# EUROPEAN PARLIAMENT

*2004* *2009*

*Committee on Development*

**2008/2157(INI)**

7.10.2008

# OPINION

of the Committee on Development

for the Committee on Civil Liberties, Justice and Home Affairs

on the evaluation and future development of the FRONTEX Agency and the European Border Surveillance System (EUROSUR)
(2008/2157(INI))

Rapporteur: Gabriele Zimmer

PA_NonLeg

## SUGGESTIONS

The Committee on Development calls on the Committee on Civil Liberties, Justice and Home Affairs, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Stresses that FRONTEX's task is to coordinate the operational cooperation between Member States in terms of border security and that FRONTEX provides particular added value to the national border management systems of the Member States;

2. Recalls the commitments of the EU on policy coherence for development as stated in Article 178 of the EC Treaty and the conclusions of the Justice and Home Affairs Council of 5-6 June 2008 on enhancing the Global Approach to Migration, in particular that the respect of human rights and fundamental freedoms of migrants, the 1951 Geneva Convention and due access to asylum procedures lie at the basis of the EU's migration and refugee protection policies;

3. Insists that all EU agencies, including FRONTEX**,** must, in all their activities, fully respect the fundamental values of the EU and that FRONTEX should be subject to scrutiny by the European Parliament;

4. Stresses that EU border security is the responsibility of all Member States and that border control must be operated in a spirit of sharing responsibilities and solidarity; calls therefore on the Council to make the principle of responsibility sharing mandatory for all Member States;

5. Is convinced that upholding and promoting fundamental freedoms and rights, including the right to seek asylum and access to legal support for persons seeking protection, should be considered as a crucial part of any comprehensive integrated border management system, and an integral part of the mandate and activities of FRONTEX;

6. Warns that FRONTEX is not a panacea for all the problems caused by irregular migration;

7. Welcomes the Commission's proposal to include specialised courses in asylum and human rights law in FRONTEX training activities and encourages the further development of this approach; proposes that FRONTEX strengthen its close co-operation with UNHCR, including with regard to training activities;

8. Calls on the Commission to table without delay a proposal for a revision of FRONTEX's mandate in order to include rescue at sea;

9. Is concerned that EU activities in developing countries to assist legal migration are being given a lower priority than the fight against irregular migration;

10. Warns that FRONTEX operations outside the territory of the EU may deprive refugees of the right to seek asylum and access to legal support for persons seeking protection in the EU;

11. Is deeply concerned that an expansion of maritime operations co-ordinated by FRONTEX may result in an increased death toll on even more dangerous sea routes; points out that a realistic analysis of flows must take a global approach, since limiting the analysis to single routes would give false indications of trends;

12. Highlights the fact that rescue activities and support for persons seeking protection or asylum require special attention to be paid to persons with specific needs, such as children and women, and therefore considers that FRONTEX training courses should include content on addressing specific needs;

13. Calls on the Commission to clarify to what extent information gathered through the so-called pre-frontier intelligence picture will be shared with African and other governments;

14. Is concerned that third country nationals may lack adequate means to monitor whether personal information on them gathered in the planned "system of systems" of the EU is handled in accordance with the principles of data protection law applicable in the EU; calls on the Commission to clarify to what extent personal data will be made available to third country administrations;

15. Calls on the Commission to clarify what range of logistical support on border surveillance is intended for neighbouring third countries as mentioned under step 3 of Phase 1 of EUROSUR.

## RESULT OF FINAL VOTE IN COMMITTEE

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| **Date adopted** | 7.10.2008 |
| **Result of final vote** | +: 26<br>–: 0<br>0: 0 |
| **Members present for the final vote** | Alessandro Battilocchio, Thijs Berman, Josep Borrell Fontelles, Danutė Budreikaitė, Nirj Deva, Alexandra Dobolyi, Beniamino Donnici, Fernando Fernández Martín, Juan Fraile Cantón, Alain Hutchinson, Romana Jordan Cizelj, Filip Kaczmarek, Glenys Kinnock, Maria Martens, José Javier Pomés Ruiz, Toomas Savi, Frithjof Schmidt, Jürgen Schröder, Anna Záborská |
| **Substitute(s) present for the final vote** | Fiona Hall, Miguel Angel Martínez Martínez, Manolis Mavrommatis, Anne Van Lancker, Renate Weber, Gabriele Zimmer |
| **Substitute(s) under Rule 178(2) present for the final vote** | Catherine Boursier |