



Basic information	
<p>2024/0074(NLE)</p> <p>NLE - Non-legislative enactments Decision</p>	Awaiting final decision
<p>EU/Serbia Agreement: operational activities carried out by the European Border and Coast Guard Agency in Serbia</p> <p>Subject</p> <p>7.10.04 External borders crossing and controls, visas 7.10.06 Asylum, refugees, displaced persons; Asylum, Migration and Integration Fund (AMIF)</p> <p>Geographical area</p> <p>Serbia, from 06/2006</p>	




Key players				
European Parliament	Committee responsible		Rapporteur	Appointed
	LIBE Civil Liberties, Justice and Home Affairs		RESSLER Karlo (EPP)	11/09/2024
			Shadow rapporteur LAURENT Murielle (S&D) CECCARDI Susanna (P/E) CIRIANI Alessandro (ECR) OETJEN Jan-Christoph (Renew) KUHNKE Alice (Greens /EFA) SERRA SÁNCHEZ Isabel (The Left)	
	Former committee responsible		Former rapporteur	Appointed
	LIBE Civil Liberties, Justice and Home Affairs			
	Former committee for opinion		Former rapporteur for opinion	Appointed
	AFET Foreign Affairs			
Council of the European Union				
European Commission	Commission DG		Commissioner	
	Mobility and Transport		JOHANSSON Ylva	

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Key events			
Date	Event	Reference	Summary
18/03/2024	Preparatory document	COM(2024)0161 	Summary
16/07/2024	Legislative proposal published	08441/2024	Summary
16/09/2024	Committee referral announced in Parliament		
05/12/2024	Committee report tabled for plenary, 1st reading/single reading	A10-0027/2024	Summary
21/01/2025	Decision by Parliament	T10-0001/2025	Summary
21/01/2025	Results of vote in Parliament		

Technical information	
Procedure reference	2024/0074(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legislative instrument	Decision
Legal basis	Treaty on the Functioning of the EU TFEU 079-p2 Treaty on the Functioning of the EU TFEU 218-p6a Treaty on the Functioning of the EU TFEU 077-p2
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Awaiting final decision
Committee dossier	LIBE/10/00370

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee draft report		PE766.612	19/11/2024	
Committee report tabled for plenary, 1st reading/single reading		A10-0027/2024	05/12/2024	Summary
Text adopted by Parliament, 1st reading/single reading		T10-0001/2025	21/01/2025	Summary
Council of the EU				
Document type	Reference	Date	Summary	
Legislative proposal	08441/2024	16/07/2024	Summary	
European Commission				
Document type	Reference	Date	Summary	
	COM(2024)0160			

Document attached to the procedure		18/03/2024	
Preparatory document	COM(2024)0161 	18/03/2024	Summary
Document attached to the procedure	SWD(2024)0237 	15/10/2024	

Meetings with interest representatives published in line with the Rules of Procedure

Rapporteurs, Shadow Rapporteurs and Committee Chairs

Name	Role	Committee	Date	Interest representatives
KUHNIKE Alice	Shadow rapporteur	LIBE	13/09/2024	University of East Anglia

EU/Serbia Agreement: operational activities carried out by the European Border and Coast Guard Agency in Serbia

2024/0074(NLE) - 16/07/2024 - Legislative proposal

PURPOSE: to conclude, on behalf of the Union, the Agreement between the European Union and the Republic of Serbia on operational activities carried out by the European Border and Coast Guard Agency in the Republic of Serbia.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: pursuant to Article 73(3) of Regulation (EU) 2019/1896 of the European Parliament and of the Council, in circumstances requiring the deployment of border management teams from the standing corps of the European Border and Coast Guard to a third country where the members of the teams will exercise executive powers, a status agreement is to be concluded by the Union with the third country concerned on the basis of Article 218 of the Treaty on the Functioning of the European Union.

In accordance with a Council Decision, the Agreement between the European Union and the Republic of Serbia on operational activities carried out by the European Border and Coast Guard Agency in the Republic of Serbia was signed, subject to its conclusion at a later date.

It is therefore necessary to approve the Agreement.

CONTENT: the draft Council Decision concerns the conclusion of the Agreement between the **European Union and the Republic of Serbia** on operational activities carried out by the European Border and Coast Guard Agency in the Republic of Serbia.

The provisions of the agreement cover all aspects that are necessary for carrying out the actions of border management teams from the standing corps deployed to a third country where the members of the teams will exercise executive powers, in particular, the scope of the operation, provisions on civil and criminal liability, the tasks and powers of the members of the teams, measures related to the establishment of an antenna office and practical measures related to the respect of fundamental rights.

This Decision constitutes a development of the provisions of the Schengen acquis in which Ireland does not take part. Denmark is not taking part in the adoption of this Decision and is not bound by it or subject to its application. It will decide within a period of six months after the Council has decided on this Decision whether it will implement it in its national law.

EU/Serbia Agreement: operational activities carried out by the European Border and Coast Guard Agency in Serbia

2024/0074(NLE) - 05/12/2024 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Civil Liberties, Justice and Home Affairs adopted the report by Karlo RESSLER (EPP, HR) on the draft Council decision on the conclusion of the Agreement between the European Union and the Republic of Serbia on operational activities carried out by the European Border and Coast Guard Agency in the Republic of Serbia.

Members recommended that Parliament approve the draft Council decision.

As a reminder, the proposed Council Decision aims to approve the Status Agreement between the European Union and the Republic of Serbia on actions carried out by the European Border and Coast Guard Agency in the Republic of Serbia as foreseen in the Regulation (EU) 2019/1896 on the European Border and Coast Guard.

One of the tasks of the European Border and Coast Guard Agency is to cooperate with third countries in relation to the areas covered by the European Border and Coast Guard Regulation 'including through the possible operational deployment of border management teams in third countries'. The Agency may cooperate with the authorities of third countries competent in matters covered by the Regulation to the extent required for the fulfilment of

its tasks and may carry out actions related to European integrated border management on the territory of a third country subject to the agreement of that third country.

The provisions of the agreement cover all aspects that are necessary for carrying out the actions of border management teams from the standing corps deployed to a third country where the members of the teams will exercise executive powers, in particular, the scope of the operation, provisions on civil and criminal liability, the tasks and powers of the members of the teams, measures related to the establishment of an antenna office and practical measures related to the respect of fundamental rights.

EU/Serbia Agreement: operational activities carried out by the European Border and Coast Guard Agency in Serbia

2024/0074(NLE) - 21/01/2025 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 505 votes to 90, with 43 abstentions, a legislative resolution on the draft Council decision on the conclusion of the Agreement between the European Union and the Republic of Serbia on operational activities carried out by the European Border and Coast Guard Agency in the Republic of Serbia.

Following the recommendation of the Committee on Civil Liberties, Justice and Home Affairs, Parliament **gave its consent** to the conclusion of the Agreement.

The Council decision aims to approve the Status Agreement between the European Union and the Republic of Serbia on actions carried out by the European Border and Coast Guard Agency in the territory of the Republic of Serbia, as provided for in Regulation (EU) 2019/1896 on the European Border and Coast Guard.

One of the tasks of the European Border and Coast Guard Agency is to cooperate with third countries in areas covered by the European Border and Coast Guard Regulation, "including through the possible operational deployment of border management teams in third countries".

The provisions of the agreement cover all aspects that are necessary for carrying out the actions of border management teams from the standing corps deployed to a third country where the members of the teams will exercise executive powers, in particular, the scope of the operation, provisions on civil and criminal liability, the tasks and powers of the members of the teams, measures related to the establishment of an antenna office and practical measures related to the respect of fundamental rights.

EU/Serbia Agreement: operational activities carried out by the European Border and Coast Guard Agency in Serbia

2024/0074(NLE) - 18/03/2024 - Preparatory document

PURPOSE: to conclude, on behalf of the Union, the Agreement between the European Union and the Republic of Serbia on operational activities carried out by the European Border and Coast Guard Agency in the Republic of Serbia.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: one of the tasks of the European Border and Coast Guard Agency is to cooperate with third countries in relation to the areas covered by the European Border and Coast Guard Regulation (Regulation (EU) 2019/1896) including through the possible operational deployment of border management teams in third countries.

In circumstances requiring the deployment of border management teams from the European Border and Coast Guard standing corps to a third country where the members of the teams will exercise executive powers, a status agreement should be concluded by the Union with the third country concerned.

Serbia is geographically situated on one of the primary routes for irregular mixed migratory movement towards the European Union. In 2023, Frontex registered around 99 000 irregular border crossings at the European Union's external borders on the Western Balkan route as well as more than 25 000 irregular border crossings at Serbia's non-EU borders. The high level of irregular arrivals and asylum applications is also putting significant pressure on some European Union Member States, leading to the need for common, coordinated action at Union level.

In 2020, the Union and Serbia concluded a status agreement based on Regulation (EU) 2016/1624. On 18 November 2022, following the entry into force of Regulation (EU) 2019/1896 which extended the scope of the status agreements thereunder, the Commission received the Council's authorisations to open negotiations with Serbia, as well as Montenegro, Albania and Bosnia and Herzegovina, for agreements on operational activities to be carried out by the European Border and Coast Guard Agency in those countries based on this new Regulation.

The Commission, on behalf of the European Union, and Serbia held formal negotiations in view of an agreement on 14 September and 7 November 2023.

CONTENT: this proposal for a Council Decision constitutes the legal basis for the conclusion of the Agreement between the European Union and the Republic of Serbia on operational activities carried out by the European Border and Coast Guard Agency in the Republic of Serbia.

The provisions of the proposed agreement do not go beyond what is necessary to achieve its objectives, namely, on the basis of the model status agreement, covering all aspects that are necessary for carrying out the actions of border management teams from the standing corps deployed to a third country where the members of the teams will exercise executive powers, in particular, the scope of the operation, provisions on civil and criminal liability, the tasks and powers of the members of the teams, measures related to the establishment of an antenna office and practical measures related to the respect of fundamental rights.

The draft agreement departs from the model status agreement by providing a limited immunity of the team members from criminal jurisdiction and by providing a limited exception to the inviolability of buildings, premises and assets of the Agency. These derogations from the model are acceptable given Serbia's status as a recognised candidate for accession to the European Union.

Reinforcing controls on the territory of Serbia will positively impact the management of the Union's external borders as well as the borders of Serbia itself. The conclusion of a status agreement would tie into the wider objectives and priorities for cooperation as set out in the European Union's Stabilisation and Association Agreement with Serbia.

The conclusion of a status agreement could also support the wider efforts and commitments of the European Union to further develop cooperation and capabilities in order to contribute to crisis response management and promote convergence on foreign and security matters between the Union and Serbia.