

# Procedure file

Basic information		
CNS - Consultation procedure Regulation	<a href="#">2003/0817(CNS)</a>	Procedure completed
Immigration: creation of a liaison officers network. Initiative Greece		
Amended by <a href="#">2009/0098(COD)</a> Repealed by <a href="#">2018/0153(COD)</a>		
Subject 7.10.08 Migration policy		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>LIBE</b> Citizens' Freedoms and Rights, Justice and Home Affairs		09/07/2003
		PSE <a href="#">ROURE Martine</a>	
European Parliament	Committee for opinion	Rapporteur for opinion	Appointed
	<b>AFET</b> Foreign Affairs, Human Rights, Common Security, Defense		08/07/2003
	<b>DEVE</b> Development and Cooperation	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Justice and Home Affairs (JHA)</a>	<a href="#">2561</a>	19/02/2004
	<a href="#">Justice and Home Affairs (JHA)</a>	<a href="#">2529</a>	02/10/2003
European Commission	Commission DG <a href="#">Agriculture and Rural Development</a>	Commissioner	

Key events			
03/06/2003	Legislative proposal published	<a href="#">09870/2003</a>	Summary
19/06/2003	Committee referral announced in Parliament		
02/10/2003	Debate in Council	<a href="#">2529</a>	Summary
07/10/2003	Vote in committee		Summary
07/10/2003	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A5-0344/2003</a>	
05/11/2003	Debate in Parliament		
	Decision by Parliament		Summary

06/11/2003		<a href="#">T5-0482/2003</a>	
19/02/2004	Act adopted by Council after consultation of Parliament		
19/02/2004	End of procedure in Parliament		
02/03/2004	Final act published in Official Journal		

### Technical information

Procedure reference	2003/0817(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amended by <a href="#">2009/0098(COD)</a> Repealed by <a href="#">2018/0153(COD)</a>
Legal basis	EC Treaty (after Amsterdam) EC 063-p3; EC Treaty (after Amsterdam) EC 066
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/5/19682

### Documentation gateway

Legislative proposal	<a href="#">09870/2003</a> <a href="#">OJ C 140 14.06.2003, p. 0012-0014</a>	03/06/2003	CSL	Summary
Committee report tabled for plenary, 1st reading/single reading	<a href="#">A5-0344/2003</a>	07/10/2003	EP	
Text adopted by Parliament, 1st reading/single reading	<a href="#">T5-0482/2003</a> <a href="#">OJ C 083 02.04.2004, p. 0019-0176 E</a>	06/11/2003	EP	Summary
Document attached to the procedure	<a href="#">SWD(2018)0197</a>	17/05/2018	EC	Summary

### Additional information

European Commission	<a href="#">EUR-Lex</a>
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### Final act

[Regulation 2004/377](#)  
[OJ L 064 02.03.2004, p. 0001-0004](#) Summary

## Immigration: creation of a liaison officers network. Initiative Greece

**PURPOSE** : proposal from the Council for a Council Regulation on the creation of an immigration liaison officers network. **CONTENT** : the plan for the management of the external borders of the Member States envisages the setting up of networks of immigration liaison officers posted in third countries. This proposal seeks to formalise the existence and functioning of such a network - drawing on experiences gained in the operation of running projects, including the Belgian-led Western Balkans ILO network - through a legally binding instrument. The draft Regulation sets out the obligation to establish forms of cooperation among immigration liaison officers of the Member States, the objectives of such cooperation, the functions and appropriate qualifications of such liaison officers, as well as their responsibilities vis-à-vis the host country and the sending Member State. The main points of the proposal are as follows: - Immigration liaison officers may be posted to the national consular authorities of Member States in third countries, to the relevant authorities of other Member States and also to the competent authorities of third countries, for a reasonable time period to be determined by the posting Member State. They will collect information for use at either operational or strategic level, or both. Such information will particularly concern: - flows of illegal immigrants originating from or

transiting through the host country; - routes followed by those flows of illegal immigrants in order to reach the territories of the Member States; - the "modus operandi" of illegal immigrants, including the means of transport used; - the activities of criminal organisations involved in the smuggling of immigrants; - new developments with regard to flows of illegal immigrants; - methods used for counterfeiting or falsifying identity documents and travel documents; - ways to assist the host countries in preventing illegal immigration flows; - ways to facilitate the repatriation of illegal immigrants to their country of origin; - information transmitted via the early warning system. Immigration liaison officers may also help to identify third country nationals and return them to their country of origin. The proposal sets out provisions for Member States to inform each other and the Council and the Commission of information relating to immigration liaison officers. The Commission will draw up a summary factual report to be submitted to the European Parliament and to the Council before the end of each year.?

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## Immigration: creation of a liaison officers network. Initiative Greece

The Council, pending the opinion of the European Parliament and the lifting of some parliamentary reservations, reached a general approach on the Regulation creating an immigration liaison officers network (ILO). Each Member State will ensure that its immigration liaison officers establish and maintain direct contacts with the competent authorities in the host country and any appropriate organisation within the host country, with a view to facilitating and expediting the collection and exchange of information. Immigration liaison officers will collect information for use either at the operational level, or at a strategic level, or both. Immigration liaison officers shall also be entitled to render assistance in establishing the identity of third country nationals and in facilitating their return to their country of origin. It is recalled that the discussions regarding the creation of an immigration liaison officers (ILO) network started on 28 May 2001, when the Council adopted conclusions establishing a network of immigration liaison officers to ensure a coordinated response to the problem of illegal flows of migrants through the Western Balkan region and to work with and assist countries in that region. ?

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## Immigration: creation of a liaison officers network. Initiative Greece

The committee adopted the report by Martine ROURE (PES, F) broadly approving the proposal under the consultation procedure, subject to a few amendments. It said that the annual summary which the Commission was required to draw up on postings of immigration liaison officers (ILOs) should be presented not just to the Council but also to the Member States so that they had all necessary information at their disposal. It was also concerned to ensure that the various reports drawn up by the EU Presidency and the Commission on the activities of ILO networks and the situation in the host third countries in which ILOs are posted should be sent to Parliament as well. On the important issue of information exchange, the committee felt that the proposal's provisions were too vague and suggested that the common manual for use by liaison officers proposed by the Italian Presidency could be used to clarify the way information is passed on and the type of information to be exchanged. Another aspect left extremely vague was the way in which ILOs should contribute to the management of legal immigration, this being one of the tasks for which they are also responsible under the proposed regulation. MEPs therefore wanted to see a common information policy aimed at making the local population aware of the existence of legal ways of immigrating and warning them of the dangers of illegal immigration and of slave trafficking networks. Lastly, the committee wanted it to be specified in the legislation that, in its activities, the ILO network must respect "democratic principles, human rights, the principle of transparency, the national sovereignty of the countries and their laws".?

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## Immigration: creation of a liaison officers network. Initiative Greece

The European Parliament adopted its resolution drafted by Martine ROURE (PES, F) making some amendments to the Commission's proposals. (Please see the document dated 07/10/03.) Parliament specified that the Commission should request its delegations in the countries in which immigration originates to provide access to information on immigration for citizens of those countries, in cooperation with the embassies of the Member States, the authorities of the countries concerned and the immigration liaison officers. In addition, the officers should implement a common information policy aimed at making the local population aware of the existence of legal ways of immigrating and warning them of the dangers of illegal immigration and of slave-trafficking networks. ?

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## Immigration: creation of a liaison officers network. Initiative Greece

PURPOSE : to establish an immigration liaison officers network. LEGISLATIVE ACT : Council Regulation 377/2004/EC on the creation of an immigration liaison officers network. CONTENT : This Regulation establishes that immigration liaison officers must maintain direct contacts with the competent authorities in the host country with a view to facilitating and expediting the collection and exchange of information. The information shall in particular concern issues such as: - flows of illegal immigrants originating from or transiting through the host country; - routes followed by those flows of illegal immigrants in order to reach the territories of the Member States; - their modus operandi, including the means of transport used, the involvement of intermediaries, etc.; - the existence and activities of criminal organisations involved in the smuggling of immigrants; - incidents and events that may be or become the cause for new developments with respect to flows of illegal immigrants; - methods used for counterfeiting or falsifying identity documents and travel documents; - ways and means to assist the authorities in host countries in preventing illegal immigration flows originating from or transiting through their territories; - ways and means to facilitate the return and repatriation of illegal immigrants to their countries of origin; - legislation and legal practices relevant to the issues referred to above; - information transmitted via the early warning system. Immigration liaison officers shall also be entitled to render assistance in establishing the identity of third country nationals and in facilitating their return to their country of origin. The main points of the Regulation are as follows: - There are some provisions on data protection; - Member States must inform one another, the Council and the Commission of their secondments of immigration liaison officers, including a description of their duties. The Commission will provide a collection of this information to the Council and Member States; - Member States shall ensure that their immigration liaison officers posted to the same third countries or regions constitute local or regional cooperation networks among each other. The Regulation sets out a list of prescribed activities for the network; - Member States agree that immigration liaison officers who are posted to a third country shall also look after the interests of one or more other Member States and share certain tasks among each other; - The immigration liaison officers could be posted to the national consular authorities of Member States in third countries or to the relevant authorities of other Member States, but also to the competent

authorities of the third countries, as well as to international organisations for a reasonable time period to be determined by the posting Member State. ENTRY INTO FORCE : 5 January 2004.?