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NOTE

From: Presidency

To: Permanent Representatives Committee/Council / Mixed Committee
(EU-Iceland/Liechtenstein/Norway/Switzerland)

Subject: European Border and Coast Guard: Proposal for a Regulation of the
European Parliament and of the Council on the European Border and
Coast Guard and repealing Regulation (EC) No 2007/2004, Regulation
(EC) No 863/2007 and Council Decision 2005/267/EC
- Progress report

The aforementioned draft Regulation is envisaged to be a key element for encountering the current challenges in the borders and migration policy areas, as well as for safeguarding the integrity of the Schengen acquis. For these reasons, its timely adoption and implementation has been one of the main priorities of the Presidency.

In this vein, the Presidency, committed to keep all stakeholders informed before the next phase of the negotiations, wishes to report to the Ministers on the progress achieved since the last JHA Council meeting on 21 April 2016.

In anticipation of a quick and smooth implementation of the future Regulation, during the April 2016 JHA Council meeting, Ministers agreed to start preparatory work and invited Frontex and the Commission to focus on five issues: i) the pooling of human and technical resources for the Agency's operations; ii) conducting vulnerability assessments shortly after the adoption of the instrument; iii) the Agency's new tasks in the context of the Return policy; iv) the drafting by the Commission of a model status agreement in the context of cooperation with third countries; v) the drafting by the Fundamental Rights Officer of Frontex of a standard complaint form. The Presidency invites the Commission and Frontex to update Ministers on the first preparatory steps so far taken or that they are shortly going to take on any of the above five issues.

In addition, the Presidency wishes to report that, in the context of its preparations for the ensuing negotiations with the Parliament, JHA Counsellors had on 25 April 2016 a first exchange of views on the draft Report that had been presented by the Rapporteur in the LIBE Committee on 11 April 2016. Furthermore, the Presidency would like to highlight that the European Parliament, in its preparations to start interinstitutional negotiations as soon as possible, plans to hold the vote on the draft Report in the LIBE Committee on 30 May 2016.

The Presidency invites the Council to take note of this progress report and looks forward to reporting to it in its June session, after the beginning of negotiations with the co-legislator.