










# Procedure file

Basic information	
NLE - Non-legislative enactments	2019/0043(NLE)
Awaiting final decision	
EU/Montenegro status agreement: actions carried out by the European Border and Coast Guard Agency in Montenegro	
Subject 7.10.04 External borders crossing and controls, visas	
Geographical area Montenegro, from 06/2006	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 <a href="#">Civil Liberties, Justice and Home Affairs</a>	 <a href="#">VOLLATH Bettina</a>	04/09/2019
		Shadow rapporteur	
		 <a href="#">METSOLA Roberta</a>	
		 <a href="#">ŠIMEČKA Michal</a>	
		 <a href="#">FRANZ Romeo</a>	
		 <a href="#">BRUDZIŃSKI Joachim Stanisław</a>	
	Former committee responsible		
	 <a href="#">Civil Liberties, Justice and Home Affairs</a>		
	Committee for opinion	Rapporteur for opinion	Appointed
	 <a href="#">Foreign Affairs</a>	The committee decided not to give an opinion.	
	Former committee for opinion		
	 <a href="#">Foreign Affairs</a>		
Council of the European Union	Commission DG	Commissioner	
European Commission	<a href="#">Migration and Home Affairs</a>	AVRAMOPOULOS Dimitris	

Key events			
21/02/2019	Preparatory document	<a href="#">COM(2019)0090</a>	

12/03/2019	Legislative proposal published	<a href="#">06847/2019</a>	
21/10/2019	Committee referral announced in Parliament		
28/01/2020	Vote in committee		
29/01/2020	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A9-0018/2020</a>	
13/05/2020	Results of vote in Parliament		
13/05/2020	Decision by Parliament	<a href="#">T9-0057/2020</a>	Summary

### Technical information

Procedure reference	2019/0043(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legal basis	Treaty on the Functioning of the EU TFEU 218-p6a; Treaty on the Functioning of the EU TFEU 079-p2; Treaty on the Functioning of the EU TFEU 077-p2
Stage reached in procedure	Awaiting final decision
Committee dossier	LIBE/9/00424

### Documentation gateway

Document attached to the procedure	<a href="#">COM(2019)0089</a>	21/02/2019	EC	Summary
Preparatory document	<a href="#">COM(2019)0090</a>	21/02/2019	EC	
Legislative proposal	<a href="#">06847/2019</a>	12/03/2019	CSL	
Document attached to the procedure	<a href="#">06846/2019</a>	12/03/2019	CSL	
Committee draft report	<a href="#">PE643.227</a>	09/12/2019	EP	
Amendments tabled in committee	<a href="#">PE646.874</a>	22/01/2020	EP	
Committee report tabled for plenary, 1st reading/single reading	<a href="#">A9-0018/2020</a>	29/01/2020	EP	
Text adopted by Parliament, 1st reading/single reading	<a href="#">T9-0057/2020</a>	13/05/2020	EP	Summary

## EU/Montenegro status agreement: actions carried out by the European Border and Coast Guard Agency in Montenegro

**PURPOSE:** to sign, on behalf of the Union, the Status Agreement between the European Union and Montenegro on actions carried out by the European Border and Coast Guard Agency in Montenegro.

**PROPOSED ACT:** Council Decision.

**BACKGROUND:** in accordance with [Regulation \(EU\) 2016/1624](#) of the European Parliament and of the Council, in cases where it is envisaged that European Border and Coast Guard teams will be deployed to a third country in actions where the team members will have executive powers, or where other actions in third countries require it, a status agreement is to be concluded by the Union with the third country concerned. The status agreement should cover all aspects necessary for carrying out the actions.

On 16 October 2017, the Commission received the Council authorisation to open negotiations with Montenegro on a status agreement for actions carried out by the European Border and Coast Guard Agency in Montenegro. The negotiations were successfully finalised by the initialling of the Status Agreement between the European Union and Montenegro on actions carried out by the European Border and Coast Guard Agency in Montenegro.

CONTENT: the proposal for a Council Decision constitutes the legal instrument for the signing of the Status Agreement between the European Union and Montenegro on actions carried out by the European Border and Coast Guard Agency in Montenegro.

Under this Agreement, the European Border and Coast Guard Agency shall be able to deploy European Border and Coast Guard teams with executive powers in Montenegro to carry out joint operations, rapid border interventions or return operations.

The status agreement covers all aspects necessary for the implementation of the actions. In particular, it shall indicate the scope of the operation, civil and criminal liability, as well as the tasks and powers of the team members. The status agreement shall ensure the full respect for fundamental rights during these operations.

For more details on the content of the agreement, please refer to the summary of the initial legislative proposal for the conclusion of the agreement dated 21.2.2019.

## EU/Montenegro status agreement: actions carried out by the European Border and Coast Guard Agency in Montenegro

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The European Parliament adopted by 568 votes to 109, with 11 abstentions, a legislative resolution on the draft Council decision on the conclusion of the Status Agreement between the European Union and Montenegro on actions carried out by the European Border and Coast Guard Agency in Montenegro.

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

The proposed Council Decision aims to approve the Status Agreement between the European Union and Montenegro on actions carried out by the European Border and Coast Guard Agency in Montenegro as foreseen in the [Regulation \(EU\) 2016/1624](#) on the European Border and Coast Guard.

Regulation (EU) 2016/1624 explicitly provides that, in cases where it is envisaged that European Border and Coast Guard teams will be deployed to a third country, in actions where the team members will have executive powers, or where other actions in third countries require it, a status agreement shall be concluded by the Union with the third country concerned.

The purpose of the Status Agreement is to provide a legally binding framework that should set out the scope of the operation, the rules on civil and criminal liability, and the tasks and powers of the deployed members of the teams. The status agreements should also guarantee the full respect of fundamental rights and should establish dedicated complaints mechanisms to be used in case of fundamental rights violations during these operations.

The Status Agreement with Montenegro is one of several similar agreements concluded with the Western Balkan countries. It would allow for joint operations, rapid border interventions and/or return operations to take place on the territory of Montenegro with the involvement of the Agency. The return operations would relate solely to third country nationals being returned from the European Union to Montenegro.