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NOTE

From: Presidency
To: Integration, Migration and Expulsion (IMEX Expulsion) working party
Subject: Presidency summary of the discussions on liaison officers as partners to build a stronger common European return system

Delegations will find in annex a summary on the above-mentioned topic for the Integration, Migration and Expulsion (IMEX Expulsion) working party meeting on 7 June 2024.

**Presidency summary of the discussions on liaison officers
as partners to build a stronger common European return system**

During the discussions on liaison officers held at the IMEX Expulsion meeting on 8 February 2024¹ and EMWP meeting on 14 March 2024,² delegations agreed that liaison officers were an important tool, which had great potential, but that its potential should be further maximised, especially for return. Through this document, the Presidency would like to present the main conclusions of the above-mentioned discussions and also to put forward some ideas, presented at the meetings, which have a potential to further strengthen and promote the use of liaison officers. The reflections provided during the IMEX Expulsion meeting can be divided into three dimensions: strategic, operational and attractiveness, which are outlined below.

Strengthening the strategic approach through a better connection and visibility between European level and the work carried out in third countries

During the discussions, some delegations called for more political support for the liaison officers and their activities, including from the local EUDELS. On the other hand, EEAS observed the importance of liaison officers sharing information also with EUDELS.

With regard to the EU strategy on deployments, a clear vision of the needs in terms of deployments is needed to meet both short- and long-term issues, allowing Member States to demonstrate flexibility through a tailor-made approach. At the same time, it is important Member States to positively consider prioritising deployments and putting forward relevant candidates with the right skills and profiles for open posts. During the discussions, delegations considered that priority third countries for return, as those indicated by the Council in the context of Article 25a discussions and outlined in the Roadmap of the High-Level Network on Returns were well covered by existing deployments. However, some vacancies in key third countries still have not been filled in, and the Presidency urges Member States to come forward with proposals for candidates. We would also like to recall, that during the recent meeting with Iraqi delegations on 2 May 2024, the Iraqi authorities also requested to fill in the vacant EURLO position in Iraq as soon as possible.

¹ ST 5494/24

² ST 7245/24

It was however noted at the meeting that flexibility in deployments was needed so as to be able to respond to emerging needs, as migration flows and therefore return situation was sometimes rapidly changing. According to the Presidency, this would require a two-track approach with long-term deployments for structural priority third countries, and short-term deployments for cyclical situations related to migratory flows.

Finally, discussions demonstrated very different practises among Member States as regards the use of liaison officers in different areas like reintegration, the swift return to those who pose a security threat and the fight against migrant smuggling. The use of liaison officers in reintegration did not appear to be a general and widespread practice, however, delegations agreed that liaison officers could be used in this important area. The Commission insisted that it was essential that the liaison officers had a good knowledge of the EU reintegration offer in their host countries, so that they could present to the authorities of the third country of return and readmission in a holistic manner. Also, some delegations considered that liaison officers were better placed to cooperate with local authorities on reintegration and could increase the uptake of reintegration programmes. Finally, delegations also thought that liaison officers could be used more to ensure the return of those posing a security threat and returnees with a criminal background.

Strengthening horizontal cooperation among national liaison officers and between national and European liaison officers

The Presidency notes the need for an optimal coordination and communication among liaison officers even if the "one-size fits all" approach cannot be applied and that a degree of flexibility remains necessary in the contact with third countries.

On one hand, efforts should be invested in the liaison officers' (ILOs) network, its steering role, but it is also primordial that Member States liaison officers engage with other liaison officers in the same location, coordinate locally and are well briefed about political priorities. On other hand, it is also important to have a regular and relevant exchange of information with headquarters, ensuring that the knowledge and insight does not remain at local level but contribute to the strategic thinking towards third countries.

As regards the current framework for cooperation, a major obstacle preventing better cooperation seems to be a wide variety of liaison officer profiles and legal constraints related to the transfer of sensitive information. The dynamics of local and regional networks of the ILO Regulation may consequently be hampered by these legal constraints.

With regard to the overview of deployments of immigration liaison officers with a view to optimize visibility and maximize the use of the existing network, the Presidency considers that more frequent updates are necessary in order to provide clarity to use the deployed liaison officers at their full potential and encourages Member States to share information on the deployment of national liaison officers on a regular basis.

At the same time, there are tools that have been created to ensure better coordination and cooperation, notably the EMN-IES information exchange platform. However, the registration of national liaison officers is still lagging behind and significant progress needs to be made in this area. This affects the representativeness and optimum transmission of information between the Member States and the European level. In this context, the Presidency encourages all Member States and its liaison officers to use and register to the above-mentioned platform.

More broadly, the dynamic of strategic information exchange between liaison officers is also hampered by the insufficient staff deployed by the Member States. ILOs therefore concentrate themselves on their main national missions, before becoming deeply involved in local and regional networks in the field.

Concerning the contacts with the authorities in third countries, it also emerged during the discussions that EURLOs were not always the privileged contacts for return issues. It would therefore be appropriate for national liaison officers to clearly communicate to the third country authorities the European structure responsible for return. Local networks can help set up this scheme and adjust it according to needs.

Enhancing the attractiveness of the European liaison officers

Delegations pointed out a number of elements which should be addressed to increase the attractiveness of the position of European Liaison Officers (EMLOs, EURLOs and FLOs) and put forward some concrete proposals on what could be done. These elements included financial attractiveness, administrative burden, security problems in third countries, possibilities for career development after the posting, as well as possibility to bring the family together.

The Commission flagged the issue of excessively long recruitment procedures for EMLOs, linked to a large extent to the duration of security clearance procedures. This issue hampers dynamic deployment of EMLOs, leading in some cases to the loss of selected candidates.

Forward looking ideas for further consideration

During the meetings, a number of ideas were put forward, which were briefly discussed, but which would merit some further attention. The Presidency would like to outline the following three ideas:

- Establishing via Frontex a pool of return liaison officers who could be deployed, which could help to ensure continuity of deployments and increase career possibilities for liaison officers;
- Having common reporting by all liaison officers present in the same host country to national back offices and the EU level, which would ensure better coordination and communication among them, help to give more value to the role of liaison officers, and would also reinforce the intelligence picture;
- Encouraging the Commission, in the framework of its proposal for the next Multiannual Financial Framework, to foresee relevant budget for the support of the deployment of liaison officers. In turn, this could also help Frontex to adapt its financial framework.

Although the views were mixed in the meeting on this possibility, another option could be to enhance the possibilities of shared deployments of liaison officers.