


Procedure file

Basic information	
COS - Procedure on a strategy paper (historic)	1994/2217(COS)
Centre for Information, Discussion and Exchange on the crossing of borders and immigration CIREFI	
Subject 7.10.04 External borders crossing and controls, visas 7.10.08 Migration policy	
Procedure completed	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	LIBE Civil Liberties and Internal Affairs		24/01/1995
		PSE D'ANCONA Hedy	
	Committee for opinion	Rapporteur for opinion	Appointed
	JURI Legal Affairs, Citizens' Rights		22/02/1995
		PPE PALACIO VALLELERSUNDI Ana	
Council of the European Union			

Key events			
30/11/1994	Non-legislative basic document published	11219/1994	Summary
20/01/1995	Committee referral announced in Parliament		
18/07/1995	Vote in committee		Summary
18/07/1995	Committee report tabled for plenary	A4-0186/1995	
20/09/1995	Debate in Parliament		
22/09/1995	Decision by Parliament	T4-0429/1995	Summary
22/09/1995	End of procedure in Parliament		
16/10/1995	Final act published in Official Journal		

Technical information	
Procedure reference	1994/2217(COS)
Procedure type	COS - Procedure on a strategy paper (historic)
Procedure subtype	Commission strategy paper

Legal basis	Rules of Procedure EP 101o
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/4/06292

Documentation gateway

Non-legislative basic document	11219/1994	30/11/1994	CSL	Summary
Committee report tabled for plenary, single reading	A4-0186/1995 OJ C 269 16.10.1995, p. 0009	18/07/1995	EP	
Text adopted by Parliament, single reading	T4-0429/1995 OJ C 269 16.10.1995, p. 0193-0204	22/09/1995	EP	Summary

Centre for Information, Discussion and Exchange on the crossing of borders and immigration CIREFI

These Council conclusions concern the objectives and activities of the CIREFI (Centre for Information, Discussion and Exchange on the crossing of borders and immigration). The purpose of this centre, which is made up of representatives of the Member States with logistic support from the Secretariat-General of the Council, is to: * compile information on: - legal immigration, - illegal immigration and irregular residency, - the entry of foreigners via illegal immigration channels, - use of false or forged papers, - measures taken by the relevant authorities. Information takes the form of statistics and allows regular stock to be taken of the situation by showing up developments and changes in this area; * analyse information, draw conclusions and, where applicable, offer advice; * encourage the exchange of information on repatriation (country of destination, airports of arrival and departure, transport company, routes, charges, conditions of transport etc.) and the problems encountered in obtaining return documents. The CIREFI will submit an annual report on its activities to the Council and will meet at least once a month from 1 January 1995 onwards.?

Centre for Information, Discussion and Exchange on the crossing of borders and immigration CIREFI

The Committee on Civil Liberties adopted the report by Mrs Hedy d'ANCONA (PSE, NL) on the Council conclusions on the organization and development of the CIREFI (Centre for Information, Discussion and Exchange on the crossing of borders and immigration). This text takes a form which does not figure among the instruments listed in Title VI of the Treaty for the purpose of implementing cooperation in the area of justice and internal affairs. The legal basis is not stated and it was sent to the European Parliament "for information purposes", thereby disregarding the obligation incumbent upon the Presidency under Article K.6 to consult the European Parliament and to ensure that due account is taken of its views. Apart from the implied violation of the rights of Parliament (and the Commission), it would appear that the Council had used the procedure followed in a bid to define legal rules without setting them out in a binding legislative act, thereby scuppering the facility for individuals to take legal recourse, especially to the European Court of Justice. It was this which prompted the members of the European Parliament, irrespective of their position on the individual texts, to adopt "horizontal" amendments (see also COS0216, COS0214, COS0215), in which they maintained that the Commission had a political and legal obligation not to leave the initiative in these matters to the Member States or the Presidency of the Council and called on the Commission to draft binding proposals on the issues in question and to submit their proposals to the European Parliament and the Council. The report was equally critical of the procedure followed by the Council and proposed that the European Parliament reject the Council's conclusions pending a Commission initiative on the subject. Parliament considered that it had received inadequate information on CIREFI activities and called for two observers, one appointed by the Commission and one by the European Parliament, to be allowed to attend these meetings in the future. Parliament did not dispute the usefulness of the work of the CIREFI in studying immigration but took the view that this work should not be shrouded in secrecy and should not be dedicated mainly to fighting illegal immigration, as appeared to be the case at present.?

Centre for Information, Discussion and Exchange on the crossing of borders and immigration CIREFI

The European Parliament rejected the Council's draft conclusions on CIREFI activities. In her report, which was adopted by the European Parliament in plenary, Mrs d'ANCONA (PSE, NL) decried the method used to consult the European Parliament on these conclusions which, she considered, should be seen as governed by Article K.6 of the Treaty on European Union, implying that the European Parliament needed to be consulted. She stated, in this respect, that the Commission's right of initiative was a fundamental element and that the Commission had a political obligation to take a more active approach in this area by proposing binding texts and submitting them to Parliament for consultation. Pointing out that Parliament was very poorly informed about CIREFI activities, she noted that the focus of the Centre's work was gradually shifting towards the fight against illegal immigration, to the exclusion of all else. She then called for 2 observers (one appointed by the Commission and the other by the European Parliament) to attend CIREFI meetings in the future. She considered that data on immigrants and asylum seekers compiled by EUROSTAT might duplicate the data compiled by the IOM, the UNHCR, the Member States, the SIS or even

EUROPOL. In addition, the CIREFI provisions governing the collection and processing of information and personal data were imprecise and confused. Finally, she called for the Centre's modus operandi to be revised so that it could become a body capable of helping to promote joint decisions and global policies for preventing and controlling illegal immigration.?