

Amendment

1. The Agency shall **make intelligence-driven use of available Union resources** to monitor migratory flows towards and within the Union. For this purpose, the Agency shall, **by a decision of the Management Board**

which shall be applied by the Agency and the Member States.

develop a common integrated risk analysis model, which shall be applied by the Agency and the Member States.

Or. en

Amendment 428

Péter Niedermüller, Marju Lauristin, Tanja Fajon, Josef Weidenholzer

Proposal for a regulation

Article 10 – paragraph 1

Text proposed by the Commission

1. The Agency shall establish a monitoring and risk analysis centre with the capacity to monitor *migratory flows towards and within* the Union. For this purpose, the Agency shall develop a common integrated risk analysis model, which shall be applied by the Agency and the Member States.

Amendment

1. The Agency shall establish a monitoring and risk analysis centre with the capacity to monitor *and forecast situations, trends and possible challenges at the external border of* the Union. For this purpose, the Agency shall develop a common integrated risk analysis model, which shall be applied by the Agency and the Member States.

Or. en

Amendment 429

Nathalie Griesbeck, Filiz Hyusmenova, Maite Pagazaurtundúa Ruiz, Cecilia Wikström, Sophia in 't Veld, Petr Ježek, Louis Michel, Angelika Mlinar, Morten Helveg Petersen, Gérard Deprez

Proposal for a regulation

Article 10 – paragraph 1

Text proposed by the Commission

1. The Agency shall establish a *monitoring and risk analysis* centre with the capacity to monitor migratory flows towards and within the Union. *For this purpose, the Agency shall develop a common integrated risk analysis model, which shall be applied by the Agency and the Member States.*

Amendment

1. The Agency shall establish a *Risk Analysis and Vulnerability Assessment* Centre with the capacity to monitor migratory flows towards and within the Union *and to carry out vulnerability assessments as referred Article 12.*

Justification

For reasons of efficiency and to avoid duplication of tasks, it is more logical to have, within the Agency, one "Centre" (as proposed by the Commission) responsible for carrying the monitoring and risk analysis and also the vulnerability assessments.

Amendment 430
Elissavet Vozemberg-Vrionidi

Proposal for a regulation
Article 10 – paragraph 1

Text proposed by the Commission

1. The Agency shall establish a monitoring and risk analysis centre with the capacity to monitor migratory flows towards and within the Union. For this purpose, the Agency shall develop a common integrated risk analysis model, which shall be applied by the Agency and the Member States.

Amendment

1. The Agency shall establish a monitoring and risk analysis centre with the capacity to monitor migratory flows towards and within the Union. For this purpose, the Agency shall ***by a decision of the Management Board*** develop a common integrated risk analysis model, which shall be applied by the Agency and ***as minimum by*** the Member States.

Or. en

Amendment 431
Louis Michel, Gérard Deprez, Nathalie Griesbeck, Cecilia Wikström, Sophia in 't Veld, Filiz Hyusmenova, Petr Ježek, Morten Helveg Petersen

Proposal for a regulation
Article 10 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. When developing a common integrated risk analysis model, the Agency shall draw on Europol cross-border crime risk analyses.

Or. fr

Amendment 432
Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation
Article 10 – paragraph 2

Text proposed by the Commission

2. The Agency shall prepare general and tailored risk analyses and submit it to the Council and the Commission.

Amendment

2. The Agency shall prepare general and tailored risk analyses and submit it to the ***European Parliament, the*** Council and the Commission.

Or. en

Amendment 433
Nathalie Griesbeck, Filiz Hyusmenova, Maite Pagazaurtundúa Ruiz, Cecilia Wikström, Sophia in 't Veld, Petr Ježek, Louis Michel, Angelika Mlinar, Morten Helveg Petersen, Gérard Deprez

Proposal for a regulation
Article 10 – paragraph 2

Text proposed by the Commission

2. The **Agency** shall prepare general and tailored risk analyses and submit it to the Council and the Commission.

Amendment

2. The ***Risk Analysis and Vulnerability Assessment Centre*** shall prepare general and tailored risk analyses and submit it to the Council and the Commission. ***For this purpose, it shall develop a common integrated risk analysis model, which shall be applied by the Agency and the Member States.***

Or. en

Justification

This amendment is linked with the previous amendment on Article 10 paragraph 1. It aims at clarifying the tasks of the centre.

Amendment 434
Ska Keller

Proposal for a regulation
Article 10 – paragraph 2

Text proposed by the Commission

2. The Agency shall prepare general and tailored risk analyses and submit it to the Council and the Commission.

Amendment

2. The Agency shall prepare general and tailored risk analyses and submit it to the ***European Parliament, the*** Council and the Commission.

Or. en

Amendment 435
Ana Gomes

Proposal for a regulation
Article 10 – paragraph 2

Text proposed by the Commission

2. The Agency shall prepare general and tailored risk analyses and submit it to the Council and the Commission.

Amendment

2. The Agency shall prepare general and tailored risk analyses and submit it to the ***European Parliament, the*** Council and the Commission.

Or. en

Amendment 436
Ignazio Corrao, Laura Agea, Laura Ferrara

Proposal for a regulation
Article 10 – paragraph 2

Text proposed by the Commission

2. The Agency shall prepare general and tailored risk analyses and submit it to the Council and the Commission.

Amendment

2. The Agency shall prepare general and tailored risk analyses and submit it to the ***European Parliament, the*** Council and the Commission.

Or. en

Amendment 437

Carlos Coelho, Anna Maria Corazza Bildt, Barbara Matera

Proposal for a regulation

Article 10 – paragraph 2

Text proposed by the Commission

2. The Agency shall prepare general and tailored risk analyses and submit it to the Council and the *Commission*.

Amendment

2. The Agency shall prepare general and tailored risk analyses and submit it to the Council, *the Commission* and the *European Parliament*.

Or. en

Amendment 438

Rachida Dati

Proposal for a regulation

Article 10 – paragraph 3

Text proposed by the Commission

3. The risk analysis prepared by the Agency shall cover all aspects relevant to the European integrated border management, in particular border control, return, irregular secondary movements of third-country nationals within the Union, the prevention of cross-border crime including facilitation of irregular immigration, trafficking in human being and terrorism, as well as the situation in neighbouring third countries with a view to developing a pre-warning mechanism which analyses the migratory flows towards the Union.

Amendment

3. The risk analysis prepared by the Agency shall cover all aspects relevant to the European integrated border management, in particular border control, return, irregular secondary movements of third-country nationals within the Union, the prevention of cross-border crime including facilitation of irregular immigration, trafficking in human being and terrorism, as well as the situation in neighbouring third countries with a view to developing a pre-warning mechanism which analyses the migratory flows towards the Union. *Where appropriate, such risk analyses shall be carried out in cooperation with other relevant EU agencies, such as Europol and the European Asylum Support Office.*

Or. fr

Amendment 439
Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation
Article 10 – paragraph 3

Text proposed by the Commission

3. The risk analysis prepared by the Agency shall cover all aspects relevant to the European integrated border management, in particular border control, return, irregular secondary movements of third-country nationals within the Union, the prevention of cross-border crime including facilitation of irregular immigration, trafficking in human being and terrorism, as well as the situation in neighbouring third countries with a view to developing a pre-warning mechanism which analyses the migratory flows towards the Union.

Amendment

3. The risk analysis prepared by the Agency shall cover all aspects relevant to the European integrated border management, in particular border control, ***the protection of fundamental rights***, return, irregular secondary movements of third-country nationals within the Union, the prevention of cross-border crime including facilitation of irregular immigration, trafficking in human being and terrorism, as well as the situation in neighbouring third countries with a view to developing a pre-warning mechanism which analyses the migratory flows towards the Union.

Or. en

Amendment 440
Nathalie Griesbeck, Maite Pagazaurtundúa Ruiz, Cecilia Wikström, Sophia in 't Veld, Petr Ježek, Louis Michel, Angelika Mlinar, Morten Helveg Petersen, Gérard Deprez

Proposal for a regulation
Article 10 – paragraph 3

Text proposed by the Commission

3. The risk analysis prepared by the **Agency** shall cover all aspects relevant to the European integrated border management, in particular border control, return, irregular secondary movements of third-country nationals within the Union, the prevention of cross-border crime including facilitation of irregular immigration, trafficking in human being and terrorism, as well as the situation in neighbouring third countries with a view to developing a pre-warning mechanism

Amendment

3. The risk analysis prepared by the **Centre** shall cover all aspects relevant to the European integrated border management, in particular border control, return, irregular secondary movements of third-country nationals within the Union, the prevention of cross-border crime including facilitation of irregular immigration, trafficking in human being and terrorism, as well as the situation in neighbouring third countries with a view to developing a pre-warning mechanism

which analyses the migratory flows towards the Union.

which analyses the migratory flows towards the Union, *as well as the respect of fundamental rights*.

Or. en

Amendment 441
Brice Hortefeux, Rachida Dati

Proposal for a regulation
Article 10 – paragraph 3

Text proposed by the Commission

3. The risk analysis prepared by the Agency shall cover all aspects relevant to the European integrated border management, in particular border control, return, irregular secondary movements of third-country nationals within the Union, the prevention of cross-border crime including facilitation of irregular immigration, trafficking in human being and terrorism, as well as *the situation in neighbouring* third countries with a view to developing a pre-warning mechanism which analyses the migratory flows towards the Union.

Amendment

3. The risk analysis prepared by the Agency shall cover all aspects relevant to the European integrated border management, in particular border control, return, irregular secondary movements of third-country nationals within the Union, the prevention of cross-border crime including facilitation of irregular immigration, trafficking in human being and terrorism, as well as *situations in relevant* third countries *that have played a direct or indirect part in the emergence of these phenomena*, with a view to developing a pre-warning mechanism which analyses the migratory flows towards the Union.

Or. fr

Amendment 442
Ska Keller

Proposal for a regulation
Article 10 – paragraph 3

Text proposed by the Commission

3. The risk analysis prepared by the Agency shall cover all aspects relevant to the European integrated border management, in particular border control,

Amendment

3. The risk analysis prepared by the Agency shall cover all aspects relevant to the European integrated border management, in particular border control,

return, irregular secondary movements of third-country nationals within the Union, the prevention of cross-border crime including *facilitation of irregular immigration*, trafficking in human being *and terrorism*, as well as the situation in neighbouring third countries with a view to developing a pre-warning mechanism which analyses the migratory flows towards the Union.

the protection of fundamental rights, return, irregular secondary movements of third-country nationals within the Union, the prevention of cross-border crime including *migrant smuggling and* trafficking in human being, as well as the situation in neighbouring third countries with a view to developing a pre-warning mechanism which analyses the migratory flows towards the Union.

Or. en

Amendment 443

Ignazio Corrao, Laura Agea, Laura Ferrara

Proposal for a regulation

Article 10 – paragraph 3

Text proposed by the Commission

3. The risk analysis prepared by the Agency shall cover all aspects relevant to the European integrated border management, in particular border control, return, irregular secondary movements of third-country nationals within the Union, the prevention of cross-border crime including *facilitation* of irregular *immigration*, trafficking in human being and terrorism, as well as the situation in neighbouring third countries with a view to developing a pre-warning mechanism which analyses the migratory flows towards the Union.

Amendment

3. The risk analysis prepared by the Agency shall cover all aspects relevant to the European integrated border management, in particular border control, *the protection of fundamental rights*, return, irregular secondary movements of third-country nationals within the Union, the prevention of cross-border crime including, *the smuggling* of irregular *migrants*, trafficking in human being and terrorism, as well as the situation in neighbouring third countries with a view to developing a pre-warning mechanism which analyses the migratory flows towards the Union *as well as the respect for fundamental rights. The Agency shall make public its methodology and criteria for the risk analysis.*

Or. en

Amendment 444

Carlos Coelho, Anna Maria Corazza Bildt, Barbara Matera

Proposal for a regulation
Article 10 – paragraph 3

Text proposed by the Commission

3. The risk analysis prepared by the Agency shall cover all aspects relevant to the European integrated border management, in particular border control, return, irregular secondary movements of third-country nationals within the Union, the prevention of cross-border crime including facilitation of irregular immigration, trafficking in human being and terrorism, as well as the situation in neighbouring third countries with a view to developing a pre-warning mechanism which analyses the migratory flows towards the Union.

Amendment

3. The risk analysis prepared by the Agency shall cover all aspects relevant to the European integrated border management, ***within its mandate***, in particular border control, return, ***asylum***, irregular secondary movements of third-country nationals within the Union, the prevention of cross-border crime including facilitation of irregular immigration, trafficking in human being and terrorism, as well as the situation in neighbouring third countries with a view to developing a pre-warning mechanism which analyses the migratory flows towards the Union.

Or. en

Amendment 445

Péter Niedermüller, Marju Lauristin, Tanja Fajon, Josef Weidenholzer

Proposal for a regulation
Article 10 – paragraph 3

Text proposed by the Commission

3. The risk analysis prepared by the Agency shall cover all aspects relevant to the European integrated border management, in particular border control, ***return***, irregular secondary movements of third-country nationals within the Union, the prevention of ***cross-border crime including facilitation of irregular immigration***, trafficking in human being and terrorism, as well as the situation in neighbouring third countries with a view to developing a pre-warning mechanism which analyses the migratory flows towards the Union.

Amendment

3. The risk analysis prepared by the Agency shall cover all aspects relevant to the European integrated border management, in particular border control; ***reception capacity at the external borders; the existence of mechanisms for the identification, provision of information to and onward referral of persons who are in need of, or wish to apply for international protection; return***; irregular secondary movements of third-country nationals within the Union, the prevention of ***the criminal smuggling of persons***, trafficking in human being and terrorism, as well as the situation in neighbouring third countries with a view to developing a pre-warning mechanism which analyses the

migratory flows towards the Union.

Or. en

Amendment 446

Jaromír Štětina

Proposal for a regulation

Article 10 – paragraph 3

Text proposed by the Commission

3. The risk analysis prepared by the Agency shall cover all aspects relevant to the European integrated border management, in particular border control, return, irregular secondary movements of third-country nationals within the Union, the prevention of cross-border crime including facilitation of irregular immigration, trafficking in human being and terrorism, as well as the situation in neighbouring third countries with a view to developing a pre-warning mechanism which analyses the migratory flows towards the Union.

Amendment

3. The risk analysis prepared by the Agency shall cover all aspects relevant to the European integrated border management, in particular border control, return, irregular secondary movements of third-country nationals within the Union, the prevention of cross-border crime including facilitation of irregular immigration, trafficking in human being and terrorism, as well as the situation in neighbouring third countries ***and countries of origin and transit for irregular migration*** with a view to developing a pre-warning mechanism which analyses the migratory flows towards the Union.

Or. en

Amendment 447

Emil Radev, Mariya Gabriel, Andrej Plenković, Traian Ungureanu, Csaba Sógor

Proposal for a regulation

Article 10 – paragraph 3

Text proposed by the Commission

3. The risk analysis prepared by the Agency shall cover all aspects relevant to the European integrated border management, in particular border control, return, irregular secondary movements of third-country nationals within the Union, the prevention of cross-border crime

Amendment

3. The risk analysis prepared by the Agency shall cover all aspects relevant to the European integrated border management, in particular border control, return, irregular secondary movements of third-country nationals within the Union, the prevention of cross-border crime

including facilitation of irregular immigration, trafficking in human being and terrorism, as well as the situation in neighbouring third countries with a view to developing a pre-warning mechanism which analyses the migratory flows towards the Union.

including facilitation of irregular immigration, trafficking in human being and terrorism, as well as the situation in neighbouring third countries with a view to developing a pre-warning mechanism which analyses, *inter alia*, the migratory flows towards the Union.

Or. en

Amendment 448
Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation
Article 10 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The Agency shall develop and make public its methodology and criteria for the risk analysis.

Or. en

Amendment 449
Ska Keller

Proposal for a regulation
Article 10 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The Agency shall develop and make public its methodology and criteria for the risk analysis.

Or. en

Amendment 450
Monika Hohlmeier

Proposal for a regulation
Article 10 – paragraph 4

Text proposed by the Commission

4. Member States shall provide the Agency with all necessary information regarding the situation, trends and possible threats at the external borders and in the field of return. Member States *shall regularly or upon the request of* the Agency *provide it* with all relevant information such as statistical and operational data collected in relation to the implementation of the Schengen acquis as well as information and intelligence derived from the analysis layer of the national situational picture established in accordance with Regulation (EU) No 1052/2013.

Amendment

4. Member States shall provide the Agency with all necessary information regarding the situation, trends and possible threats at the external borders and in the field of return. Member States *commit themselves to regularly and completely provide* the Agency with all relevant information such as statistical and operational data collected in relation to the implementation of the Schengen acquis as well as information and intelligence derived from the analysis layer of the national situational picture established in accordance with Regulation (EU) No 1052/2013.

Or. en

Amendment 451

Nathalie Griesbeck, Filiz Hyusmenova, Maite Pagazaurtundúa Ruiz, Cecilia Wikström, Sophia in 't Veld, Petr Ježek, Louis Michel, Angelika Mlinar, Morten Helveg Petersen, Gérard Deprez

**Proposal for a regulation
Article 10 – paragraph 4**

Text proposed by the Commission

4. Member States shall provide the **Agency** with all necessary information regarding the situation, trends and possible threats at the external borders and in the field of return. Member States shall regularly or upon the request of the **Agency** provide it with all relevant information such as statistical and operational data collected in relation to the implementation of the Schengen acquis as well as information and intelligence derived from the analysis layer of the national situational picture established in accordance with Regulation (EU) No 1052/2013.

Amendment

4. Member States shall provide the **Centre** with all necessary information regarding the situation, trends and possible threats at the external borders and in the field of return. Member States shall regularly or upon the request of the **Centre** provide it with all relevant information such as statistical and operational data collected in relation to the implementation of the Schengen acquis as well as information and intelligence derived from the analysis layer of the national situational picture established in accordance with Regulation (EU) No 1052/2013.

Or. en

Amendment 452

Louis Michel, Gérard Deprez, Nathalie Griesbeck, Cecilia Wikström, Sophia in 't Veld, Filiz Hyusmenova, Petr Ježek, Morten Helveg Petersen

Proposal for a regulation

Article 10 – paragraph 4

Text proposed by the Commission

4. Member States shall provide the Agency with all necessary information regarding the situation, trends and possible threats at the external borders and in the field of return. Member States shall regularly or upon the request of the Agency provide it with all relevant information such as statistical and operational data collected in relation to the implementation of the Schengen *acquis* as well as information and intelligence derived from the analysis layer of the national situational picture established in accordance with Regulation (EU) No 1052/2013.

Amendment

4. Member States shall provide the Agency with all necessary information regarding the situation, trends and possible ***cross-border crime*** threats at the external borders and in the field of return. Member States shall regularly or upon the request of the Agency provide it with all relevant information such as statistical and operational data collected in relation to the implementation of the Schengen *acquis* as well as information and intelligence derived from the analysis layer of the national situational picture established in accordance with Regulation (EU) No 1052/2013.

Or. fr

Amendment 453

Péter Niedermüller, Tanja Fajon, Josef Weidenholzer

Proposal for a regulation

Article 10 – paragraph 5

Text proposed by the Commission

5. The results of the risk analysis shall be submitted to the ***Supervisory*** Board and to the Management Board.

Amendment

5. The results of the risk analysis shall be submitted to the ***Advisory*** Board and to the Management Board.

Or. en

Amendment 454

Ska Keller

Proposal for a regulation
Article 10 – paragraph 5

Text proposed by the Commission

5. The results of the risk analysis shall be submitted to the ***Supervisory Board and to the*** Management Board.

Amendment

5. The results of the risk analysis shall be submitted to the Management Board.

Or. en

Amendment 455
Brice Hortefeux, Rachida Dati

Proposal for a regulation
Article 10 – paragraph 5

Text proposed by the Commission

5. The results of the risk analysis shall be submitted to the ***Supervisory Board and to the*** Management Board.

Amendment

5. The results of the risk analysis shall be submitted to the Management Board.

Or. fr

Amendment 456
Ignazio Corrao, Laura Agea, Laura Ferrara

Proposal for a regulation
Article 10 – paragraph 6

Text proposed by the Commission

6. Member States shall take results of the risk analysis into account when planning their operations and activities at the external borders as well as their activities with regard to return.

Amendment

6. Member States shall take results of the risk analysis into account when planning their operations and activities at the external borders as well as their activities with regard to return. ***An operational engagement of the Agency shall require a prior assessment, drawing on a broad range of sources, to identify if there are risks of fundamental rights violations or deficiencies in relevant civil and criminal laws and procedures that***

would make the cooperation incompatible with legal obligations, in particular to ensure protection from refoulement and the right to an effective remedy.

Or. en

Amendment 457

Péter Niedermüller, Tanja Fajon, Josef Weidenholzer

Proposal for a regulation

Article 10 – paragraph 6

Text proposed by the Commission

6. Member States shall take results of the risk analysis into account when planning their operations and activities at the external borders *as well as their activities with regard to return.*

Amendment

6. Member States shall take results of the risk analysis into account when planning their operations and activities at the external borders.

Or. en

Amendment 458

Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation

Article 10 – paragraph 6

Text proposed by the Commission

6. Member States shall take results of the risk analysis into account when planning their operations and activities at the external borders *as well as their activities with regard to return.*

Amendment

6. Member States shall take results of the risk analysis into account when planning their operations and activities at the *EU* external borders.

Or. en

Amendment 459

Péter Niedermüller, Marju Lauristin, Tanja Fajon, Josef Weidenholzer, Miltiadis Kyrkos, Elly Schlein

Proposal for a regulation
Article 10 – paragraph 7

Text proposed by the Commission

7. The Agency shall incorporate the results of a common integrated risk analysis model in its development of the common core curricula for the training of border guards and of staff involved in *return-related tasks*.

Amendment

7. The Agency shall incorporate the results of a common integrated risk analysis model in its development of the common core curricula for the training of border guards and of *other staff or experts* involved in *tasks related to the integrated border management*.

Or. en

Amendment 460
Marina Albiol Guzmán, Kostas Chrysogonos

Proposal for a regulation
Article 11

Text proposed by the Commission

[...]

Amendment

deleted

Or. en

Amendment 461
Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation
Article 11 – paragraph 1

Text proposed by the Commission

1. The Agency shall ensure regular monitoring of the management of the external borders through liaison officers *of the Agency* in Member States.

Amendment

1. The Agency shall ensure regular monitoring of the management of the *EU* external borders through liaison officers in Member States.

Or. en

Amendment 462
Monica Macovei

Proposal for a regulation
Article 11 – paragraph 1

Text proposed by the Commission

1. The Agency shall ensure regular monitoring of the management of the external borders through liaison officers of the Agency in Member States.

Amendment

1. The Agency shall ensure regular monitoring of the management of the external borders through liaison officers of the Agency in Member States ***with an external land, sea or air border***

Or. en

Amendment 463
Ska Keller

Proposal for a regulation
Article 11 – paragraph 1

Text proposed by the Commission

1. The Agency shall ensure regular monitoring of the management of the external borders through liaison officers of the Agency in Member States.

Amendment

1. The Agency shall ensure regular monitoring of the management of the external borders through liaison officers of the Agency in ***all*** Member States.

Or. en

Amendment 464
Traian Ungureanu, Csaba Sógor

Proposal for a regulation
Article 11 – paragraph 1

Text proposed by the Commission

1. The Agency shall ***ensure regular monitoring of*** the management of the external borders through liaison officers of the Agency in Member States.

Amendment

1. The Agency shall ***monitor*** the management of the external borders, ***if necessary***, through liaison officers of the Agency in Member States.

Or. en

Amendment 465

Miriam Dalli

Proposal for a regulation

Article 11 – paragraph 1

Text proposed by the Commission

1. The Agency shall **ensure regular monitoring of** the management of the external borders through liaison officers of the Agency in Member States.

Amendment

1. The Agency shall **monitor** the management of the external borders, **if necessary** through liaison officers of the Agency in Member States.

Or. en

Justification

Liaison officers should only be deployed if considered necessary, on the basis of the different situations in the different Member States based on the risk analysis mentioned in Article 11, paragraph 2 of this Regulation.

Amendment 466

Gilles Lebreton, Marine Le Pen, Janice Atkinson, Lorenzo Fontana

Proposal for a regulation

Article 11 – paragraph 2

Text proposed by the Commission

2. The Executive Director shall appoint experts from the staff of the Agency to be deployed as liaison officers. The Executive Director shall, based on risk analysis and in consultation with the Management Board, determine the nature of the deployment, the Member State to which a liaison officer may be deployed and the duration of the deployment. The Executive Director shall notify the Member State concerned of the appointment and shall determine, together with the Member State, the location of deployment.

Amendment

2. The Executive Director shall appoint experts from the staff of the Agency to be deployed as liaison officers. The Executive Director shall, based on risk analysis and in consultation with the Management Board, determine the nature of the deployment, the Member State to which a liaison officer may be deployed and the duration of the deployment. The Executive Director shall notify the Member State concerned of the appointment and shall determine, together with the Member State, the location of deployment. **Member States may, by means of a reasoned decision notified to the Agency, reject**

liaison officers deployed on their territory.

Or. fr

Amendment 467

Carlos Coelho, Barbara Matera

Proposal for a regulation

Article 11 – paragraph 2

Text proposed by the Commission

2. The Executive Director shall appoint experts from the staff of the Agency to be deployed as liaison officers. The Executive Director shall, ***based on risk analysis and*** in consultation with the Management Board, ***determine*** the nature of the deployment, the Member State to which ***a*** liaison officer ***may*** be deployed and the duration of the deployment. The Executive Director shall notify the Member State concerned of the appointment and shall determine, together with the Member State, the location of deployment.

Amendment

2. The Executive Director shall appoint experts from the staff of the Agency to be deployed as liaison officers. The Executive Director shall in consultation with the Management Board, ***decide*** the nature of the deployment, the Member State to which ***the*** liaison officer ***will*** be deployed and the duration of the deployment. The Executive Director shall notify the Member State concerned of the appointment and shall determine, together with the Member State, the location of deployment.

Or. en

Amendment 468

Miriam Dalli

Proposal for a regulation

Article 11 – paragraph 2

Text proposed by the Commission

2. The ***Executive Director*** shall ***appoint experts from the staff of the Agency to be deployed as liaison officers.*** The Executive Director ***shall, based on risk analysis and in consultation with the Management Board, determine*** the nature of the deployment, the Member State to which a liaison officer may be deployed and the duration of the deployment. The Executive Director shall ***notify*** the Member

Amendment

2. The ***Management Board*** shall, ***based on a risk analysis and on a proposal of*** the Executive Director, ***decide on*** the nature of the deployment, the Member State to which a liaison officer may be deployed and the duration of the deployment ***and notify its decision to the Member State concerned.*** The Executive Director shall ***consult*** the Member State concerned ***on the nature and duration of***

State concerned *of the appointment and shall determine, together with the Member State, the location of deployment.*

the deployment before making its proposal, and on the tasks which are not covered by Article 11 paragraph 3, of this Regulation.

Or. en

Justification

The Member State concerned should be consulted on the modalities of the deployment including the duration. The decision on the deployment should be taken by the Management Board and not unilaterally by the Executive Director.

Amendment 469

Carlos Coelho, Barbara Matera

Proposal for a regulation

Article 11 – paragraph 3 – introductory part

Text proposed by the Commission

3. The liaison officers shall act on behalf of the Agency and their role shall be to foster cooperation and dialogue between the Agency and the national authorities which are responsible for border management, including coast guards to the extent that they carry out border control tasks. The liaison officers shall, *in particular*:

Amendment

3. The liaison officers shall act on behalf of the Agency and their role shall be to foster cooperation and dialogue between the Agency and the national authorities which are responsible for border management, including coast guards to the extent that they carry out border control tasks. The liaison officers shall:

Or. en

Amendment 470

Brice Hortefeux, Rachida Dati

Proposal for a regulation

Article 11 – paragraph 3 – introductory part

Text proposed by the Commission

3. The liaison officers shall act on behalf of the Agency and their role shall be to foster cooperation and dialogue between

Amendment

3. The liaison officers shall act on behalf of the Agency and their role shall be to foster cooperation and dialogue between

the Agency and the national authorities which are responsible for border management, including coast guards to the extent that they carry out border control tasks. The liaison officers shall, in particular:

the Agency and the national authorities which are responsible for border management **and for returns**, including coast guards to the extent that they carry out border control tasks. The liaison officers shall, in particular:

Or. fr

Amendment 471
Carlos Coelho, Barbara Matera

Proposal for a regulation
Article 11 – paragraph 3 – point a a (new)

Text proposed by the Commission

Amendment

(aa) support the collection of information required by the Agency for the monitoring of irregular migration and risk analysis referred in Article 10;

Or. en

Amendment 472
Miriam Dalli

Proposal for a regulation
Article 11 – paragraph 3 – point b

Text proposed by the Commission

Amendment

(b) support the collection of information required by the Agency for carrying out the vulnerability assessment referred to in Article 12;

(b) support the collection of information **as provided for by the relevant Union legislation and as** required by the Agency for carrying out the vulnerability assessment referred to in Article 12

Or. en

Justification

Collection of information should be qualified by what is required under the relevant EU legislation. This would clarify what information is being referred to.

Amendment 473

Péter Niedermüller, Cécile Kashetu Kyenge, Marju Lauristin, Tanja Fajon, Josef Weidenholzer, Miltiadis Kyrkos, Christine Revault D'Allonnes Bonnefoy, Ana Gomes, Elly Schlein

Proposal for a regulation

Article 11 – paragraph 3 – point c a (new)

Text proposed by the Commission

Amendment

(ca) observe and promote the application of existing and future Union measures relating to the management of external borders, including on fundamental rights and international protection;

Or. en

Amendment 474

Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation

Article 11 – paragraph 3 – point d

Text proposed by the Commission

Amendment

(d) assist the Member States in preparing their contingency plans;

(d) assist, *if requested by* the Member States, in preparing their contingency plans;

Or. en

Amendment 475

Geoffrey Van Orden

Proposal for a regulation

Article 11 – paragraph 3 – point e

Text proposed by the Commission

Amendment

(e) report regularly to the Executive Director on the situation at the external

(e) report regularly to the Executive Director *and to the Head of the relevant*

border and the capacity of the Member State concerned to deal effectively with the situation *at the external borders*;

national authority on the situation at the external border and the capacity of the Member State concerned to deal effectively with the situation;

Or. en

Amendment 476
Miriam Dalli

Proposal for a regulation
Article 11 – paragraph 3 – point e

Text proposed by the Commission

(e) report regularly to the Executive Director on the situation at the external border and the capacity of the Member State concerned to deal effectively with the situation at the external borders;

Amendment

(e) report regularly to the Executive Director on the situation at the external border and the capacity of the Member State concerned to deal effectively with the situation at the external borders *and on the execution of return operations towards relevant third countries and if such report raises concerns about any of these aspects relevant for the Member State concerned, the Member State shall be informed without delay by the Executive Director.*

Or. en

Justification

It is important that the Member State concerned is informed about the content of the report since there may be concerns for the Member State in question. In this manner the Member State involved can start taking the necessary corrective measures. In this way transparency would be ensured as well.

Amendment 477
Ignazio Corrao, Laura Agea, Laura Ferrara

Proposal for a regulation
Article 11 – paragraph 3 – point f

Text proposed by the Commission

(f) monitor the measures taken by the Member State with regard to a situation requiring urgent action at the external borders *as referred to in Article 18*;

Amendment

(f) monitor the measures taken by the Member State with regard to a situation requiring urgent action at the external borders

Or. en

Amendment 478

Ana Gomes

Proposal for a regulation

Article 11 – paragraph 3 – point f a (new)

Text proposed by the Commission

Amendment

(fa) regularly participate in direct observation missions to relevant locations at the border;

Or. en

Amendment 479

Ana Gomes

Proposal for a regulation

Article 11 – paragraph 3 – point f b (new)

Text proposed by the Commission

Amendment

(fb) develop relationships and platforms for dialogue with civil society representatives and organisations.

Or. en

Amendment 480

Miriam Dalli

Proposal for a regulation

Article 11 – paragraph 4 – introductory part

Text proposed by the Commission

4. For the purposes of paragraph 3, the liaison officer shall, *inter alia*:

Amendment

4. For the purposes of paragraph 3, the liaison officer shall, ***in compliance with national and EU security and data protection rules***:

Or. en

Amendment 481

Carlos Coelho, Barbara Matera

Proposal for a regulation

Article 11 – paragraph 4 – introductory part

Text proposed by the Commission

4. For the purposes of paragraph 3, the liaison officer shall, *inter alia*:

Amendment

4. For the purposes of paragraph 3, the liaison officer shall:

Or. en

Amendment 482

Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation

Article 11 – paragraph 4 – point a

Text proposed by the Commission

(a) have ***unlimited*** access to the national coordination centre and the national situational picture established in accordance with Regulation (EU) No 1052/2013;

Amendment

(a) have access to the national coordination centre and the national situational picture established in accordance with Regulation (EU) No 1052/2013

Or. en

Amendment 483

Elissavet Vozemberg-Vrionidi

Proposal for a regulation
Article 11 – paragraph 4 – point a

Text proposed by the Commission

(a) *have unlimited access to* the national coordination centre *and the national situational picture established in accordance with Regulation (EU) No 1052/2013;*

Amendment

(a) *receive information from* the national coordination centre *with the authorization of the National Coordinator of the concerned Member State;*

Or. en

Amendment 484
Miriam Dalli

Proposal for a regulation
Article 11 – paragraph 4 – point a

Text proposed by the Commission

(a) *have unlimited access to* the national coordination centre and the national situational picture established in accordance with Regulation (EU) No 1052/2013;

Amendment

(a) *receive information from* the national coordination centre and the national situational picture established in accordance with Regulation (EU) No 1052/2013;

Or. en

Amendment 485
Ska Keller

Proposal for a regulation
Article 11 – paragraph 4 – point a

Text proposed by the Commission

(a) have *unlimited* access to the national coordination centre and the national situational picture established in accordance with Regulation (EU) No 1052/2013;

Amendment

(a) have access to the national coordination centre and the national situational picture established in accordance with Regulation (EU) No 1052/2013;

Or. en

Amendment 486
Carlos Coelho, Barbara Matera

Proposal for a regulation
Article 11 – paragraph 4 – point a

Text proposed by the Commission

(a) have *unlimited* access to *the national coordination centre and* the national situational picture established in accordance with Regulation (EU) No 1052/2013;

Amendment

(a) have access to the national situational picture established in accordance with Regulation (EU) No 1052/2013;

Or. en

Amendment 487
Elissavet Vozemberg-Vrionidi

Proposal for a regulation
Article 11 – paragraph 4 – point b

Text proposed by the Commission

(b) *have access to national and European information systems available in the national coordination centre, on condition that he or she complies with the national and EU security and data protection rules;*

Amendment

deleted

Or. en

Amendment 488
Carlos Coelho

Proposal for a regulation
Article 11 – paragraph 4 – point b

Text proposed by the Commission

(b) *have access to national and European information systems available*

Amendment

deleted

in the national coordination centre, on condition that he or she complies with the national and EU security and data protection rules;

Or. en

Amendment 489
Miriam Dalli

Proposal for a regulation
Article 11 – paragraph 4 – point b

Text proposed by the Commission

Amendment

(b) have access to national and European information systems available in the national coordination centre, on condition that he or she complies with the national and EU security and data protection rules;

deleted

Or. en

Amendment 490
Ska Keller

Proposal for a regulation
Article 11 – paragraph 4 – point b

Text proposed by the Commission

Amendment

(b) have access *to national and* European information systems available in the national coordination centre, on condition that he or she complies with the national and EU security and data protection rules;

(b) have access, *where necessary, to* European information systems available in the national coordination centre, on condition that he or she complies with the national and EU security and data protection rules;

Or. en

Amendment 491
Miriam Dalli

Proposal for a regulation
Article 11 – paragraph 4 – point c

Text proposed by the Commission

(c) keep regular contacts with national authorities which are responsible for border management, including coast guards to the extent that they carry out border control tasks, whilst informing *the head of the national coordination centre*.

Amendment

(c) keep regular contacts with national authorities which are responsible for border management, including coast guards to the extent that they carry out border control tasks, whilst informing *a point of contact designated by the Member State concerned*.

Or. en

Justification

The liaison officer should have the right to receive information rather than have direct access to the national coordination centre and relevant systems. There are practical issues for this and also issues of confidentiality where the national coordination centre would also contain other systems.

Amendment 492
Ska Keller

Proposal for a regulation
Article 11 – paragraph 5

Text proposed by the Commission

5. The report of the liaison officer shall form part of the vulnerability assessment referred to in Article 12.

Amendment

5. The report of the liaison officer shall form part of the vulnerability assessment referred to in Article 12. *The report shall be transmitted to the Member State concerned.*

Or. en

Amendment 493
Miriam Dalli

Proposal for a regulation
Article 11 – paragraph 5

Text proposed by the Commission

5. The report of the liaison officer shall **form part of** the vulnerability assessment referred to in Article 12.

Amendment

5. The **final** report of the liaison officer shall **be taken into consideration when drafting** the vulnerability assessment referred to in Article 12. **The report shall then be communicated to the Member State concerned**

Or. en

Justification

If the final report of the liaison officer is sent to the Member State, transparency would be ensured and the Member State would be also aware of the issues identified to immediately take corrective measures.

Amendment 494
Ana Gomes

Proposal for a regulation
Article 12 – paragraph 1

Text proposed by the Commission

1. The Agency shall assess the technical equipment, systems, capabilities, resources and contingency plans of the Member States regarding border control. That assessment shall be based on information provided by the Member State and by the liaison officer, on information derived from Eurosur, in particular the impact levels attributed to the external land and sea border sections of each Member State in accordance with Regulation (EU) No 1052/2013, and on the reports and evaluations of joint operations, pilot projects, rapid border interventions and other activities of the Agency.

Amendment

1. The Agency shall assess the technical equipment, systems, capabilities, resources and contingency plans of the Member States regarding border control **on an annual basis. On its own initiative or under request of the European Parliament, the Agency can carry out an emergency update at any time.** That assessment shall be based on information provided by the Member State and by the liaison officer, on information derived from Eurosur, in particular the impact levels attributed to the external land and sea border sections of each Member State in accordance with Regulation (EU) No 1052/2013, and on the reports and evaluations of joint operations, pilot projects, rapid border interventions and other activities of the Agency, **as well as contributions by civil society**

organisations.

Or. en

Amendment 495

Nathalie Griesbeck, Filiz Hyusmenova, Maite Pagazaurtundúa Ruiz, Cecilia Wikström, Sophia in 't Veld, Petr Ježek, Louis Michel, Angelika Mlinar, Morten Helveg Petersen, Gérard Deprez

Proposal for a regulation

Article 12 – paragraph 1

Text proposed by the Commission

1. The **Agency** shall assess the technical equipment, systems, capabilities, resources and contingency plans of the Member States regarding border control. That assessment shall be based on information provided by the Member State and by the liaison officer, on information derived from Eurosur, in particular the impact levels attributed to the external land and sea border sections of each Member State in accordance with Regulation (EU) No 1052/2013, and on the reports and evaluations of joint operations, pilot projects, rapid border interventions and other activities of the Agency.

Amendment

1. The **Risk Analysis and Vulnerability Assessment Centre** shall assess the technical equipment, systems, capabilities, resources and contingency plans of the Member States regarding border control. That assessment shall be based on information provided by the Member State and by the liaison officer, on information derived from Eurosur, in particular the impact levels attributed to the external land and sea border sections of each Member State in accordance with Regulation (EU) No 1052/2013, and on the reports and evaluations of joint operations, pilot projects, rapid border interventions and other activities of the Agency.

Or. en

Justification

For reasons of efficiency and to avoid duplication of tasks, it is more logical to have, within the Agency, one "Centre" (as proposed by the Commission) responsible for carrying the monitoring and risk analysis and also the vulnerability assessments.

Amendment 496

Emil Radev, Mariya Gabriel, Andrej Plenković

Proposal for a regulation

Article 12 – paragraph 1

Text proposed by the Commission

1. The Agency shall assess the technical equipment, systems, capabilities, resources and contingency plans of the Member States regarding border control. That assessment shall be based on information provided by the Member State and by the liaison officer, on information derived from Eurosur, in particular the impact levels attributed to the external land and sea border sections of each Member State in accordance with Regulation (EU) No 1052/2013, and on the reports and evaluations of joint operations, pilot projects, rapid border interventions and other activities of the Agency.

Amendment

1. The Agency shall assess the technical equipment, systems, capabilities, resources and contingency plans of the Member States regarding border control. That assessment shall be ***done in cooperation with the Member States of the EU and shall be*** based on information provided by the Member State and by the liaison officer, on information derived from Eurosur, in particular the impact levels attributed to the external land and sea border sections of each Member State in accordance with Regulation (EU) No 1052/2013, and on the reports and evaluations of joint operations, pilot projects, rapid border interventions and other activities of the Agency.

Or. en

Amendment 497

Elissavet Vozemberg-Vrionidi

**Proposal for a regulation
Article 12 – paragraph 1**

Text proposed by the Commission

1. The Agency shall assess the technical equipment, systems, capabilities, resources and contingency plans of the Member States ***regarding*** border control. That assessment shall be based on information provided by the Member State and by the liaison officer, on information derived from Eurosur, in particular the impact levels attributed to the external land and sea border sections of each Member State in accordance with Regulation (EU) No 1052/2013, and on the reports and evaluations of joint operations, pilot projects, rapid border interventions and other activities of the Agency.

Amendment

1. The Agency shall assess the technical equipment, systems, capabilities, resources and ***if possible*** contingency plans of the Member States ***necessary for external*** border control. ***The Management Board shall approve objective indicators based on which it shall decide on the prioritisation of the Member State that should be assessed.*** That assessment shall be based on information provided by the Member State and ***where appropriate*** by the liaison officer, on information derived from Eurosur, in particular the impact levels attributed to the external land and sea border sections of each Member State in accordance with Regulation (EU) No

1052/2013, and on the reports and evaluations of joint operations, pilot projects, rapid border interventions and other activities of the Agency **concerning border management**.

Or. en

Amendment 498
Csaba Sógor, Traian Ungureanu

Proposal for a regulation
Article 12 – paragraph 1

Text proposed by the Commission

1. The Agency shall assess the technical equipment, systems, capabilities, resources and contingency plans of the Member States regarding border control. That assessment shall be based on information provided by the Member State and by the liaison officer, on information derived from Eurosur, in particular the impact levels attributed to the external land and sea border sections of each Member State in accordance with Regulation (EU) No 1052/2013, and on the reports and evaluations of joint operations, pilot projects, rapid border interventions and other activities of the Agency.

Amendment

1. The Agency shall assess the technical equipment, systems, capabilities, resources and contingency plans of the Member States regarding border control, **as well as the challenges and threats in the effective management of borders that Member States are faced with and their ability to respond to these**. That assessment shall be based on information provided by the Member State and by the liaison officer, on information derived from Eurosur, in particular the impact levels attributed to the external land and sea border sections of each Member State in accordance with Regulation (EU) No 1052/2013, and on the reports and evaluations of joint operations, pilot projects, rapid border interventions and other activities of the Agency.

Or. en

Amendment 499
Péter Niedermüller, Marju Lauristin, Tanja Fajon, Josef Weidenholzer, Kati Piri, Birgit Sippel

Proposal for a regulation
Article 12 – paragraph 1

Text proposed by the Commission

1. The Agency shall **assess the** technical equipment, systems, capabilities, resources and contingency plans of the Member States **regarding** border control. That assessment shall be based on information provided by the Member State and by the liaison officer, on information derived from Eurosur, in particular the impact levels attributed to the external land and sea border sections of each Member State in accordance with Regulation (EU) No 1052/2013, and on the reports and evaluations of joint operations, pilot projects, rapid border interventions and other activities of the Agency.

Amendment

1. ***On the basis of the risk analysis prepared in accordance with Article 10(3), the Executive Director shall propose to the Management Board a set of objective criteria against which the Agency shall carry out vulnerability assessments of all Member States with external borders.***

Before proposing that set of objective criteria, the Executive Director shall consult with and take into account the views of the Fundamental Rights Officer with a view to ensuring that the criteria against which vulnerability is assessed reflect the need to ensure the respect of fundamental rights in accordance with Union law in all aspects of border control.

That vulnerability assessment shall seek to assess the available infrastructure (including reception capacity), technical equipment, systems, capabilities, resources, and contingency plans of the Member States in the context of border control. That assessment shall be based on information provided by the Member State and by the liaison officer, on information derived from Eurosur, in particular the impact levels attributed to the external land and sea border sections of each Member State in accordance with Regulation (EU) No 1052/2013, and on the reports and evaluations of joint operations, pilot projects, rapid border interventions and other activities of the Agency.

Or. en

Justification

The Commission proposal makes no link between the risk analysis carried out under Article 10 and the vulnerability assessment carried out under Article 12. The vulnerability assessment needs to be based on objective criteria. It is natural that those criteria should be based on the risk at the external borders as determined by the Agency. Those criteria should ensure, inter alia, that in assessing vulnerability at a Member States border consideration is given to the Member States capacity to respect for fundamental rights in accordance with Union law when carrying out border control.

Amendment 500

Miriam Dalli

Proposal for a regulation

Article 12 – paragraph 1

Text proposed by the Commission

1. The Agency shall assess the technical equipment, systems, capabilities, resources and contingency plans of the Member States regarding border control. That assessment shall be based on information provided by the Member State and by the liaison officer, on information derived from *Eurosur*, in particular the impact levels attributed to the external land and sea border sections of each Member State in accordance with Regulation (EU) No 1052/2013, and on the reports and evaluations of joint operations, pilot projects, rapid border interventions and other activities of the Agency.

Amendment

1. The Agency shall assess the technical equipment, systems, capabilities, resources, *preparedness* and contingency plans of the Member States regarding border control. That assessment shall *use objective criteria defined by the Management Board and shall* be based on information provided by the Member State and by the liaison officer, on information derived from *EUROSUR*, in particular the impact levels attributed to the external land and sea border sections of each Member State in accordance with Regulation (EU) No 1052/2013, and on the reports and evaluations of joint operations, pilot projects, rapid border interventions and other activities of the Agency.

Or. en

Amendment 501

Ignazio Corrao, Laura Agea, Laura Ferrara

Proposal for a regulation

Article 12 – paragraph 1

Text proposed by the Commission

1. The Agency shall assess the technical equipment, systems, capabilities, resources and contingency plans of the Member States regarding border control. That assessment shall be based on information provided by the Member State and by the liaison officer, on information derived from Eurosur, in particular the impact levels attributed to the external land and sea border sections of each Member State in accordance with Regulation (EU) No 1052/2013, and on the reports and evaluations of joint operations, pilot projects, rapid border interventions and other activities of the Agency.

Amendment

1. The Agency shall assess the technical equipment, systems, capabilities, resources and contingency plans of the Member States regarding border control, ***and respect for fundamental rights therein***. That assessment shall be based on information provided by the Member State and by the liaison officer, on information derived from Eurosur, in particular the impact levels attributed to the external land and sea border sections of each Member State in accordance with Regulation (EU) No 1052/2013, and on the reports and evaluations of joint operations, pilot projects, rapid border interventions and other activities of the Agency.

Or. en

Amendment 502

Carlos Coelho, Barbara Matera

Proposal for a regulation

Article 12 – paragraph 1

Text proposed by the Commission

1. The Agency shall assess the technical equipment, systems, capabilities, resources and contingency plans of the Member States regarding border control. That assessment shall be based on information provided by the Member State and by the liaison officer, on information derived from Eurosur, in particular the impact levels attributed to the external land and sea border sections of each Member State in accordance with Regulation (EU) No 1052/2013, and on the reports and evaluations of joint operations, pilot projects, rapid border interventions and other activities of the Agency.

Amendment

1. ***As a preventive measure***, the Agency shall assess the technical equipment, systems, capabilities, resources and contingency plans of the Member States regarding border control. That assessment shall ***use objective criteria defined by the Management Board and*** be based on information provided by the Member State and by the liaison officer, on information derived from Eurosur, in particular the impact levels attributed to the external land and sea border sections of each Member State in accordance with Regulation (EU) No 1052/2013, and on the reports and evaluations of joint operations, pilot projects, rapid border interventions and other activities of the Agency.

Amendment 503

Ska Keller

Proposal for a regulation

Article 12 – paragraph 1

Text proposed by the Commission

1. The Agency shall assess the technical equipment, systems, capabilities, resources and contingency plans of the Member States regarding border control. That assessment shall be based on information provided by the Member State and by the liaison officer, on information derived from Eurosur, in particular the impact levels attributed to the external land and sea border sections of each Member State in accordance with Regulation (EU) No 1052/2013, and on the reports and evaluations of joint operations, pilot projects, rapid border interventions and other activities of the Agency.

Amendment

1. The Agency shall assess the technical equipment, systems, capabilities, resources and contingency plans of the Member States regarding border control ***and respect for fundamental rights therein***. That assessment shall be based on information provided by the Member State and by the liaison officer, on information derived from Eurosur, in particular the impact levels attributed to the external land and sea border sections of each Member State in accordance with Regulation (EU) No 1052/2013, and on the reports and evaluations of joint operations, pilot projects, rapid border interventions and other activities of the Agency.

Or. en

Amendment 504

Ska Keller

Proposal for a regulation

Article 12 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The vulnerability assessment shall be based on objective criteria. The Management Board shall decide on the criteria.

Or. en

Amendment 505

Ska Keller

Proposal for a regulation

Article 12 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1b. The assessment of respect for fundamental rights shall include the presence and effectiveness of the instruments in place to ensure the protection and saving of lives of refugees and migrants, access to information and quality legal assistance, referral to relevant procedures and access to effective remedies, for persons arriving at the border. The methodology for this aspect of the vulnerability assessment shall be established in consultation with the Fundamental Rights Officer and the Consultative Forum, as well as other relevant EU agencies, such as the European Asylum Support Office and Agency for Fundamental Rights.

Or. en

Amendment 506

Ignazio Corrao, Laura Agea, Laura Ferrara

Proposal for a regulation

Article 12 – paragraph 2

Text proposed by the Commission

Amendment

2. Member States shall, at the request of the Agency, provide information as regards technical equipment, staff and financial resources available at national level to carry out border control and they shall submit their contingency plans.

2. Member States shall, at the request of the Agency, provide information ***necessary for the vulnerability assessment, in particular*** as regards ***the state of functioning of all procedures at the border***, technical equipment, staff and financial resources available at national level to carry out border control and they shall submit their contingency plans.

Or. en

Amendment 507

Miriam Dalli

Proposal for a regulation

Article 12 – paragraph 2

Text proposed by the Commission

2. Member States shall, at the request of the Agency, provide information as regards technical equipment, staff and financial resources available at national level to carry out border control and **they shall submit** their contingency plans.

Amendment

2. Member States shall, at the request of the Agency, provide information as regards technical equipment, staff and **to the extent possible** financial resources available at national level to carry out border control and **provide information on** their contingency plans **on border management**

Or. en

Justification

For those Member States where border control is one among different functions carried out by one entity, it would be difficult to indicate the amount of financial resources available for border control.

Amendment 508

Ska Keller

Proposal for a regulation

Article 12 – paragraph 2

Text proposed by the Commission

2. Member States shall, at the request of the Agency, provide information as regards technical equipment, staff and financial resources available at national level to carry out border control and they shall submit their contingency plans.

Amendment

2. Member States shall, at the request of the Agency, provide information **necessary for the vulnerability assessment, in particular** as regards **the state of functioning of all procedures at the border in accordance with Chapter II of Directive 2013/32/EU of the European Parliament and of the Council**, technical equipment, staff and financial resources available at national level to carry out border control and they shall submit their

contingency plans.

Or. en

Amendment 509

Péter Niedermüller, Marju Lauristin, Tanja Fajon, Josef Weidenholzer

Proposal for a regulation Article 12 – paragraph 2

Text proposed by the Commission

2. Member States shall, at the request of the Agency, provide information as regards technical equipment, staff and financial resources available at national level to carry out border control and they shall submit their contingency plans.

Amendment

2. Member States shall, at the request of the Agency, provide information as regards *infrastructure*, technical equipment, staff and financial resources available at national level to carry out border control and they shall submit their contingency plans.

Or. en

Amendment 510

Elissavet Vozemberg-Vrionidi

Proposal for a regulation Article 12 – paragraph 2

Text proposed by the Commission

2. Member States shall, at the request of the Agency, provide information as regards technical equipment, staff and financial resources available at national level to carry out border control *and they shall submit their contingency plans.*

Amendment

2. Member States shall, at the request of the Agency, provide information as regards technical equipment, staff and financial resources available at national level to carry out *external* border control.

Or. en

Amendment 511

Nathalie Griesbeck, Filiz Hyusmenova, Maite Pagazaurtundúa Ruiz, Cecilia Wikström, Sophia in 't Veld, Petr Ježek, Louis Michel, Angelika Mlinar, Morten Helveg Petersen, Gérard Deprez

Proposal for a regulation
Article 12 – paragraph 2

Text proposed by the Commission

2. Member States shall, at the request of the *Agency*, provide information as regards technical equipment, staff and financial resources available at national level to carry out border control and they shall submit their contingency plans.

Amendment

2. Member States shall, at the request of the *Centre*, provide information as regards technical equipment, staff and financial resources available at national level to carry out border control and they shall submit their contingency plans.

Or. en

Amendment 512
Emil Radev, Mariya Gabriel, Andrej Plenković

Proposal for a regulation
Article 12 – paragraph 3

Text proposed by the Commission

3. The aim of the vulnerability assessment is for the Agency to assess the capacity and readiness of Member States to face upcoming challenges, including present and future threats and pressures at the external borders, to identify, especially for those Member States facing specific and disproportionate pressures, possible immediate consequences at the external borders and subsequent consequences on the *functioning of the Schengen area*, and to assess their capacity to contribute to the rapid reserve pool referred to in Article 19(5). That assessment is without prejudice to the Schengen evaluation mechanism.

Amendment

3. The aim of the vulnerability assessment is for the Agency to assess the capacity and readiness of Member States to face upcoming challenges, including present and future threats and pressures at the external borders, to identify, especially for those Member States facing specific and disproportionate pressures, possible immediate consequences at the external borders and subsequent consequences on the *public order and internal security in the EU*, and to assess their capacity to contribute to the rapid reserve pool referred to in Article 19(5) *while taking into account their national needs*. That assessment is without prejudice to the Schengen evaluation mechanism.

Or. en

Amendment 513
Péter Niedermüller, Cécile Kashetu Kyenge, Marju Lauristin, Tanja Fajon, Josef

Proposal for a regulation
Article 12 – paragraph 3

Text proposed by the Commission

3. The aim of the vulnerability assessment is for the Agency to assess the capacity and readiness of Member States to face upcoming challenges, including present and future ***threats and pressures at the external borders***, to identify, especially for those Member States facing specific and disproportionate pressures, possible immediate consequences at the external borders and subsequent consequences on the functioning of the Schengen area, and ***to*** assess their capacity to contribute to the rapid reserve pool referred to in Article 19(5). ***That*** assessment ***is*** without prejudice to the Schengen evaluation mechanism.

Amendment

3. The aim of the vulnerability assessment is for the Agency to assess the capacity and readiness of Member States to face upcoming challenges, including present and future ***challenges; their capacity to handle in a humane manner and with full respect for fundamental rights the arrival of large numbers of persons many of whom may be in need of international protection; the availability of adequately skilled and trained personnel; the existence of cooperation mechanisms with relevant Union agencies, international organisations and civil society; and*** to identify, especially for those Member States facing specific and disproportionate pressures, possible immediate consequences at the external borders and subsequent consequences on the functioning of the Schengen area, and assess their capacity to contribute to the rapid reserve pool referred to in Article 19(5). ***The vulnerability*** assessment ***shall be*** without prejudice to the Schengen evaluation mechanism.

Or. en

Justification

The vulnerability assessment must also examine the capacity of the Member States to handle in a humane manner large numbers of persons who are in need of, or wish to apply for, international protection, the existence of trained personnel and the existence, or not, of cooperation mechanisms with other bodies which might be active at the external borders.

Amendment 514
Filiz Hyusmenova

Proposal for a regulation
Article 12 – paragraph 3

Text proposed by the Commission

3. The aim of the vulnerability assessment is for the Agency to assess the capacity and readiness of Member States to face upcoming challenges, including present and future threats and pressures at the external borders, to identify, especially for those Member States facing specific and disproportionate pressures, possible immediate consequences at the external borders and subsequent consequences on the functioning of the Schengen area, and to assess their capacity to contribute to the rapid reserve pool referred to in Article 19(5). That assessment is without prejudice to the Schengen evaluation mechanism.

Amendment

3. The aim of the vulnerability assessment is for the Agency to assess the capacity and readiness of Member States to face upcoming challenges, including present and future threats and pressures at the external borders, to identify, especially for those Member States facing specific and disproportionate pressures, possible immediate consequences at the external borders and subsequent consequences on the functioning of the Schengen area **and the internal security of the European Union**, and to assess their capacity to contribute to the rapid reserve pool referred to in Article 19(5). That assessment is without prejudice to the Schengen evaluation mechanism.

Or. en

Amendment 515
Carlos Coelho, Barbara Matera

Proposal for a regulation
Article 12 – paragraph 3

Text proposed by the Commission

3. The aim of the vulnerability assessment is for the Agency to assess the capacity and readiness of Member States to face **upcoming** challenges, including present and future threats and pressures at the external borders, to identify, especially for those Member States facing specific and disproportionate pressures, possible immediate consequences at the external borders and subsequent consequences on the functioning of the Schengen area, and to assess their capacity to contribute to the rapid reserve pool referred to in Article 19(5). That assessment is without prejudice

Amendment

3. The aim of the vulnerability assessment is for the Agency to assess **preventively** the capacity and readiness of Member States to face challenges, including present and future threats and pressures at the external borders, to identify, especially for those Member States facing specific and disproportionate pressures, possible immediate consequences at the external borders and subsequent consequences on the functioning of the Schengen area, and to assess their capacity to contribute to the rapid reserve pool referred to in Article

to the Schengen evaluation mechanism.

19(5). *In case of possible immediate consequences at the external borders and subsequent consequences on the functioning of the Schengen area*, that assessment *shall take into account and* is without prejudice to the Schengen evaluation mechanism.

Or. en

Amendment 516

Nathalie Griesbeck, Maite Pagazaurtundúa Ruiz, Cecilia Wikström, Sophia in 't Veld, Petr Ježek, Louis Michel, Angelika Mlinar, Morten Helveg Petersen, Gérard Deprez

Proposal for a regulation Article 12 – paragraph 3

Text proposed by the Commission

3. The aim of the vulnerability assessment is for the **Agency** to assess the capacity and readiness of Member States to face upcoming challenges, including present and future threats and pressures at the external borders, to identify, especially for those Member States facing specific and disproportionate pressures, possible immediate consequences at the external borders and subsequent consequences on the functioning of the Schengen area, and to assess their capacity to contribute to the rapid reserve pool referred to in Article 19(5). That assessment is without prejudice to the Schengen evaluation mechanism.

Amendment

3. The aim of the vulnerability assessment is for the **Centre** to assess the capacity and readiness of Member States to face upcoming challenges, including present and future threats and pressures at the external borders, to identify, especially for those Member States facing specific and disproportionate pressures, possible immediate consequences at the external borders and subsequent consequences on the functioning of the Schengen area, and to assess their capacity to contribute to the rapid reserve pool referred to in Article 19(5). *The assessment also aims at evaluating the capacity of Member States to respect fundamental rights in such situations*. That assessment is without prejudice to the Schengen evaluation mechanism.

Or. en

Amendment 517

Traian Ungureanu, Csaba Sógor

Proposal for a regulation
Article 12 – paragraph 3

Text proposed by the Commission

3. The aim of the vulnerability assessment is for the Agency to assess the capacity and readiness of Member States to face upcoming challenges, including present and future threats and pressures at the external borders, to identify, especially for those Member States facing specific and disproportionate pressures, possible immediate consequences at the external borders and ***subsequent consequences on the functioning of the Schengen area, and*** to assess their capacity to contribute to the rapid reserve pool referred to in Article 19(5). That assessment is without prejudice to the Schengen evaluation mechanism.

Amendment

3. The aim of the vulnerability assessment is for the Agency to assess the capacity and readiness of Member States to face upcoming challenges, including present and future threats and pressures at the external borders, to identify, especially for those Member States facing specific and disproportionate pressures, possible immediate consequences at the external borders and to assess their capacity to contribute to the rapid reserve pool referred to in Article 19(5). That assessment is without prejudice to the Schengen evaluation mechanism.

Or. en

Amendment 518

Lucy Anderson, Claude Moraes, Marju Lauristin, Merja Kyllönen, Christine Revault D'Allonnes Bonnefoy, Elissavet Vozemberg-Vrionidi

Proposal for a regulation
Article 12 – paragraph 3

Text proposed by the Commission

3. The aim of the vulnerability assessment is for the Agency to assess the capacity and readiness of Member States to face upcoming challenges, including present and future threats and pressures at the external borders, to identify, especially for those Member States facing specific and disproportionate pressures, possible immediate consequences at the external borders and subsequent consequences on the functioning of the Schengen area, and to assess their capacity to contribute to the rapid reserve pool referred to in Article 19(5). That assessment is without prejudice to the Schengen evaluation mechanism.

Amendment

3. The aim of the vulnerability assessment is for the Agency to assess the capacity and readiness of Member States to face upcoming challenges, including present and future threats and pressures at the external borders, to identify, especially for those Member States facing specific and disproportionate pressures, possible immediate consequences at the external borders, ***including on the proper functioning of cross-border transport, logistics and infrastructure links,*** and subsequent consequences on the functioning of the Schengen area, and to assess their capacity to contribute to the

rapid reserve pool referred to in Article 19(5). That assessment is without prejudice to the Schengen evaluation mechanism.

Or. en

Amendment 519

Emil Radev, Mariya Gabriel, Andrej Plenković, Traian Ungureanu, Csaba Sógor

Proposal for a regulation

Article 12 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The Member States may provide written comments to the vulnerability assessment if they deem so; these written comments shall be attached to the vulnerability assessment.

Or. en

Amendment 520

Brice Hortefeux, Rachida Dati

Proposal for a regulation

Article 12 – paragraph 4

Text proposed by the Commission

Amendment

4. The results of the vulnerability assessment shall be submitted to the **Supervisory Board**, which **shall advise** the Executive Director **on the** measures to be taken by the Member States based on the results of the vulnerability assessment, and taking into account the Agency's risk analysis and the results of the Schenectady evaluation mechanism.

4. The results of the vulnerability assessment shall be submitted to the **Member States concerned**, which **may submit comments on those results**. The Executive Director **shall then recommend** measures to be taken by the Member States based on the results of the vulnerability assessment, and taking into account the Agency's risk analysis and the results of the Schenectady evaluation mechanism.

Or. fr

Amendment 521

Nathalie Griesbeck, Filiz Hyusmenova, Maite Pagazaurtundúa Ruiz, Cecilia Wikström, Sophia in 't Veld, Petr Ježek, Louis Michel, Angelika Mlinar, Morten Helveg Petersen

Proposal for a regulation

Article 12 – paragraph 4

Text proposed by the Commission

4. The results of the vulnerability assessment shall be submitted to the **Supervisory** Board, which shall advise the Executive Director on the measures to be taken by the Member States based on the results of the vulnerability assessment, and taking into account the **Agency's** risk analysis and the results of the Schengen evaluation mechanism.

Amendment

4. The results of the vulnerability assessment shall be submitted to the **Advisory Board and the Management** Board, which shall advise the Executive Director on the measures to be taken by the Member States based on the results of the vulnerability assessment, and taking into account the **Centre's** risk analysis and the results of the Schengen evaluation mechanism.

Or. en

Amendment 522

Ignazio Corrao, Laura Agea, Laura Ferrara

Proposal for a regulation

Article 12 – paragraph 4

Text proposed by the Commission

4. The results of the vulnerability assessment shall be submitted to the **Supervisory** Board, which shall advise the Executive Director on the measures to be taken by the Member States based on the results of the vulnerability assessment, and taking into account the Agency's risk analysis and the results of the Schengen evaluation mechanism.

Amendment

4. The results of the vulnerability assessment shall be submitted to the **Management** Board, which shall advise the Executive Director on the measures to be taken by the Member States based on the results of the vulnerability assessment, and taking into account the Agency's risk analysis and the results of the Schengen evaluation mechanism.

Or. en

Amendment 523

Péter Niedermüller, Tanja Fajon, Josef Weidenholzer, Miltiadis Kyrkos

Proposal for a regulation
Article 12 – paragraph 4

Text proposed by the Commission

4. The results of the vulnerability assessment shall be submitted to the **Supervisory** Board, which shall advise the Executive Director on the measures to be taken by the Member States based on the results of the vulnerability assessment, and taking into account the Agency's risk analysis and the results of the Schengen evaluation mechanism.

Amendment

4. The results of the vulnerability assessment shall be submitted to the **Advisory** Board, which shall advise the Executive Director on the measures to be taken by the Member States based on the results of the vulnerability assessment, and taking into account the Agency's risk analysis and the results of the Schengen evaluation mechanism.

Or. en

Amendment 524

Emil Radev, Mariya Gabriel, Andrej Plenković, Traian Ungureanu, Csaba Sógor

Proposal for a regulation
Article 12 – paragraph 4

Text proposed by the Commission

4. The results of the vulnerability assessment shall be submitted to the Supervisory Board, which shall advise the Executive Director on the measures to be taken by the Member States based on the results of the vulnerability assessment, and taking into account the Agency's risk analysis and the results of the Schengen evaluation mechanism.

Amendment

4. The results of the vulnerability assessment, **together with the written comments of the Member States if available**, shall be submitted to the Supervisory Board, which shall advise the Executive Director on the measures to be taken by the Member States based on the results of the vulnerability assessment, and taking into account the Agency's risk analysis and the results of the Schengen evaluation mechanism.

Or. en

Amendment 525

Marina Albiol Guzmán, Cornelia Ernst, Marie-Christine Vergiat

Proposal for a regulation
Article 12 – paragraph 5

Text proposed by the Commission

Amendment

5. *The Executive Director shall adopt a decision setting out the necessary corrective measures to be taken by the Member State concerned, including by using resources under the Union financial instruments. The decision of the Executive Director shall be binding on the Member State and shall lay down the time-limit within which the measures are to be taken.* *deleted*

Or. en

**Amendment 526
Carlos Coelho**

**Proposal for a regulation
Article 12 – paragraph 5**

Text proposed by the Commission

Amendment

5. *The Executive Director shall adopt a decision setting out the necessary corrective measures to be taken by the Member State concerned, including by using resources under the Union financial instruments. The decision of the Executive Director shall be binding on the Member State and shall lay down the time-limit within which the measures are to be taken.* *deleted*

Or. en

**Amendment 527
Geoffrey Van Orden**

**Proposal for a regulation
Article 12 – paragraph 5**

Text proposed by the Commission

5. The Executive Director shall ***adopt a decision setting out the*** necessary corrective measures to be taken by the Member State concerned, including by using resources under the Union financial instruments. ***The decision of the Executive Director shall be binding on the Member State and shall lay down the time-limit*** within which the measures are to be taken.

Amendment

5. The Executive Director shall, ***in close liaison with the Head of the national authority concerned, propose*** necessary corrective measures to be taken by the Member State concerned, including by using resources under the Union financial instruments ***and laying down the time limit*** within which the measures are to be taken.

Or. en

Amendment 528
Miriam Dalli

Proposal for a regulation
Article 12 – paragraph 5

Text proposed by the Commission

5. The Executive Director shall ***adopt a decision*** setting out the necessary ***corrective*** measures to be taken by the Member State concerned, including ***by using resources under the Union financial instruments. The decision of the*** Executive Director shall ***be binding on*** the Member State ***and shall lay down the time-limit within which the*** measures ***are to be taken.***

Amendment

5. The Executive Director shall ***in consultation with the Member State concerned, make a recommendation*** setting out the necessary measures to be taken by the Member State concerned, including ***the time-limit within which such measures shall be implemented. The*** Executive Director shall ***invite*** the Member States ***concerned to take the necessary*** measures.

Or. en

Amendment 529
Ska Keller

Proposal for a regulation
Article 12 – paragraph 5

Text proposed by the Commission

5. The Executive Director shall adopt

Amendment

5. The Executive Director shall adopt

a **decision** setting out the necessary corrective measures to be taken by the Member State concerned, including by using resources under the Union financial instruments. ***The decision of the Executive Director shall be binding on the Member State and shall lay down the time-limit within which the measures are to be taken.***

a **recommendation** setting out the necessary corrective measures to be taken by the Member State concerned, including by using resources under the Union financial instruments.

Or. en

Amendment 530
Ignazio Corrao, Laura Agea, Laura Ferrara

Proposal for a regulation
Article 12 – paragraph 5

Text proposed by the Commission

5. The Executive Director shall adopt a **decision** setting out the necessary corrective measures to be taken by the Member State concerned, including by using resources under the Union financial instruments. ***The decision of the Executive Director shall be binding on the Member State and shall lay down the time-limit within which the measures are to be taken.***

Amendment

5. The Executive Director shall adopt a **recommendation** setting out the necessary corrective measures to be taken by the Member State concerned, including by using resources under the Union financial instruments. ***The procedure shall include an assessment of the impacts of such measures on fundamental rights, and ensure compliance with international legal obligations.***

Or. en

Amendment 531
Carlos Coelho, Anna Maria Corazza Bildt, Barbara Matera

Proposal for a regulation
Article 12 – paragraph 5

Text proposed by the Commission

5. The Executive Director shall adopt a decision setting out the necessary corrective measures to be taken by the Member State concerned, including by

Amendment

5. The Executive Director shall, ***on the basis of the vulnerability assessment, the Schengen evaluation mechanism, in particular any recommendations adopted,***

using resources under the Union financial instruments. The decision of the Executive Director shall be binding on the Member State and shall lay down the time-limit within which the measures are to be taken.

and the Agency's risk analysis, adopt a decision setting out the necessary corrective measures to be taken by the Member State concerned, including by using resources under the Union financial instruments. The decision of the Executive Director shall be binding on the Member State and shall lay down the time-limit within which the measures are to be taken.

Or. en

Amendment 532

Gilles Lebreton, Marine Le Pen, Janice Atkinson, Lorenzo Fontana

Proposal for a regulation Article 12 – paragraph 5

Text proposed by the Commission

5. The Executive Director shall adopt a **decision** setting out the necessary corrective measures to be taken by the Member State concerned, including by using resources under the Union financial instruments. The **decision** of the Executive Director **shall be binding on the Member State and** shall lay down the time-limit within which the measures are to be taken.

Amendment

5. The Executive Director shall, **on the basis of the vulnerability assessment and taking into account the Agency's risk analysis**, adopt a **recommendation** setting out the necessary corrective measures to be taken by the Member State concerned, including by using resources under the Union financial instruments. The **recommendation** of the Executive Director shall lay down the time-limit within which the measures are to be taken.

Or. fr

Amendment 533

Nathalie Griesbeck, Maite Pagazaurtundúa Ruiz, Cecilia Wikström, Sophia in 't Veld, Petr Ježek, Louis Michel, Angelika Mlinar, Morten Helveg Petersen

Proposal for a regulation Article 12 – paragraph 5

Text proposed by the Commission

5. The Executive Director shall adopt a decision setting out the necessary

Amendment

5. The Executive Director, **in close coordination with the Advisory Board and**

corrective measures to be taken by the Member State concerned, including by using resources under the Union financial instruments. The decision of the Executive Director shall be binding on the Member State and shall lay down the time-limit within which the measures are to be taken.

the Management Board, shall adopt a decision setting out the necessary corrective measures to be taken by the Member State concerned, including by using resources under the Union financial instruments. The decision of the Executive Director shall be binding on the Member State and shall lay down the time-limit within which the measures are to be taken.

The Executive Director notifies the Commission and the European Parliament.

If the Member State does not take the measures within the time-limit foreseen in that decision, further action may be taken by the Commission in accordance with Article 18.

Or. en

Amendment 534
Geoffrey Van Orden

Proposal for a regulation
Article 12 – paragraph 6

Text proposed by the Commission

Amendment

6. Where a Member State does not adopt the necessary corrective measures within the time-limit set, the Executive Director shall refer the matter to the Management Board and notify the Commission. The Management Board shall adopt a decision setting out the necessary corrective measures to be taken by the Member State concerned, including the time-limit within which such measures shall be taken. If the Member State does not take the measures within the time-limit foreseen in that decision, further action may be taken by the Commission in accordance with Article 18.

deleted

Or. en

Amendment 535

Nathalie Griesbeck, Maite Pagazaurtundúa Ruiz, Cecilia Wikström, Sophia in 't Veld, Petr Ježek, Louis Michel, Angelika Mlinar, Morten Helveg Petersen

Proposal for a regulation

Article 12 – paragraph 6

Text proposed by the Commission

Amendment

6. Where a Member State does not adopt the necessary corrective measures within the time-limit set, the Executive Director shall refer the matter to the Management Board and notify the Commission. The Management Board shall adopt a decision setting out the necessary corrective measures to be taken by the Member State concerned, including the time-limit within which such measures shall be taken. If the Member State does not take the measures within the time-limit foreseen in that decision, further action may be taken by the Commission in accordance with Article 18.

deleted

Or. en

Justification

This supplementary "step" (that requires a second step where the Management Board takes a decision on corrective measures) just complicates and unnecessarily extends the procedure.

Amendment 536

Petri Sarvamaa

Proposal for a regulation

Article 12 – paragraph 6

Text proposed by the Commission

Amendment

6. Where a Member State does not adopt the necessary corrective measures within the time-limit set, the Executive Director shall refer the matter to the Management Board and notify the

6. Where a Member State does not adopt the necessary corrective measures within the time-limit set, the Executive Director shall refer the matter to the Management Board and notify the

Commission. The Management Board shall adopt a decision setting out the necessary corrective measures to be taken by the Member State concerned, including the time-limit within which such measures shall be taken. If the Member State does not take the measures within the time-limit foreseen in that decision, further action may be taken by the Commission in accordance with Article 18.

Commission. The Management Board shall adopt a decision setting out the necessary corrective measures to be taken by the Member State concerned, including the time-limit within which such measures shall be taken. If the Member State does not take the measures within the time-limit foreseen in that decision, further action may be taken by the Commission *to recommend excluding the Member State from the Schengen area for a limited time* in accordance with Article 18.

Or. en

Amendment 537

Gérard Deprez, Petr Ježek

Proposal for a regulation

Article 12 – paragraph 6

Text proposed by the Commission

6. Where a Member State does not adopt the necessary corrective measures within the time-limit set, the Executive Director shall refer the matter to the Management Board and notify the Commission. The Management Board shall adopt a decision setting out the necessary corrective measures to be taken by the Member State concerned, including the time-limit within which such measures shall be taken. If the Member State does not take the measures within the time-limit foreseen in that decision, further action may be taken by the Commission in accordance with Article 18.

Amendment

6. Where a Member State does not adopt the necessary corrective measures within the time-limit set, the Executive Director shall refer the matter to the Management Board and notify the Commission. The Management Board shall adopt a decision setting out the necessary corrective measures to be taken by the Member State concerned, including the time-limit within which such measures shall be taken. ***The Management Board's decision shall be binding on the Member State.*** If the Member State does not take the measures within the time-limit foreseen in that decision, further action may be taken by the Commission in accordance with Article 18.

Or. fr

Amendment 538

Ana Gomes

Proposal for a regulation
Article 12 – paragraph 6

Text proposed by the Commission

6. Where a Member State does not adopt the necessary corrective measures within the time-limit set, the Executive Director shall refer the matter to the Management Board and notify the Commission. The Management Board shall adopt a decision setting out the necessary corrective measures to be taken by the Member State concerned, including the time-limit within which such measures shall be taken. If the Member State does not take the measures within the time-limit foreseen in that decision, further action may be taken by the Commission in accordance with Article 18.

Amendment

6. Where a Member State does not adopt the necessary corrective measures within the time-limit set, the Executive Director shall refer the matter to the Management Board and notify the Commission. The Management Board shall adopt a decision setting out the necessary corrective measures to be taken by the Member State concerned, including the time-limit within which such measures shall be taken. If the Member State does not take the measures within the time-limit foreseen in that decision, further action may be taken by the Commission in accordance with Article 18. ***The Member State shall be called to participate and offer its position at all stages of the procedure.***

Or. en

Amendment 539
Ignazio Corrao, Laura Agea, Laura Ferrara

Proposal for a regulation
Article 12 – paragraph 6

Text proposed by the Commission

6. Where a Member State does not ***adopt the necessary corrective measures within the time-limit set***, the Executive Director ***shall refer the matter to the Management Board and notify the Commission. The Management Board shall adopt a decision setting out the necessary corrective measures to be taken by the Member State concerned, including the time-limit within which such measures shall be taken. If the Member State does not take the measures within the time-***

Amendment

6. Where a Member State does not ***take into account the recommendations***, the Executive Director ***recommends*** to the Member State concerned ***to initiate and carry out joint operations or rapid border interventions.***

limit foreseen in that decision, further action may be taken by the Commission in accordance with Article 18.

Or. en

Amendment 540

Ska Keller

Proposal for a regulation

Article 12 – paragraph 6

Text proposed by the Commission

6. Where a Member State does not adopt the necessary corrective measures within the time-limit set, the Executive Director shall refer the matter to the Management Board and notify the Commission. The Management Board shall adopt **a decision** setting out the necessary corrective measures to be taken by the Member State concerned, including the time-limit within which such measures shall be taken. If the Member State does not take the measures within the time-limit foreseen in **that decision**, further action may be taken by the Commission in accordance with Article 18.

Amendment

6. Where a Member State does not adopt the necessary corrective measures within the time-limit set, the Executive Director shall refer the matter to the Management Board and notify the Commission. The Management Board shall adopt **recommendations** setting out the necessary corrective measures to be taken by the Member State concerned, including the time-limit within which such measures shall be taken. If the Member State does not take the measures within the time-limit foreseen in **the recommendations**, further action may be taken by the Commission in accordance with Article 18.

Or. en

Amendment 541

Helga Stevens, Angel Dzhambazki, Timothy Kirkhope, Jussi Halla-aho

Proposal for a regulation

Article 12 – paragraph 6

Text proposed by the Commission

6. Where a Member State does not adopt the necessary corrective measures within the time-limit set, the Executive Director shall refer the matter to the Management Board and notify the

Amendment

6. Where a Member State does not adopt the necessary corrective measures within the time-limit set, the Executive Director shall refer the matter to the Management Board and notify the

Commission. The Management Board shall adopt a decision setting out the necessary corrective measures to be taken by the Member State concerned, including the time-limit within which such measures shall be taken. If the Member State does not take the measures within the time-limit foreseen in that decision, further action *may* be taken by the **Commission** in accordance with Article 18.

Commission. The Management Board shall adopt a decision setting out the necessary corrective measures to be taken by the Member State concerned, including the time-limit within which such measures shall be taken. If the Member State does not take the measures within the time-limit foreseen in that decision, further action *shall* be taken by the **Council** in accordance with Article 18.

Or. en

Amendment 542
Monika Hohlmeier

Proposal for a regulation
Article 12 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. The results of the vulnerability assessment shall be transmitted to the European Council and the European Parliament. If one or more results are threatening the internal security of one or more member states, the results shall be transmitted in strict confidence.

Or. en

Amendment 543
Ska Keller

Proposal for a regulation
Article 12 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. The criteria and results of the vulnerability assessments shall be transmitted to the European Parliament and the Council.

Or. en

Amendment 544

Miriam Dalli

Proposal for a regulation

Article 12 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. The results of the vulnerability assessments shall be transmitted to the European Parliament and to the Council. Subject to a request by a Member State given the sensitivity of the information contained, such documents may be subject to the provisions of Annex VII of the Rules of Procedure of the European Parliament based on Article 4 of European Parliament and Council Regulation (EC) No 1049/2001 of 30 May 2001 regarding public access to European Parliament, Council and Commission documents.

Or. en

Amendment 545

Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation

Chapter 2 – section 3 – title

Text proposed by the Commission

Amendment

External Border Management

EU External Border Management

Or. en

Amendment 546

Ska Keller

Proposal for a regulation

Article 13 – paragraph 1

Text proposed by the Commission

1. Member States may request the Agency for assistance in implementing their obligations with regard to the control of the external borders. The Agency shall also carry out measures as referred to in Article 18.

Amendment

1. Member States may request the Agency for assistance in implementing their obligations with regard to the control of the external borders ***and to the protection and saving of lives of migrants and refugees***. The Agency shall also carry out measures as referred to in Article 18.

Or. en

Amendment 547

Ignazio Corrao, Laura Agea, Laura Ferrara

Proposal for a regulation

Article 13 – paragraph 1

Text proposed by the Commission

1. Member States may request the Agency for assistance in implementing their obligations with regard to the control of the external borders. ***The Agency shall also carry out measures as referred to in Article 18.***

Amendment

1. Member States may request the Agency for assistance in implementing their obligations with regard to the control of the external borders.

Or. en

Amendment 548

Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation

Article 13 – paragraph 1

Text proposed by the Commission

1. Member States may request the Agency for assistance in implementing ***their obligations with regard to*** the control of ***the*** external borders. ***The Agency shall also carry out measures as referred to in Article 18.***

Amendment

1. Member States may request the Agency for assistance in implementing the control of ***their EU*** external borders.

Amendment 549
Elissavet Vozemberg-Vrionidi

Proposal for a regulation
Article 13 – paragraph 1

Text proposed by the Commission

1. Member States may request the Agency for assistance in implementing their obligations with regard to the control of the external borders. The Agency shall also carry out measures as referred to in Article 18.

Amendment

1. Member States may request the Agency for assistance in implementing their obligations with regard to the control of the external borders. The Agency shall also, ***with the consent of the concerned Member State***, carry out measures as referred to in Article 18.

Or. en

Amendment 550
Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation
Article 13 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. An operational engagement of the Agency shall require a prior assessment, drawing on a broad range of sources, to identify if there are risks of fundamental rights violations or deficiencies in relevant civil and criminal laws and procedures that would make the cooperation incompatible with legal obligations, in particular to ensure protection from refoulement and the right to an effective remedy.

Or. en

Amendment 551

Péter Niedermüller, Cécile Kashetu Kyenge, Tanja Fajon, Josef Weidenholzer, Miltiadis Kyrkos, Christine Revault D'Allonnes Bonnefoy, Ana Gomes, Elly Schlein

Proposal for a regulation

Article 13 – paragraph 2 – introductory part

Text proposed by the Commission

2. The Agency shall organise the appropriate technical and operational assistance for the host Member State and it may take one or more of the following measures:

Amendment

2. The Agency shall organise the appropriate technical and operational assistance for the host Member State and it may, ***in accordance with the relevant Union and international law, including the principle of non-refoulement***, take one or more of the following measures:

Or. en

Justification

It is important to be clear that all actions taken by the Agency at the external borders must comply with relevant Union and international law, including the principle of non-refoulement.

Amendment 552

Elissavet Vozemberg-Vrionidi

Proposal for a regulation

Article 13 – paragraph 2 – introductory part

Text proposed by the Commission

2. The Agency shall organise the appropriate technical and operational assistance for the host Member State ***and it may take*** one or more of the following measures:

Amendment

2. The Agency, ***in agreement with the requesting Member State and after thorough risk analysis***, shall organise the appropriate technical and operational assistance for the host Member State ***which may include*** one or more of the following measures:

Or. en

Amendment 553
Marina Albiol Guzmán, Malin Björk

Proposal for a regulation
Article 13 – paragraph 2 – point c

Text proposed by the Commission

(c) coordinate activities for one or more Member States *and third countries at the external borders, including joint operations with neighbouring third countries*;

Amendment

(c) coordinate activities for one or more Member States;

Or. en

Amendment 554
Lucy Anderson, Claude Moraes, Marju Lauristin, Merja Kyllönen, Ismail Ertug, Christine Revault D'Allonnes Bonnefoy, Elissavet Vozemberg-Vrionidi

Proposal for a regulation
Article 13 – paragraph 2 – point c

Text proposed by the Commission

(c) coordinate activities for one or more Member States and third countries at the external borders, including joint operations with neighbouring third countries;

Amendment

(c) coordinate activities for one or more Member States and third countries at the external borders, including joint operations with neighbouring third countries *and those helping to ensure and enable good transport, logistics and infrastructure links across external borders*;

Or. en

Amendment 555
Ska Keller

Proposal for a regulation
Article 13 – paragraph 2 – point c

Text proposed by the Commission

(c) coordinate activities for one or

Amendment

(c) coordinate activities for one or

more Member States and third countries at the external borders, including joint operations with neighbouring third countries;

more Member States and third countries at the external borders, including joint operations with neighbouring third countries *which share a common land border with one or more Member States and which have ratified and implement in full the European Convention on Human Rights and the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol thereto*;

Or. en

Amendment 556

Ignazio Corrao, Laura Agea, Laura Ferrara

Proposal for a regulation

Article 13 – paragraph 2 – point c

Text proposed by the Commission

(c) coordinate activities for one or more Member States and third countries at the external borders, including joint operations with neighbouring third countries;

Amendment

(c) coordinate activities for one or more Member States and third countries at the external borders, including joint operations with neighbouring third countries *which have ratified and implement in full the European Convention on Human Rights and the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol thereto*;

Or. en

Amendment 557

Helga Stevens, Monica Macovei, Geoffrey Van Orden, Angel Dzhambazki, Timothy Kirkhope, Jussi Halla-aho

Proposal for a regulation

Article 13 – paragraph 2 – point d

Text proposed by the Commission

(d) deploy European Border and Coast Guard Teams in the framework of the migration management support teams at

Amendment

(d) deploy European Border and Coast Guard Teams in the framework of the migration management support teams at

hotspot areas;

hotspot areas *to conduct return operations*;

Or. en

Amendment 558

Nathalie Griesbeck, Filiz Hyusmenova, Maite Pagazaurtundúa Ruiz, Cecilia Wikström, Sophia in 't Veld, Petr Ježek, Louis Michel, Angelika Mlinar, Morten Helveg Petersen, Gérard Deprez

Proposal for a regulation

Article 13 – paragraph 2 – point d a (new)

Text proposed by the Commission

Amendment

(da) deploy and coordinate joint search and rescue operations for people in distress at sea;

Or. en

Justification

Following the recent events in the Mediterranean and the dramatic loss of lives, it is clear that the new FRONTEX / EBCG must also focus on search and rescue at sea. It has to be clearly specified in specific paragraphs and recitals.

Amendment 559

Csaba Sógor, Traian Ungureanu

Proposal for a regulation

Article 13 – paragraph 3

Text proposed by the Commission

Amendment

3. The Agency shall finance or co-finance the activities set out in paragraph 2 *with grants* from its budget in accordance with the financial rules applicable to the Agency.

3. The Agency shall finance or co-finance the activities set out in paragraph 2 from its budget in accordance with the financial rules applicable to the Agency.

Or. en

Amendment 560
Monika Hohlmeier

Proposal for a regulation
Article 13 – paragraph 3

Text proposed by the Commission

3. The Agency shall finance or co-finance the activities set out in paragraph 2 with grants from its budget in accordance with the financial rules applicable to the Agency.

Amendment

3. The Agency shall finance or co-finance the activities set out in paragraph 2 with grants from its budget in accordance with the financial rules applicable to the Agency. ***In case there is an increased financial need due to a situation of migratory pressure at the external borders, the Agency shall inform the Commission, the Council and the Parliament in a timely manner.***

Or. en

Amendment 561
Ska Keller

Proposal for a regulation
Article 13 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. An operational engagement of the Agency shall require a prior assessment, drawing on a broad range of sources, to identify if there are risks of fundamental rights violations or deficiencies in relevant civil and criminal laws and procedures that would make the cooperation incompatible with legal obligations, in particular to ensure protection from refoulement and the right to an effective remedy.

Or. en

Amendment 562
Péter Niedermüller, Tanja Fajon, Josef Weidenholzer, Elly Schlein

Proposal for a regulation
Article 14 – title

Text proposed by the Commission

Initiating joint operations ***and rapid border interventions*** at the external borders

Amendment

Initiating joint operations at the external borders

Or. en

Amendment 563

Péter Niedermüller, Josef Weidenholzer, Tanja Fajon, Miltiadis Kyrkos, Ana Gomes

Proposal for a regulation
Article 14 – paragraph 1

Text proposed by the Commission

1. Member States may request the Agency to launch joint operations to face upcoming challenges, including present or future threats at the external borders resulting from irregular ***immigration*** or cross-border crime, or to provide increased technical and operational assistance when implementing their obligations with regard to the control of the external borders.

Amendment

1. Member States may request the Agency to launch joint operations to face upcoming challenges, including present or future threats at the external borders resulting from irregular ***migration*** or cross-border crime, or to provide increased technical and operational assistance when implementing their obligations with regard to the control of the external borders.

Or. en

Amendment 564

Ska Keller

Proposal for a regulation
Article 14 – paragraph 1

Text proposed by the Commission

1. Member States may request the Agency to launch joint operations to face upcoming challenges, including present or future threats at the external borders ***resulting from irregular immigration or cross-border crime***, or to provide increased

Amendment

1. Member States may request the Agency to launch joint operations to face upcoming challenges, including present or future threats at the external borders or to provide increased technical and operational assistance when implementing their

technical and operational assistance when implementing their obligations with regard to the control of the external borders.

obligations with regard to the control of the external borders.

Or. en

Amendment 565

Salvatore Domenico Pogliese

Proposal for a regulation

Article 14 – paragraph 1

Text proposed by the Commission

1. Member States may request the Agency to launch joint operations to face *upcoming challenges*, including *present* or *future* threats at the external borders *resulting from irregular immigration or* cross-border crime, or to provide increased technical and operational assistance when implementing their obligations with regard to the control of the external borders.

Amendment

1. Member States may request the Agency to launch joint operations to face *impending difficulties*, including *irregular migration, real* or *presumed* threats at the external borders *and* cross-border crime, or to provide increased technical and operational assistance when implementing their obligations with regard to the control of the external borders.

Or. it

Amendment 566

Péter Niedermüller, Josef Weidenholzer, Tanja Fajon, Elly Schlein

Proposal for a regulation

Article 14 – paragraph 2

Text proposed by the Commission

2. *At the request of a Member State faced with a situation of specific and disproportionate pressures, especially the arrival at points of the external borders of large numbers of third-country nationals trying to enter the territory of that Member State illegally, the Agency may deploy a rapid border intervention for a limited period of time on the territory of that host Member State.*

Amendment

deleted

Or. en

Justification

Article 16 of the proposed regulation is dealing with rapid interventions. This provision is added to that article.

Amendment 567

Ska Keller

Proposal for a regulation

Article 14 – paragraph 2

Text proposed by the Commission

2. At the request of a Member State faced with a situation of specific and disproportionate pressures, especially the arrival at points of the external borders of large numbers of third-country nationals trying to enter the territory of that Member State *illegally*, the Agency may deploy a rapid border intervention for a limited period of time on the territory of that host Member State.

Amendment

2. At the request of a Member State faced with a situation of specific and disproportionate pressures, especially the arrival at points of the external borders of large numbers of third-country nationals trying to enter the territory of that Member State *irregularly or risking their lives at sea*, the Agency may deploy a rapid border intervention for a limited period of time on the territory of that host Member State.

Or. en

Amendment 568

Gérard Deprez, Louis Michel, Petr Ježek

Proposal for a regulation

Article 14 – paragraph 3

Text proposed by the Commission

3. The Executive Director shall evaluate, approve and coordinate proposals for joint operations made by Member States. Joint operations and rapid border interventions shall be preceded by a thorough, reliable and up-to-date risk analysis, thereby enabling the Agency to set an order of priority for the proposed joint operations and rapid border interventions, taking into account the impact level to external border sections in

Amendment

3. The Executive Director shall evaluate, approve and coordinate proposals for joint operations *and rapid border interventions* made by Member States. *The Executive Director shall simultaneously notify the Member States concerned and the Management Board in writing of the decision.* Joint operations and rapid border interventions shall be preceded by a thorough, reliable and up-to-date risk analysis, thereby enabling the Agency to

accordance with Regulation (EU) No 1052/2013 and the availability of resources.

set an order of priority for the proposed joint operations and rapid border interventions, taking into account the impact level to external border sections in accordance with Regulation (EU) No 1052/2013 and the availability of resources.

Or. fr

Amendment 569

Péter Niedermüller, Josef Weidenholzer, Tanja Fajon, Elly Schlein

Proposal for a regulation Article 14 – paragraph 3

Text proposed by the Commission

3. The Executive Director shall evaluate, approve and coordinate proposals for joint operations made by Member States. Joint operations ***and rapid border interventions*** shall be preceded by a thorough, reliable and up-to-date risk analysis, thereby enabling the Agency to set an order of priority for the proposed joint operations ***and rapid border interventions***, taking into account the impact level to external border sections in accordance with Regulation (EU) No 1052/2013 and the availability of resources.

Amendment

3. The Executive Director shall evaluate, approve and coordinate proposals for joint operations made by Member States. Joint operations shall be preceded by a thorough, reliable and up-to-date risk analysis, thereby enabling the Agency to set an order of priority for the proposed joint operations, taking into account the impact level to external border sections in accordance with Regulation (EU) No 1052/2013 and the availability of resources.

Or. en

Amendment 570

Gérard Deprez, Louis Michel, Petr Ježek

Proposal for a regulation Article 14 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Member States may challenge any decision by the Executive Director not to

launch a joint operation or a rapid border intervention by referring it to the Management Board.

Or. fr

Justification

Under Article 61(h), the Management Board exercises disciplinary authority over the Executive Director and over the Deputy Director, in agreement with the Executive Director.

Amendment 571

Brice Hortefeux, Rachida Dati

Proposal for a regulation

Article 14 – paragraph 4

Text proposed by the Commission

4. The Executive Director shall, on the ***advice of the Supervisory Board based on*** the results of the vulnerability assessment, and taking into account the Agency's risk analysis and the analysis layer of the European situational picture established in accordance with Regulation (EU) No 1052/2013, recommend to the Member State concerned to initiate and carry out joint operations or rapid border interventions. The Agency shall put its technical equipment at the disposal of the host or participating Member States.

Amendment

4. The Executive Director shall, on the ***basis*** of the results of the vulnerability assessment, and taking into account the Agency's risk analysis and the analysis layer of the European situational picture established in accordance with Regulation (EU) No 1052/2013, recommend to the Member State concerned to initiate and carry out joint operations or rapid border interventions. The Agency shall put its technical equipment at the disposal of the host or participating Member States.

Or. fr

Amendment 572

Ignazio Corrao, Laura Agea, Laura Ferrara

Proposal for a regulation

Article 14 – paragraph 4

Text proposed by the Commission

4. The Executive Director shall, on

Amendment

4. The Executive Director shall, on

the advice of the **Supervisory** Board based on the results of the vulnerability assessment, and taking into account the Agency's risk analysis and the analysis layer of the European situational picture established in accordance with Regulation (EU) No 1052/2013, recommend to the Member State concerned to initiate and carry out joint operations or rapid border interventions. The Agency shall put its technical equipment at the disposal of the host or participating Member States.

the advice of the **Management** Board based on the results of the vulnerability assessment, and taking into account the Agency's risk analysis and the analysis layer of the European situational picture established in accordance with Regulation (EU) No 1052/2013, recommend to the Member State concerned to initiate and carry out joint operations or rapid border interventions. The Agency shall put its technical equipment at the disposal of the host or participating Member States.

Or. en

Amendment 573

Péter Niedermüller, Josef Weidenholzer, Tanja Fajon

Proposal for a regulation Article 14 – paragraph 4

Text proposed by the Commission

4. The Executive Director shall, on the advice of the **Supervisory** Board based on the results of the vulnerability assessment, and taking into account the Agency's risk analysis and the analysis layer of the European situational picture established in accordance with Regulation (EU) No 1052/2013, recommend to the Member State concerned to initiate and carry out joint operations or rapid border interventions. The Agency shall put its technical equipment at the disposal of the host or participating Member States.

Amendment

4. The Executive Director shall, on the advice of the **Advisory** Board based on the results of the vulnerability assessment, and taking into account the Agency's risk analysis and the analysis layer of the European situational picture established in accordance with Regulation (EU) No 1052/2013, recommend to the Member State concerned to initiate and carry out joint operations or rapid border interventions. The Agency shall put its technical equipment at the disposal of the host or participating Member States.

Or. en

Amendment 574

Péter Niedermüller, Josef Weidenholzer, Tanja Fajon, Elly Schlein

Proposal for a regulation Article 14 – paragraph 5

Text proposed by the Commission

5. The objectives of a joint operation **or rapid border intervention** may be achieved as part of a multipurpose operation which may involve the rescue of persons in distress at sea or other coast guard functions, the fight against **migrant smuggling or trafficking in human beings, drug trafficking control operations**, and migration management **including identification, registration, debriefing and return**.

Amendment

5. The objectives of a joint operation may be achieved as part of a multipurpose operation which may involve the rescue of persons in distress at sea or other coast guard functions, the fight against **the criminal smuggling of persons**, trafficking in human beings and migration management **in accordance of Article 17 (3)**.

Or. en

Amendment 575

Rachida Dati, Brice Hortefeux

Proposal for a regulation

Article 14 – paragraph 5

Text proposed by the Commission

5. The objectives of a joint operation or rapid border intervention may be achieved as part of a multi-purpose operation which may involve the rescue of persons in distress at sea or other coast guard functions, the fight against migrant smuggling or trafficking in human beings, drug trafficking control operations, and migration management including identification, registration, debriefing and return.

Amendment

5. The objectives of a joint operation or rapid border intervention may be achieved as part of a multi-purpose operation which may involve the rescue of persons in distress at sea or other coast guard functions, the fight against migrant smuggling or trafficking in human beings, drug trafficking **and organised-crime control operations, action to combat trafficking in false travel documents** and migration management including identification, registration, debriefing and return.

Or. fr

Amendment 576

Monika Hohlmeier, Anna Maria Corazza Bildt

Proposal for a regulation
Article 14 – paragraph 5

Text proposed by the Commission

5. The objectives of a joint operation or rapid border intervention may be achieved as part of a multipurpose operation which may involve the rescue of persons in distress at sea or other coast guard functions, the fight against migrant smuggling or trafficking in human beings, drug trafficking control operations, and migration management including identification, registration, debriefing and return.

Amendment

5. The objectives of a joint operation or rapid border intervention may be achieved as part of a multipurpose operation which may involve the rescue of persons in distress at sea or other coast guard functions, the fight against migrant smuggling or trafficking in human beings, drug trafficking control operations, and migration management including identification, registration, debriefing and return *in cooperation with Europol*.

Or. en

Amendment 577
Miriam Dalli

Proposal for a regulation
Article 14 – paragraph 5

Text proposed by the Commission

5. The objectives of a joint operation or rapid border intervention may be achieved as part of a multipurpose operation which may involve *the rescue of persons in distress at sea or other coast guard functions*, the fight against migrant smuggling or trafficking in human beings, *drug trafficking control operations*, and migration management including identification, registration, debriefing and return.

Amendment

5. The objectives of a joint operation or rapid border intervention may be achieved as part of a multipurpose operation which may involve *coast guard functions and prevention of cross border crime, including* the fight against migrant smuggling or trafficking in human beings, and migration management including identification, registration, debriefing and return.

Or. en

Justification

The term 'coast guard functions' covers also 'rescue of persons in distress at sea. Search and Rescue should remain to be coordinated by the relevant Rescue Coordination Centre in accordance with International law, although assets deployed by the Agency shall be obliged

in assist in SAR operations when requested by the competent Rescue Coordination Centre.

Amendment 578

Marina Albiol Guzmán

Proposal for a regulation

Article 15 – title

Text proposed by the Commission

Amendment

Operational plan *for joint operations*

Operational plan

Or. en

Amendment 579

Ska Keller

Proposal for a regulation

Article 15 – title

Text proposed by the Commission

Amendment

Operational plan *for joint operations*

Operational plan

Or. en

Justification

The provisions on operational plans should not just be applicable to joint operation but to all operational activities by the Agency including Migration Management Support Teams, return operations and return interventions.

Amendment 580

Gérard Deprez, Louis Michel, Petr Ježek

Proposal for a regulation

Article 15 – paragraph 2

Text proposed by the Commission

Amendment

2. The Executive Director shall draw up an operational plan for joint operations at the external borders. The Executive

2. The Executive Director shall draw up an operational plan for joint operations at the external borders. The Executive

Director and the host Member State, in consultation with the participating Member States, shall agree on the operational plan detailing the organisational aspects of the joint operation.

Director and the host Member State, in consultation with the participating Member States, shall agree on the operational plan detailing the organisational aspects of the joint operation. ***A copy of the operational plan shall immediately be sent to the Management Board.***

Or. fr

Amendment 581

Barbara Spinelli, Kostas Chrysogonos, Malin Björk

Proposal for a regulation

Article 15 – paragraph 3 – point a a (new)

Text proposed by the Commission

Amendment

(aa) full compliance with the provisions as set out in Article 2 of the Treaty of the European Union, in the 1951 Geneva Convention and its protocols and with full respect of international law;

Or. en

Amendment 582

Ska Keller

Proposal for a regulation

Article 15 – paragraph 3 – point d

Text proposed by the Commission

Amendment

(d) a description of the tasks and special instructions for the European Border and Coast Guard Teams, including on permissible consultation of databases and permissible service weapons, ammunition and equipment in the host Member State;

(d) a description of the tasks, ***responsibilities*** and special instructions for the European Border and Coast Guard Teams ***and for the officers involved in activities of the Agency***, including on permissible consultation of databases and permissible service weapons, ammunition and equipment in the host Member State;

Or. en

Amendment 583

Péter Niedermüller, Marju Lauristin, Josef Weidenholzer, Tanja Fajon, Christine Revault D'Allonnes Bonnefoy, Ana Gomes, Elly Schlein, Birgit Sippel

Proposal for a regulation

Article 15 – paragraph 3 – point d a (new)

Text proposed by the Commission

Amendment

(da) a description of the fundamental rights implications and risks of the joint operation;

Or. en

Amendment 584

Ska Keller

Proposal for a regulation

Article 15 – paragraph 3 – point i

Text proposed by the Commission

Amendment

(i) a reporting and evaluation scheme containing benchmarks for the evaluation report and final date of submission of the final evaluation report;

(i) a reporting and evaluation scheme containing benchmarks for the evaluation report, *including the protection of fundamental rights*, and final date of submission of the final evaluation report;

Or. en

Amendment 585

Ignazio Corrao, Laura Agea, Laura Ferrara

Proposal for a regulation

Article 15 – paragraph 3 – point i

Text proposed by the Commission

Amendment

(i) a reporting and evaluation scheme containing benchmarks for the evaluation report and final date of submission of the final evaluation report;

(i) a reporting and evaluation scheme containing benchmarks for the evaluation report, *including the protection of fundamental rights*, and final date of

submission of the final evaluation report

Or. en

Amendment 586

Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation

Article 15 – paragraph 3 – point i

Text proposed by the Commission

(i) a reporting and evaluation scheme containing benchmarks for the evaluation report and final date of submission of the final evaluation report;

Amendment

(i) a reporting and evaluation scheme containing benchmarks for the evaluation report, ***including the protection of fundamental rights***, and final date of submission of the final evaluation report;

Or. en

Amendment 587

Miriam Dalli

Proposal for a regulation

Article 15 – paragraph 3 – point j

Text proposed by the Commission

(j) regarding sea operations, specific information on the application of the relevant jurisdiction and legislation in the geographical area where the joint operation takes place, including references to international and Union law regarding interception, rescue at sea and disembarkation. In that regard the operational plan shall be established in accordance with Regulation (EU) No 656/2014 of the European Parliament and of the Council;⁴²

Amendment

(j) Regarding sea operations, specific information on the application of the relevant jurisdiction and legislation in the geographical area where the joint operation takes place, including references to ***national***, international and Union law regarding interception, rescue at sea and disembarkation. In that regard the operational plan shall be established in accordance with Regulation (EU) No 656/2014 of the European Parliament and of the Council;⁴²

⁴² Regulation (EU) No 656/2014 of the European Parliament and of the Council of 15 May 2014 establishing rules for the

⁴² Regulation (EU) No 656/2014 of the European Parliament and of the Council of 15 May 2014 establishing rules for the

surveillance of the external sea borders in the context of operational cooperation coordinated by the European Agency for the Management of Operational Cooperation at the External Borders of the Members States of the European Union (OJ L 189, 27.6.2014, p. 93).

surveillance of the external sea borders in the context of operational cooperation coordinated by the European Agency for the Management of Operational Cooperation at the External Borders of the Members States of the European Union (OJ L 189, 27.6.2014, p. 93).

Or. en

Justification

In relation to interception, reference should be made to national law since in International Law there is no jurisdiction for interception when it comes to smuggling on the high seas. The Palermo Protocol on smuggling refers to national law as well. Article 7 of Regulation 656/2014 also includes a reference to national law.

Amendment 588

Elissavet Vozemberg-Vrionidi

Proposal for a regulation

Article 15 – paragraph 3 – point j

Text proposed by the Commission

(j) regarding sea operations, specific information on the application of the relevant jurisdiction and legislation in the geographical area where the joint operation takes place, including references to international and Union law regarding interception, *rescue at sea* and disembarkation. In that regard the operational plan shall be established in accordance with Regulation (EU) No 656/2014 of the European Parliament and of the Council;⁴²

⁴² Regulation (EU) No 656/2014 of the European Parliament and of the Council of 15 May 2014 establishing rules for the surveillance of the external sea borders in the context of operational cooperation coordinated by the European Agency for the Management of Operational

Amendment

(j) regarding sea operations, specific information on the application of the relevant jurisdiction and legislation in the geographical area where the joint operation takes place, including references to international and Union law regarding interception, *maritime distress situations* and disembarkation. In that regard the operational plan shall be established in accordance with Regulation (EU) No 656/2014 of the European Parliament and of the Council;⁴²

⁴² Regulation (EU) No 656/2014 of the European Parliament and of the Council of 15 May 2014 establishing rules for the surveillance of the external sea borders in the context of operational cooperation coordinated by the European Agency for the Management of Operational

Cooperation at the External Borders of the Members States of the European Union (OJ L 189, 27.6.2014, p. 93).

Cooperation at the External Borders of the Members States of the European Union (OJ L 189, 27.6.2014, p. 93).

Or. en

Amendment 589

Ana Gomes

Proposal for a regulation

Article 15 – paragraph 3 – point j

Text proposed by the Commission

(j) regarding sea operations, specific information on the application of the relevant jurisdiction and legislation in the geographical area where the joint operation takes place, including references to international and Union law regarding interception, rescue at sea and disembarkation. In that regard the operational plan shall be established in accordance with Regulation (EU) No 656/2014 of the European Parliament and of the Council;⁴²

⁴² Regulation (EU) No 656/2014 of the European Parliament and of the Council of 15 May 2014 establishing rules for the surveillance of the external sea borders in the context of operational cooperation coordinated by the European Agency for the Management of Operational Cooperation at the External Borders of the Members States of the European Union (OJ L 189, 27.6.2014, p. 93).

Amendment

(j) regarding sea operations, specific information on the application of the relevant jurisdiction and legislation in the geographical area where the joint operation takes place, including references to international and Union law regarding interception, rescue at sea and disembarkation. In that regard the operational plan shall be established in accordance with Regulation (EU) No 656/2014 of the European Parliament and of the Council,⁴² ***as well as in full compliance with the United Nations Convention on the Law of the Seas;***

⁴² Regulation (EU) No 656/2014 of the European Parliament and of the Council of 15 May 2014 establishing rules for the surveillance of the external sea borders in the context of operational cooperation coordinated by the European Agency for the Management of Operational Cooperation at the External Borders of the Members States of the European Union (OJ L 189, 27.6.2014, p. 93).

Or. en

Amendment 590

Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation
Article 15 – paragraph 3 – point j

Text proposed by the Commission

(j) regarding sea operations, specific information on the application of the relevant jurisdiction and legislation in the geographical area where the joint operation takes place, including references to international and Union law regarding interception, rescue at sea and disembarkation. In that regard the operational plan shall be established in accordance with Regulation (EU) No 656/2014 of the European Parliament and of the Council;⁴²

⁴² Regulation (EU) No 656/2014 of the European Parliament and of the Council of 15 May 2014 establishing rules for the surveillance of the external sea borders in the context of operational cooperation coordinated by the European Agency for the Management of Operational Cooperation at the External Borders of the Members States of the European Union (OJ L 189, 27.6.2014, p. 93).

Amendment

(j) regarding sea operations, specific information on the application of the relevant jurisdiction and legislation in the geographical area where the joint operation takes place, including references to international and Union law regarding interception, rescue at sea and disembarkation. In that regard the operational plan shall be established in accordance with Regulation (EU) No 656/2014 of the European Parliament and of the Council ***and always in respect and compliance with the United Nations Convention on the Law of the Sea, the International Convention for the Safety of Life at Sea (SOLAS) and the guidelines issued by the International Maritime Organisation and the UN Refugee Agency (UNHCR) on the treatment of people rescued at sea (Resolution MSC.167(78) of the International Maritime Organisation and 'Rescue at Sea: A guide to principles and practice as applied to migrants and refugees;***⁴²

⁴² Regulation (EU) No 656/2014 of the European Parliament and of the Council of 15 May 2014 establishing rules for the surveillance of the external sea borders in the context of operational cooperation coordinated by the European Agency for the Management of Operational Cooperation at the External Borders of the Members States of the European Union (OJ L 189, 27.6.2014, p. 93).

Or. en

Amendment 591
Ignazio Corrao, Laura Agea, Laura Ferrara

Proposal for a regulation
Article 15 – paragraph 3 – point k a (new)

Text proposed by the Commission

Amendment

(ka) Detailed provisions on fundamental rights safeguards, including risks of violations and steps taken to avoid such violations and ensure accountability for and non-repetition of such violations, including in relations to the powers to suspend and terminate an operation in accordance with Article 24.

Or. en

Amendment 592
Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation
Article 15 – paragraph 3 – point k a (new)

Text proposed by the Commission

Amendment

(ka) Detailed provisions on fundamental rights safeguards;

Or. en

Amendment 593
Helga Stevens, Geoffrey Van Orden, Angel Dzhambazki, Jussi Halla-aho

Proposal for a regulation
Article 15 – paragraph 3 – point l

Text proposed by the Commission

Amendment

(l) procedures setting out a referral mechanism whereby *persons in need of international protection*, victims of trafficking in human beings, unaccompanied minors and persons in a vulnerable situation are directed to the competent national authorities for

(l) procedures setting out a referral mechanism whereby victims of trafficking in human beings, unaccompanied minors and persons in a vulnerable situation are directed to the competent national authorities for appropriate assistance;

appropriate assistance;

Or. en

Amendment 594

Helga Stevens, Monica Macovei, Angel Dzhambazki, Jussi Halla-aho

Proposal for a regulation

Article 15 – paragraph 3 – point l a (new)

Text proposed by the Commission

Amendment

(la) procedures setting out a referral mechanism whereby persons in need of international protection are directed to the European Asylum Support Office (EASO) and / or competent national authorities for the application of the Asylum Procedures Directive (APD), inter alia the concept of the first country of asylum and safe country of origin;

Or. en

Amendment 595

Ska Keller

Proposal for a regulation

Article 15 – paragraph 3 – point m

Text proposed by the Commission

Amendment

(m) procedures setting out a mechanism to receive and transmit to the Agency a complaint against border guards of the host Member State and members of the European Border and Coast Guard Teams alleging breaches of fundamental rights in the context of the *joint operation or rapid border intervention*.

(m) procedures setting out a mechanism to receive and transmit to the Agency a complaint against *all persons participating in a joint operation, including with third countries, in a rapid border intervention, migration management teams at hotspot areas, return operation or return intervention, including* border guards *and other relevant staff* of the host Member State and members of the European Border and Coast Guard Teams alleging breaches of fundamental rights in the context of the operation;

Amendment 596

Barbara Spinelli, Kostas Chrysogonos, Malin Björk

Proposal for a regulation

Article 15 – paragraph 3 – point m

Text proposed by the Commission

(m) procedures setting out *a* mechanism to receive and *transmit to* the Agency a complaint against border guards of the host Member State and members of the European Border and Coast Guard Teams alleging breaches of fundamental rights in the context of the joint operation *or* rapid border intervention.

Amendment

(m) procedures setting out *an independent* mechanism to receive and *deal with a complaint, informing* the Agency *and the Member States concerned*, a complaint against *all persons participating in a joint operation, including with third countries, in a rapid border intervention, migration management teams at hotspot areas, return operation or return intervention, including* border guards *and other relevant staff* of the host Member State and members of the European Border and Coast Guard Teams alleging breaches of fundamental rights in the context of the joint operation, rapid border intervention *or any other activity*.

Or. en

Amendment 597

Ska Keller

Proposal for a regulation

Article 15 – paragraph 3 – point m a (new)

Text proposed by the Commission

Amendment

(ma) detailed provisions on fundamental rights safeguards;

Or. en

Amendment 598

Ska Keller

Proposal for a regulation

Article 15 – paragraph 3 – point m b (new)

Text proposed by the Commission

Amendment

(mb) provisions on risks of fundamental rights violations and steps taken to avoid such violations and ensure accountability for and non-repetition of such violations, including in relations to the powers to suspend and terminate an operation in accordance with Article 24.

Or. en

Amendment 599

Gérard Deprez, Louis Michel, Petr Ježek

Proposal for a regulation

Article 15 – paragraph 4

Text proposed by the Commission

Amendment

4. Any amendments to or adaptations of the operational plan shall require the agreement of the Executive Director and the host Member State, after consultation of the participating Member States. A copy of the amended or adapted operational plan shall immediately be sent by the Agency to the participating Member States.

4. Any amendments to or adaptations of the operational plan shall require the agreement of the Executive Director and the host Member State, after consultation of the participating Member States. A copy of the amended or adapted operational plan shall immediately be sent by the Agency to the participating Member States ***and the Management Board.***

Or. fr

Amendment 600

Péter Niedermüller, Marju Lauristin, Josef Weidenholzer, Tanja Fajon

Proposal for a regulation

Article 16 – paragraph -1 (new)

-1. *At the request of a Member State faced with a situation of specific and disproportionate pressures, for example the arrival of large numbers of third-country nationals trying to enter the territory of that Member State at points of the external borders, the Agency may deploy a rapid border intervention for a limited period of time on the territory of that host Member State.*

Or. en

Amendment 601

Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation

Article 16 – paragraph 1

Text proposed by the Commission

1. A request by a Member State to launch a rapid border intervention shall include a description of the situation, possible aims *and envisaged needs*. If required, the Executive Director may immediately send experts *from the Agency* to assess the situation at the external borders of the Member State concerned.

Amendment

1. A request by a Member State to launch a rapid border intervention shall include a description of the situation, possible aims, *envisaged needs and full justification of their compliance with national, European and international law in regards of respect of fundamental rights and the relevant obligations of the Member State and the Union*. If required, the Executive Director may immediately send experts to assess the situation at the *EU* external borders of the Member State concerned.

Or. en

Amendment 602

Helga Stevens, Monica Macovei, Geoffrey Van Orden, Angel Dzhambazki, Timothy Kirkhope, Jussi Halla-aho

Proposal for a regulation
Article 16 – paragraph 6

Text proposed by the Commission

6. The Executive Director together with the host Member State shall draw up an operational plan as referred to in Article 15(3) immediately and in any event no later than three working days from the date of the decision.

Amendment

6. The Executive Director together with the host Member State shall draw up an operational plan as referred to in Article 15(3) immediately and in any event no later than three working days from the date of the decision, ***by making use of existing plans and procedures;***

Or. en

Amendment 603
Gérard Deprez, Louis Michel, Petr Ježek

Proposal for a regulation
Article 16 – paragraph 6

Text proposed by the Commission

6. The Executive Director together with the host Member State shall draw up an operational plan as referred to in Article 15(3) immediately and in any event no later than three working days from the date of the decision.

Amendment

6. The Executive Director together with the host Member State shall draw up an operational plan as referred to in Article 15(3) immediately and in any event no later than three working days from the date of the decision. ***A copy of the operational plan shall immediately be sent to the Management Board.***

Or. fr

Amendment 604
Gérard Deprez, Louis Michel, Petr Ježek

Proposal for a regulation
Article 16 – paragraph 8 a (new)

Text proposed by the Commission

Amendment

8a. Any amendments to or adaptations of the operational plan shall require the agreement of the Executive Director and

the host Member State, after consultation of the participating Member States. A copy of the amended or adapted operational plan shall immediately be sent by the Agency to the participating Member States and the Management Board.

Or. fr

Amendment 605
Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation
Article 16 – paragraph 11

Text proposed by the Commission

11. Deployment of the rapid reserve pool shall take place no later than three working days after the date on which the operational plan is agreed between the Executive Director and the host Member State. Additional deployment of European Border and Coast Guard Teams, shall take place where necessary, within five working days of the deployment of the rapid reserve pool.

Amendment

11. Deployment of the rapid reserve pool shall take place no later than three working days after the date on which the operational plan is agreed between the Executive Director and the host Member State. Additional deployment of European Border and Coast Guard Teams, shall take place where necessary, within five working days of the deployment of the rapid reserve pool, *again after approval of the host Member State.*

Or. en

Amendment 606
Miriam Dalli

Proposal for a regulation
Article 16 – paragraph 11

Text proposed by the Commission

11. Deployment of the rapid reserve pool shall take place no later than *three* working days after the date on which the operational plan is agreed between the Executive Director and the host Member

Amendment

11. Deployment of the rapid reserve pool shall take place no later than *five* working days after the date on which the operational plan is agreed between the Executive Director and the host Member

State. Additional deployment of European Border and Coast Guard Teams, shall take place where necessary, within *five* working days of the deployment of the rapid reserve pool.

State. Additional deployment of European Border and Coast Guard Teams, shall take place where necessary, within *seven* working days of the deployment of the rapid reserve pool.

Or. en

Justification

The time periods should be increased by two working days in both cases to make sure that deployments are doable particularly when border guards travel with equipment which requires clearance.

Amendment 607

Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation

Article 17 – paragraph 1

Text proposed by the Commission

1. Where a Member State faces disproportionate migratory *pressures at particular hotspot areas of its external border characterised by large influxes of mixed migratory flows*, that Member State may request the operational and technical reinforcement by migration management support teams. That Member State shall submit a request for reinforcement and an assessment of its needs to the Agency and other relevant Union Agencies in particular the European Asylum Support Office and *Europol*.

Amendment

1. Where a Member State faces disproportionate migratory *and asylum responsibilities*, that Member State may request the operational and technical reinforcement by migration management support teams. That Member State shall submit a request for reinforcement and an assessment of its needs to the Agency and other relevant Union Agencies in particular the European Asylum Support Office and *the European Union Agency for Fundamental Rights*.

Or. en

Amendment 608

Ska Keller

Proposal for a regulation

Article 17 – paragraph 1

Text proposed by the Commission

1. Where a Member State faces disproportionate migratory pressures at particular hotspot areas of its external border characterised by large influxes of mixed migratory flows, that Member State may request the operational and technical reinforcement by migration management support teams. That Member State shall submit a request for reinforcement and an assessment of its needs to the Agency and other relevant Union Agencies in particular ***the European Asylum Support Office and Europol.***

Amendment

1. Where a Member State faces disproportionate migratory pressures at particular hotspot areas of its external border characterised by large influxes of mixed migratory flows, that Member State may request the operational and technical reinforcement by migration management support teams. That Member State shall submit a request for reinforcement and an assessment of its needs to the ***Commission, the Agency, the European Asylum Support Office*** and other relevant Union Agencies in particular Europol.

Or. en

Amendment 609

Anna Maria Corazza Bildt, Caterina Chinnici, Therese Comodini Cachia, Carlos Coelho, Barbara Matera, Tomáš Zdechovský, Timothy Kirkhope, Silvia Costa, Nathalie Griesbeck, Jean Lambert

**Proposal for a regulation
Article 17 – paragraph 2**

Text proposed by the Commission

2. The Executive Director, in coordination with other relevant Union Agencies, shall assess the request for assistance of a Member State and the assessment of its needs for the purpose of defining a comprehensive reinforcement package consisting of various activities coordinated by the relevant Union Agencies to be agreed upon by the Member State concerned.

Amendment

2. The Executive Director, in coordination with other relevant Union Agencies, shall assess the request for assistance of a Member State and the assessment of its needs for the purpose of defining a comprehensive reinforcement package consisting of various activities coordinated by the relevant Union Agencies to be agreed upon by the Member State concerned. ***Teams shall include child protection experts when children are involved.***

Or. en

Amendment 610
Ignazio Corrao, Laura Agea, Laura Ferrara

Proposal for a regulation
Article 17 – paragraph 2

Text proposed by the Commission

2. The Executive Director, in coordination with other relevant Union Agencies, shall assess the request for assistance of a Member State **and the** assessment of *its* needs **for the purpose of defining** a comprehensive reinforcement package consisting of various activities coordinated by the relevant Union Agencies to be agreed upon by the Member State concerned.

Amendment

2. The Executive Director, in coordination with **the European Asylum Support Office and** other relevant Union Agencies, shall assess the request for assistance of a Member State. **The Executive Director, in coordination with the European Asylum Support Office and other relevant Union Agencies, shall forward their** assessment of **the** needs of **the Member State to the Commission who shall define** a comprehensive reinforcement package consisting of various activities coordinated by the relevant Union Agencies to be agreed upon by the Member State concerned. **Teams shall, as a rule, include proportionate fundamental rights and child protection experts.**

Or. en

Amendment 611
Ska Keller

Proposal for a regulation
Article 17 – paragraph 2

Text proposed by the Commission

2. The Executive Director, in coordination with other relevant Union Agencies, shall assess the request for assistance of a Member State **and the** assessment of *its* needs **for the purpose of defining** a comprehensive reinforcement package consisting of various activities coordinated by the relevant Union Agencies to be agreed upon by the Member State concerned.

Amendment

2. The Executive Director, in coordination with **the European Asylum Support Office and** other relevant Union Agencies, shall assess the request for assistance of a Member State. **The Executive Director, in coordination with the European Asylum Support Office and other relevant Union Agencies, shall forward their** assessment of **the** needs of **the Member State to the Commission who**

shall define a comprehensive reinforcement package consisting of various activities coordinated by the relevant Union Agencies to be agreed upon by the Member State concerned.

Or. en

Justification

The amendment brings this paragraph in line with paragraph 4 of this Article which stipulates that the Commission, not the Agency is coordination the migration management teams.

Amendment 612

Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation

Article 17 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Teams shall include fundamental rights, trafficking victims, gender-based persecutions protection and child protection experts.

Or. en

Amendment 613

Ska Keller

Proposal for a regulation

Article 17 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Teams shall include fundamental rights and child protection experts.

Or. en

Amendment 614
Gérard Deprez, Louis Michel, Petr Ježek

Proposal for a regulation
Article 17 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Member States may challenge decisions taken by the Executive Director on requests they have submitted for operational and technical reinforcement by referring them to the Management Board.

Or. fr

Justification

Under Article 61(h), the Management Board exercises disciplinary authority over the Executive Director and over the Deputy Director, in agreement with the Executive Director.

Amendment 615
Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation
Article 17 – paragraph 3 – introductory part

Text proposed by the Commission

Amendment

3. The operational and technical reinforcement provided by the European Border *and Coast Guard Teams*, the European *Return Intervention Teams* and experts from the Agency's staff in the framework of the migration management support teams, may include:

3. The operational and technical reinforcement provided by the European Border *Agency Teams in close and constant cooperation with* the European *Asylum Support Office and the national competent Authorities of the concerned Member State* and experts from the Agency's staff in the framework of the migration management support teams, may include:

Or. en

Amendment 616
Ska Keller

Proposal for a regulation
Article 17 – paragraph 3 – point a

Text proposed by the Commission

(a) the screening of third-country nationals arriving at the external borders, including the identification, registration, and debriefing of those third-country nationals and, where requested by the Member State, the fingerprinting of third-country nationals;

Amendment

(a) the screening of third-country nationals arriving at the external borders, including the identification, registration, and debriefing of those third-country nationals and, where requested by the Member State, the fingerprinting of third-country nationals ***in full compliance with fundamental rights and providing information regarding the purpose and outcomes of all procedures***;

Or. en

Amendment 617
Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation
Article 17 – paragraph 3 – point a

Text proposed by the Commission

(a) the screening of third-country nationals arriving at the external borders, including the identification, registration, and debriefing of those third-country nationals and, where requested by the Member State, the fingerprinting of third-country nationals;

Amendment

(a) the screening of third-country nationals arriving at the external borders, including the identification, registration, and debriefing of those third-country nationals and, where requested by the Member State, the fingerprinting of third-country nationals ***in full compliance with the right to human dignity and without use of coercion***;

Or. en

Amendment 618
Helga Stevens, Monica Macovei, Geoffrey Van Orden, Angel Dzhambazki, Daniel Dalton, Timothy Kirkhope, Jussi Halla-aho

Proposal for a regulation
Article 17 – paragraph 3 – point a

Text proposed by the Commission

(a) the screening of third-country nationals arriving at the external borders, including the identification, registration, and debriefing of those third-country nationals and, where requested by the Member State, the fingerprinting of third-country nationals;

Amendment

(a) ***providing assistance in*** the screening of third-country nationals arriving at the external borders, including the identification, registration, and debriefing of those third-country nationals and, where requested by the Member State, the fingerprinting of third-country nationals;

Or. en

Amendment 619

Péter Niedermüller, Marju Lauristin, Josef Weidenholzer, Tanja Fajon, Miltiadis Kyrkos, Birgit Sippel

Proposal for a regulation

Article 17 – paragraph 3 – point a

Text proposed by the Commission

(a) the screening of third-country nationals arriving at the external borders, including the identification, registration, and debriefing of those third-country nationals and, where requested by the Member State, the fingerprinting of third-country nationals;

Amendment

(a) the screening of third-country nationals arriving at the external borders, including the identification, registration, and debriefing of those third-country nationals, ***the provision of initial information to and onward referral of those persons arriving who are in need of, or wish to apply for, international protection,*** and, where requested by the Member State, the fingerprinting of third-country nationals;

Or. en

Amendment 620

Ignazio Corrao, Laura Agea, Laura Ferrara

Proposal for a regulation

Article 17 – paragraph 3 – point a

Text proposed by the Commission

Amendment

(a) the screening of third-country nationals arriving at the external borders, including the identification, registration, and debriefing of those third-country nationals and, where requested by the Member State, the fingerprinting of third-country nationals;

(a) the screening of third-country nationals arriving at the external borders, including the identification, registration, and debriefing of those third-country nationals and, where requested by the Member State, the fingerprinting of third-country nationals ***in full compliance with fundamental rights and providing information regarding the purpose and outcomes of all procedures***;

Or. en

Amendment 621

Péter Niedermüller, Josef Weidenholzer, Tanja Fajon, Birgit Sippel

Proposal for a regulation

Article 17 – paragraph 3 – point b

Text proposed by the Commission

Amendment

(b) ***the provision of information to persons in clear need of international protection or to applicants or potential applicants for relocation;***

deleted

Or. en

Justification

The provision of information to persons in need of international protection or those applying for international protection is primarily a task for EASO and not for the Agency. In accordance with Article 17(3)(a), the Agency should provide initial information and refer persons on to EASO or the relevant national authorities for further information and processing.

Amendment 622

Helga Stevens, Monica Macovei, Geoffrey Van Orden, Angel Dzhambazki, Jussi Halla-aho

Proposal for a regulation
Article 17 – paragraph 3 – point b

Text proposed by the Commission

Amendment

(b) the provision of information to persons in clear need of international protection or to applicants or potential applicants for relocation;

deleted

Or. en

Amendment 623
Ska Keller

Proposal for a regulation
Article 17 – paragraph 3 – point b

Text proposed by the Commission

Amendment

(b) the provision of information to persons in clear need of international protection or to applicants or potential applicants for relocation;

deleted

Or. en

Amendment 624
Anna Maria Corazza Bildt, Caterina Chinnici, Carlos Coelho, Therese Comodini Cachia, Barbara Matera, Tomáš Zdechovský, Timothy Kirkhope, Silvia Costa, Nathalie Griesbeck, Jean Lambert

Proposal for a regulation
Article 17 – paragraph 3 – point b

Text proposed by the Commission

Amendment

(b) the provision of information to persons in clear need of international protection or to applicants or potential applicants for relocation;

(b) the provision of information to persons in clear need of international protection or to applicants or potential applicants for relocation, *giving particular attention to children*;

Or. en

Amendment 625
Ignazio Corrao, Laura Agea, Laura Ferrara

Proposal for a regulation
Article 17 – paragraph 3 – point b

Text proposed by the Commission

(b) *the provision of information to persons in clear need of international protection or to applicants or potential applicants for relocation;*

Amendment

(b) *under the guidance of the European Asylum Support Office and Fundamental Rights Agency and in accordance with Directive 2013/32/EU, the provision of information on the asylum procedure, procedural rights and other fundamental rights, to all persons;*

Or. en

Amendment 626
Ska Keller

Proposal for a regulation
Article 17 – paragraph 3 – point b a (new)

Text proposed by the Commission

(ba) *supporting the European Asylum Support Office in the provision of information on the asylum procedure, procedural rights and other fundamental rights, to all persons in accordance with Articles 6, 8 and 12 of the Directive 2013/32/EU;*

Or. en

Amendment 627
Barbara Spinelli, Kostas Chrysogonos

Proposal for a regulation
Article 17 – paragraph 3 – point b a (new)

Text proposed by the Commission

Amendment

(ba) the referral of persons who wish to apply for international protection to asylum experts of the national authorities of the Member State concerned or of the European Asylum Support Office, and referral of all vulnerable groups to specific protection experts of the national authorities of the Member State or of the EU agencies including children, and families with children, to child protection experts and women to gender experts;

Or. en

Amendment 628

Ska Keller

Proposal for a regulation

Article 17 – paragraph 3 – point b b (new)

Text proposed by the Commission

Amendment

(bb) the referral of persons who wish to apply for international protection to asylum experts of the national authorities of the Member State concerned or of the European Asylum Support Office, and referral of all children and families with children to child protection experts of the national authorities of the Member State or of the EU Agencies;

Or. en

Amendment 629

Ska Keller

Proposal for a regulation

Article 17 – paragraph 3 – point c

Text proposed by the Commission

(c) technical and operational assistance in the field of return, including the preparation and organisation of return operations.

Amendment

(c) technical and operational assistance in the field of return, including the preparation and organisation of return operations ***in full respect of fundamental rights, due process and the principle of non-refoulement.***

Or. en

Amendment 630

Ignazio Corrao, Laura Agea, Laura Ferrara

Proposal for a regulation

Article 17 – paragraph 3 – point c

Text proposed by the Commission

(c) technical and operational assistance in the field of return, including the preparation and organisation of return operations.

Amendment

(c) technical and operational assistance in the field of return, including the preparation and organisation of return operations ***in full respect of fundamental rights, due process, the principle of non-refoulement and the prohibition of collective expulsion.***

Or. en

Amendment 631

Ignazio Corrao, Laura Agea, Laura Ferrara

Proposal for a regulation

Article 17 – paragraph 3 – point c a (new)

Text proposed by the Commission

Amendment

(ca) the referral of persons who wish to apply for international protection to asylum experts of the national authorities of the Member State concerned or of the European Asylum Support Office, and referral of all children, and families with children, to child protection experts of the

*national authorities of the Member State
or of the EU agencies.*

Or. en

Amendment 632

Ignazio Corrao, Laura Agea, Laura Ferrara

Proposal for a regulation

Article 17 – paragraph 3 – point c b (new)

Text proposed by the Commission

Amendment

(cb) The Agency in cooperation with the European Asylum Support Office, the Fundamental Rights Agency and other relevant Union Agencies and under the coordination of the Commission shall ensure the compliance of these activities with the Common European Asylum System and fundamental rights. This includes the provision of shelter, hygienic conditions and facilities respecting gender based and children's needs in the hotspot areas.

Or. en

Amendment 633

Ska Keller

Proposal for a regulation

Article 17 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The Agency shall support the relevant Member State and the European Asylum Support Office in the compliance of their activities with the Common European Asylum System and fundamental rights. This includes the provision of shelter, sanitary conditions and facilities respecting gender based and children's needs in the hotspot areas.

Amendment 634

Anna Maria Corazza Bildt, Caterina Chinnici, Therese Comodini Cachia, Barbara Matera, Tomáš Zdechovský, Nathalie Griesbeck, Silvia Costa, Jean Lambert, Timothy Kirkhope

Proposal for a regulation

Article 17 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The Agency, in cooperation with the European Asylum Support Office, the Fundamental Rights Agency and other relevant Union Agencies and under the coordination of the Commission, shall ensure the compliance of these activities with the Common European Asylum System and fundamental rights. This includes the provision of shelter, hygienic conditions and facilities respecting women and children's needs in the hotspot areas.

Or. en

Amendment 635

Ska Keller

Proposal for a regulation

Article 17 – paragraph 4

Text proposed by the Commission

Amendment

4. The Agency shall assist the Commission in the coordination of the activities of the migration management support teams, in cooperation with the other relevant Union Agencies.

4. The Agency shall assist the Commission in the coordination of the activities of the migration management support teams, in cooperation with the ***European Asylum Support Office and*** other relevant Union Agencies.

Or. en

Amendment 636

Ana Gomes

Proposal for a regulation

Article 17 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. All tasks carried out by the Migration management support teams shall be compliant with the EU Charter on Fundamental Rights and wider International Human Rights Law. All violations of EU and International law must be duly and fully communicated to the Commission, the Parliament and Member States. The Commission bears the responsibility of fully investigating allegations of violations of human rights in the context of the migration management support teams activities.

Or. en