



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 31 January 2012**

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**PE 33  
JAI 48  
JUST 2  
SCHENGEN 8  
DATAPROTECT 10**

**NOTE**

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from:	General Secretariat of the Council
to:	Delegations
Subject:	Summary record of the meeting of the European Parliament <b>Committee on Civil Liberties, Justice and Home Affairs (LIBE)</b> , held in Brussels on 23, 25 and 26 January 2012

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At its constitutive meeting on 23 January, the LIBE committee re-elected Mr Lopez Aguilar (S&D, ES) as chair by acclamation. Ms Gal (EPP, HU) was re-elected as 1st vice-chair; Ms In't Veld (ALDE, NL) was re-elected as 2nd vice-chair; Mr Iacolino (EPP, IT) was re-elected as 3rd vice-chair; and Ms Göncz (S&D, HU) was re-elected as 4th vice-chair. The vice-chairs were re-elected by acclamation (with one abstention).

On 25 and 26 January, the meeting was chaired by Mr LÓPEZ AGUILAR (S&D, ES) and by Ms GAL (EPP, HU). The committee adopted the agenda. Points 8 and 20 took place in camera.

**2. Chair's announcements**

Further to the coordinators' meeting (see point 8), the Chair announced the decision to organise a hearing on the situation in Hungary on 9 February in the afternoon, provided that the Committee received the authorisation of the EP Bureau.

**3. The committee approved the minutes of meetings** of 25 October 2010, 19 April 2011, 19-20 April 2011, 11 October 2011, 23 November 2011, 5 December 2011, and 5 December 2011

**4. Presentation of the priorities and work programme in the area of Justice and Home Affairs by the Presidency-in-office, Mr Morten Bødskov (Minister for Justice of Denmark)**

Mr Bødskov started by saying that the Presidency had an “open door policy” with the European Parliament. He indicated that the Presidency intended to work very hard to achieve the CEAS<sup>1</sup> goal in 2012. He hoped to start negotiations with the European Parliament on as many acts as possible, underlining that most progress had been made in the Council on the review of the Dublin Regulation and on the proposed Reception Conditions Directive. He advocated concrete actions to further solidarity towards Member States most affected by migratory flows. Mr Bødskov mentioned that the Presidency had a mandate to negotiate with the European Parliament on the common EU resettlement programme.

As regards the Commission proposal amending Council Regulation 539/2011 on visas, he hoped to be able to start negotiations with the European Parliament in the spring. He expressed the need to strengthen Schengen cooperation and to advance as far as possible on the two Commission proposals on the table.

Mr Bødskov considered that an EU PNR system would help to fight terrorism and organised crime, stressing that citizens’ protection and data protection had to be taken into account. He found that the draft agreement with the USA on PNR was the best possible result in the circumstances and hoped that the European Parliament would give its consent to this agreement.

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<sup>1</sup> Common European Asylum System

He also stressed the importance of the EIO<sup>2</sup> proposal and said that the work on the victims' package was a Presidency priority, underlining the need to take into account the protection of victims' rights, those of the suspected or accused persons as well as economic realities. He considered that the Council negotiations on the proposal for a regulation on public access to documents would be difficult.

On behalf of the political groups:

Mr Busuttil (EPP, MT) found it very positive that the Presidency had met coordinators on an individual basis. He asked the Presidency about the concrete initiative it was considering on solidarity in the asylum policy area. He hoped to be able to reach an agreement as soon as possible with the Council on the EIO and on the victims' package.

Mr Moraes (S&D, UK) asked the Danish Presidency to make progress on the proposed Reception Conditions Directive and on the review of the Dublin Regulation. On the Schengen governance proposal, he considered that the key issue was to ensure that the European Parliament had a decision-making role. He asked the Danish Presidency to push the proposal on public access to documents in the Council, given the good Danish domestic record on this issue. Ms Weber (ALDE, RO) stated that she had an open mind towards being constructive in the negotiations with the Council.

Ms Sargentini (Greens/ALE, NL) stressed that mutual trust in judicial cooperation was difficult to achieve since crimes were defined differently across Member States and given the poor detention conditions in some Member States.

Mr Kirkhope (ECR, UK) hoped for success with the EU-US PNR agreement as well as for progress on the EU PNR agreement. He hoped that the Presidency would support the current move on transparency of documents and that it would take initiatives on cybercrime. Mr Brons (NI, UK) requested a rapid adoption of the legislation on explosives precursors.

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<sup>2</sup> European Investigation Order

Mr Bodskov replied that solidarity was on the agenda of the informal JHA meeting of 26 January. He indicated that six points had to be addressed in order to create a real solidarity framework between Member States, i.e. discussion on the solidarity fund proposed by the Commission, EASO support to Member States in need, greater scope for action in Frontex operations, early warning system to detect problems, further cooperation with countries of origin and relocation of refugees.

As regards the EU PNR, he indicated that most Member States were positive towards the proposal but he added that it was essential to ensure the right proportionality. On the revision of the Regulation on public access to documents, Mr Bodskov said that the Presidency was trying to find pragmatic solutions given the fact that national administrative systems and approaches varied in the EU. He informed the committee that the Presidency was organising a seminar on cybercrime in February in Copenhagen.

During the second round of questions:

On the Schengen governance proposals, Mr Coelho (EPP, PT) asked about the Danish position on the fact that some Member States wanted to bypass the co-decision procedure. Ms Romero Lopez (S&D, ES) asked the Presidency what they would be able to achieve on the CEAS. Ms Ludford (ALDE, UK) deplored the fact that the retention of PNR data could lead to profiling and unfair suspicion of people.

Mr Diaz de Mera (EPP, ES) asked whether the Danish Presidency was interested in the new Europol Regulation. Mr Enciu (S&D, RO) and Mr Marinescu (EPP, RO) wanted to know whether the Presidency would support the accession of Bulgaria and Romania to the Schengen area. Ms Alfano (ALDE, IT) asked whether the Presidency would support the activation of article 7 of the Treaty in order to react to the situation in Hungary and what the Presidency's commitment was to fighting mafia and organised crime.

Ms Borsellino (S&D, IT) insisted on safeguarding fundamental rights in the asylum area. Ms Jimenez-Becerill (EPP, ES) asked Mr Bodskov what he meant by taking into account “the economic situation” in the victims’ Directive discussions.

Mr Bodskow replied that he considered highly important that the European Parliament be involved in the Schengen governance proposals. On the Europol Regulation, he said that one had to look at the Commission proposal first and proceed on that basis. He saw no legal obstacle to the accession of Bulgaria and Romania to Schengen. He mentioned that the Commission had launched infringement proceedings against Hungary and that the Presidency was following the case closely. On the victims' package, he said he hoped for good cooperation but took the view that the financial crisis in the EU also had to be taken into account. He added that the fact that there were no statistics on victims was a problem.

## **5. LIBE Delegation to Sicily (24 - 26 November 2011)**

- Presentation of a summary report:

The Head of Delegation, Ms Wikström (ALDE, SE), informed the committee about the follow-up to the delegation, i.e. letters and meetings with the Italian authorities. Mr Iacolino (EPP, IT) considered that a more substantive report should be proposed to the European Parliament. Ms Borsellino (S&D, IT) and Mr Crocetta (S&D, IT) considered that the conditions in some centres were not acceptable. Mr Papanikolaou (EPP, EL) was of the view that the EU needed to show pragmatic solidarity with Italy, Greece, Malta and Cyprus. Ms Wikström replied to Mr Iacolino that the follow-up was agreed and they were now waiting for a reply from the Italian authorities. She concluded by saying that what they saw was not acceptable from a human being's point of view.

## **6. Amendment of Council Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement**

Rapporteur: Agustín Díaz de Mera García Consuegra (PPE)

Responsible: LIBE –

Opinions: AFET – Andrey Kovatchev (PPE)

- Consideration of amendments

The rapporteur, Mr Diaz de Mera (EPP, ES), presented the main amendments to his report. He agreed that it would be better to use a different wording for the “safeguard clause” and to replace it by a “suspension mechanism” allowing the suspension of the visa waiver for a third country. He mentioned in particular the most controversial amendment (AM 28), which aims at strengthening the automatism of the visa reciprocity system and leaves the Commission very little room for manoeuvre to negotiate with the third country concerned. He said that he was waiting for the opinion of the European Parliament's legal service and that he had to discuss this amendment within the EPP and with other political groups.

The Commission representative expressed his doubts regarding the legality of amendment 28, considering that such automatism would not leave the Commission any room for manoeuvre and would therefore not respect the Commission’s right of initiative. He added that the Commission would not have difficulties in calling “the safeguard clause” a “suspension mechanism” but that the main point was to define strict criteria to trigger the mechanism before a proper political assessment.

The Council Presidency representative said that the automatism of the reciprocity mechanism was a delicate question and that the Presidency hoped to open and maybe to conclude negotiations on this proposal.

Mr Busuttil (EPP, MT) said that he was inclined to favour the automaticity of the reciprocity mechanism. Ms Fajon (S&D, SI) took the view that the suspension mechanism should be a last resort solution and that the European Parliament had to be included in the process. As regards the reciprocity mechanism, she thought that the existing mechanism was not working. Ms Zdanoka (Greens/ALE, LV) and Ms Roithova (EPP, CZ) were of the view that the automaticity of the reciprocity mechanism would have a preventive effect.

The Commission representative replied that the discussion would continue on the definition of the criteria to trigger the suspension mechanism and agreed that the European Parliament had to be involved in the context of the comitology procedure. As regards reciprocity, he mentioned the cases with the US, Canada, and Brazil and added that a visa waiver agreement between the EU and Brazil was under ratification with the Brazilian parliament.

The Council Presidency representative was of the opinion that, with regard to reciprocity, there was a need to find a solution that would enable the EU to react quickly. Mr Diaz de Mera concluded that amendments 10 and 28 would need further discussion.

## **7. European Asylum Support Office (EASO): Work Programme 2012**

- Presentation by Dr. Robert K. Visser, Executive Director

Mr Visser presented EASO's 2012 work programme. Mr Busuttil (EPP, MT) asked whether EASO would be involved in the discussion on the solidarity mechanism at the JHA informal meeting on 25 January. Ms Romero Lopez (S&D, ES) took the view that the work programme was not satisfactory in practical terms and that one needed solid statistics in particular on the number of asylum requests, pending cases and detention cases.

Mr Papanikolaou (EPP, EL) said that the early warning mechanism was a crucial element and he therefore wondered why only one EASO staff member was working on this issue. Ms Angelilli (EPP, IT) considered that unaccompanied minors deserved special attention. Mme Mathieu (EPP, FR) wanted to know more about the training sessions and EASO's relations with Frontex.

Mr Visser replied that EASO was involved in the discussion on the solidarity mechanism and in the review of the Dublin Regulation and that it would participate in the JHA informal council. He said that EASO could play its role but had to work with limited resources. He added that EASO had started collecting statistics from Member States, Eurostat and NGOs which would be included in its annual report due to be published in March/April.

He mentioned the Commission action plan concerning unaccompanied minors and said that EASO was working with the Commission and FRONTEX on guidelines. He informed the committee that 13 training sessions were planned and that EASO was cooperating with Frontex on many aspects, for example on the Greek action plan.

## **8. Coordinators' meeting (*in camera*)**

## **9. Presentation of the Work Programme 2012 and State of Play of the Dossiers in the Area of Home Affairs by Cecilia Malmström, Commissioner for Home Affairs**

Ms Malmström stated that one of the priorities was the CEAS completion; stressing the need for progress on the Reception Conditions and Procedures Directive as well as on the Dublin Regulation.

She also emphasised the need to make progress on the legal migration proposals and appreciated the European Parliament's support for the Schengen governance package. She considered that the safeguard clause in the Commission proposal amending Council Regulation 539/2011 on visas should be a tool of last resort.

Ms Malmström announced that the Commission should adopt proposals on smart borders, on the freezing of funds and recovery of assets of persons suspected of terrorist activities, on a European TFTS, on the fight against trafficking of human beings and on the review of the data retention Directive. On the last proposal, she added that there was no appetite for revision in the Council.

Finally, she said that she was looking forward for progress on the EU PNR proposal and said that the EU-US PNR Agreement was an improvement compared to the previous agreement.

### On behalf of the political groups:

Mr Busuttil (EPP, MT) was concerned about the increasing trend towards inter-governmentalism in particular in Schengen, visa and asylum matters. He asked whether the Commission was involved in the solidarity mechanism discussions in the asylum field.

Ms Göncz (S&D, HU) was of the opinion that some aspects of the EU-US PNR agreement were still problematic and wondered whether there would be room for manoeuvre to further improve it. She also asked about the situation with Canada on visa reciprocity and about the visa dialogue with Kosovo.



Ms Weber (ALDE, RO) considered that a huge majority of citizens would request changes to the Retention Directive and that the Council had to respect the European Parliament and the Treaty.

Ms Sargentini (Greens/ALE, NL) found that the EU internal security strategy was unclear and that there was no democratic scrutiny. Mr Kirkhope (ECR, UK) pleaded for greater cooperation on cyber-security. Mr Borghezio (EFD, IT) advocated stricter monitoring of illegal workers.

Ms Malmström replied that she was also concerned about the trend towards inter-governmentalism in many areas. She made it clear that there was no possibility of further negotiating the EU-US agreement on PNR.

Ms Malmström informed the committee there was a dialogue on visa issues between Canada and some Member States. She explained that a visa liberalisation dialogue had been launched with Kosovo and that lifting the visa obligation for citizens of Kosovo would depend upon the implementation of major reforms.

Finally, she said that the review of the Data Retention Directive was a result of its evaluation, which had identified several problems. She mentioned that the anti-radicalisation network aimed to prevent violent extremism. She added that the EU and the US were cooperating on cybercrime.

During the second round of questions:

Mr Diaz de Mera (EPP, ES) pleaded for automatic reciprocity in the visa field. Mr Coelho (EPP, PT) asked whether the Commission still supported article 77 TFEU as the legal basis in the proposed regulation on the establishment of an evaluation mechanism to verify the application of the Schengen acquis and whether SIS II would be in place in 2013 as planned.

Ms Fajon (S&D, SI) asked when the roadmap for Kosovo's visa-free regime would be finalised. Mr Papanikolaou (EPP, EL) wondered whether FRONTEX had been effective in Greece given the current higher level of entries than before the Rabbit and Poseidon operations. Ms Romero (S&D, ES) regretted that there were no reliable statistics on asylum seekers and she considered that this should be the first task of EASO.

Mr Iacolino (EPP, IT) asked about agreements with the young democracies of the Mediterranean countries on migration flows. Ms Bozkurt (S&D, NL) was concerned about the fact that the extreme right and anti-semitism were growing in some Member States and wondered whether the Commission would launch an initiative to address this problem. Ms Flautre (Greens/ALE, FR) asked about the situation of the mobility partnerships with the Southern neighbourhood countries.

As regards visa reciprocity, Ms Malmström replied that the Commission always tried to find a solution before a confrontation but that she was disappointed with Canada on this issue. As regards the FRONTEX operation in Greece, she said that funding had to be properly used and that a new Rabit operation had been proposed but that this would depend upon Member States' resources. She confirmed that the Commission had not changed its mind regarding article 77 TFUE for the Schengen evaluation proposal. She hoped that the SIS II 2013 timetable would be respected and that the roadmap with Kosovo on visas would be finalised in the spring.

Finally, Ms Malmström considered that the European migration network was working on asylum statistics and that Tunisia and Morocco were the first countries which had shown a strong interest in mobility partnerships. She was concerned about the rise of the extreme right and outlined the work of the anti-radicalisation network.

## **10. European Union's Internal Security Strategy**

Rapporteur: Rita Borsellino (S&D)

Responsible: LIBE –

Opinions: AFET –

- Consideration of draft report

The rapporteur, Ms Borsellino (S&D, IT), presented her draft report, stressing in particular the need for an appropriate role for the European Parliament. The Commission representative generally agreed with the report but made the clarification that man-made disasters were included in the priorities since they were often of a criminal nature. Ms Hankiss (EPP, HU) and Ms Alfano (ALDE, IT) supported the report.

Ms Sargentini (Greens/ALE, NL) and Ms Vergiat (GUE/NGL, FR) insisted that fundamental rights should be better reflected in the report. Mr Alvaro (ALDE, DE) considered that a definition of security as well as cooperation with other international organisations were missing in the report.

The Council Presidency indicated that the European Parliament's involvement in the EU Internal Security Strategy was a delicate question since internal security remained a matter of Member States' competence but said that the Council informed the European Parliament of COSI work.

- *Next steps*: deadline for amendments: 7 February

***Joint debate (see under point 19)***

**11. 2010 discharge: EU general budget, Section III, Commission**

Rapporteur for the opinion: Wim van de Camp (PPE)

Responsible: CONT – Christofer Fjellner (PPE)

**12. Discharge for 2010: EU general budget, European Data Protection Supervisor**

Rapporteur for the opinion: Simon Busuttil (PPE)

Responsible: CONT – Inés Ayala Sender (S&D)

**13. Discharge for 2010: performance, financial management and control of EU agencies**

Rapporteur for the opinion: Wim van de Camp (PPE)

Responsible: CONT – Monica Luisa Macovei (PPE)

**14. Discharge for 2010: European Union Agency for Fundamental Rights (FRA)**

Rapporteur for the opinion: Simon Busuttil (PPE)

Responsible: CONT – Monica Luisa Macovei (PPE)

**15. Discharge for 2010: European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX).**

Rapporteur for the opinion: Simon Busuttil (PPE)

Responsible: CONT – Monica Luisa Macovei (PPE)

## **16. Discharge 2010: Europol**

Rapporteur for the opinion: Renate Sommer (PPE)

Responsible: CONT – Monica Luisa Macovei (PPE)

## **17. Discharge 2010 : Eurojust**

Rapporteur for the opinion: Renate Sommer (PPE)

Responsible: CONT – Monica Luisa Macovei (PPE)

## **18. Discharge for 2010: European Police College (CEPOL)**

Rapporteur for the opinion: Véronique Mathieu (PPE)

Responsible: CONT – Monica Luisa Macovei (PPE)

## **19. Discharge for 2010: European Monitoring Centre for Drugs and Drug Addiction**

Rapporteur for the opinion: Salvatore Iacolino (PPE)

Responsible: CONT – Monica Luisa Macovei (PPE)

- Consideration of draft opinions (points 11 to 19):

The rapporteurs presented their draft opinions and recommended that discharges be granted for 2010. Ms Int' Veld (ALDE, NL) was concerned that the FRA spent half of its budget in December and wondered why the FRA declined the European Parliament's request to issue a report on media freedom in the Member States on the basis that there were no sufficient means available. Ms Keller (Greens/ALE, DE) understood that it was difficult for FRONTEX to plan ahead but that this was not an excuse for the very high level of carryovers and noted the slow improvements made by CEPOL.

Mr Busuttil (EPP, MT) agreed with Ms In't Veld's comments. Ms Sommer (EPP, DE) mentioned that there was a need to pay attention to vacant posts of Eurojust to make sure that these posts were really needed. Ms Mathieu (EPP, FR) explained that CEPOL had been restructured and that she was confident in the future of the agency.

*Next steps:*

- Deadline for tabling amendments: 31 January 2012, 12.00
- Vote: LIBE meeting on 9 February

## **20. Agreement between the European Union and Canada for the transfer and use of Passenger Name Record (PNR) (*in camera*)**

Rapporteur: Sophia in 't Veld (ALDE)

- Presentation on the state of negotiations by Mr. Reinhard Priebe, Director for Internal Security, DG for Home Affairs, European Commission

## **21. Amendment of Schengen Borders Code and Convention implementing the Schengen Agreement**

Rapporteur: Georgios Papanikolaou (PPE)

Responsible: LIBE –

Opinions: AFET – Decision: no opinion; DEVE – Decision: no opinion

- Consideration of draft report:

The rapporteur, Mr Papanikolaou (EPP, EL), presented his draft report. The Commission representative could agree with the majority of the proposed amendments. The Council Presidency representative said that the aim was to reach a first-reading agreement before the end of the Danish Presidency and that it was important to limit changes in order to adopt this proposal quickly.

Ms Bozkurt (S&D, NL) supported the majority of amendments but rejected amendment 30, which provides for the possibility for a Member State to make provision by law for an obligation on third-country nationals to report their presence on the territory of any Member State.

Ms Weber (ALDE, RO) considered that the report took a balanced approach between Member States' interests and fundamental rights of people, adding that she wanted to discuss amendment 30.

*Next steps:*

- Deadline for tabling amendments: 8 February 2012, 12.00

## **22. Amendment of Regulation (EC) No 562/2006 in order to provide for common rules on the temporary reintroduction of border control at internal borders in exceptional circumstances**

Rapporteur: Renate Weber (ALDE)

Responsible: LIBE –

Opinions: AFET – Decision: no opinion; DEVE – Decision: no opinion

- Exchange of views:

The rapporteur, Ms Weber (ALDE, RO), supported the Commission proposal and mentioned the strong opposition within the Council, in particular to the use of comitology to reintroduce border controls. She considered that a possible compromise could be that the decision would remain with the Member States but that the Commission and affected Member States would participate in the discussion. She indicated that the Council decision to opt for article 70 TFUE as the legal basis was perceived as an aggressive decision against the European Parliament.

The Commission representative clarified that there was disagreement concerning the legal basis on the proposal for a Regulation on the establishment of an evaluation mechanism to verify the application of the Schengen acquis but that the legal basis was not an issue in this particular proposal. She added that Member States were sovereign to assess what was a threat to public order and national security but that the decision to close internal borders had an impact on other Member States and on the free movement of people, hence the need to give a European dimension to the decision leading to the closure of borders.

Mr Enciu (S&D, RO) said that the priority was to break the deadlock in the Council and that a decision on the temporary reintroduction of border control at internal borders should be a measure of last resort for exceptional situations resting on a community-based mechanism. He considered that comitology was not the best solution, advocating a more transparent method involving the Council and the European Parliament.

Mr Coelho (EPP, PT) was disappointed by the fact that Member States were trying to put the European Parliament aside by changing the legal basis to article 70. Like Ms Keller (Greens/ALE, DE) and Ms Sippel, he also considered that immigration was not a threat justifying the reintroduction of border controls.

Ms Romero Lopez (S&D, ES) took the view that the Commission should withdraw this proposal, arguing that it was a mistake to confuse immigration with criminal activities and terrorism and that this proposal risked opening Pandora's box.

Mr Busuttil (EPP, MT) considered that the Council wanted to scale back the existing system to make it easier to reintroduce border control. He added that the reintroduction of controls could be justified but that EU rights should not be taken away by Member States' unilateral decisions. He called on the good offices of the Danish Presidency, especially because of the new Danish government's position on Schengen.

The Council Presidency representative said that that the Presidency's objective was to adopt a general approach in the Council in order to start negotiations with the European Parliament and that it would take the European Parliament's comments into consideration.

Ms Weber concluded that she was open to compromises to find a community approach but that she would not agree to lower the current standards.

- *Next steps*: the rapporteur will present her report in February.

\*\*\* *Electronic vote* \*\*\*

**23. Agreement between the EU, Iceland and Norway on the application of certain provisions of the Convention of 29 May 2000 on Mutual Assistance in Criminal Matters between the Member States of the European Union and the 2001 Protocol thereto**

Rapporteur: Claude Moraes (S&D)

Responsible: LIBE –

- The draft recommendation was adopted (final confirmation vote).

**24. Oral question on the Green Paper on the right to family reunification of third country nationals living in the European Union (Directive 2003/86/EC)**

- The oral question was adopted.

## **25. Conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer**

Rapporteur: Salvatore Iacolino (PPE)

Responsible: LIBE; Opinions: EMPL: Liisa Jaakonsaari (S&D), JURI: Jiří Maštálka (GUE/NGL),

FEMM: Decision: no opinion

- The orientation vote was adopted as amended.

## **26. FRONTEX - The European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the EU: Work Programme 2012**

- Presentation by Mr. Ilkka Laitinen, Frontex Executive Director

Mr Laitinen presented the FRONTEX work programme 2012. Answering to some questions of Mr Busuttil (EPP, MT), Ms Keller (Greens/ALE, DE) and Mr Crocetta (S&D, IT), Mr Laitinen replied that the carryovers were due to the nature of the activities of FRONTEX since some of them had started late in the year. With regard to the situation at the Greek-Turkish border, he said that there was no problem of border control capacity but a need to increase the capacity for reception and detention. He added that the consultative forum would be discussed at the next meeting of the management board and that the precondition for the appointment of the Human Rights officer was to change the establishment part of the budget.

Mr Laitinen also indicated that Frontex had contacts with Tunisia and Libya in the wider EU cooperation framework and mentioned the recent working arrangement with Nigeria. With regard to European Border Guard Teams, he favoured a better use of existing teams. Mr Laitinen mentioned that Frontex had drafted criteria enabling the suspension of joint operations. He also said that the goal of Frontex was to do its utmost to save lives at sea but that Member States were in the lead in commanding maritime operations. The Commission representative indicated that its team had been reinforced to monitor Frontex joint operations.

## **27. Any other business**

## **28. Next meeting(s)**

- 9 February 2012, 9.00 – 12.30;
- 9 February 2012, afternoon: Hearing on the situation in Hungary