



**COUNCIL OF
THE EUROPEAN UNION**

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LIMITE

**FRONT 154
CODEC 1247
COMIX 748**

NOTE

from: Maltese delegation

to: Working Party on Frontiers/Mixed Committee
(EU-Iceland/Liechtenstein/Norway/Switzerland)

No. Cion prop.: 6898/10 FRONT 22 CODEC 222 COMIX 151

Subject: **Proposal for a Regulation of the European Parliament and the Council amending Council Regulation No 2007/2004 establishing a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX)**

Malta proposes to amend the text of Article 7(5), as set out in doc. 12744/10, to read as follows:

"(5) The Agency shall finance the deployment of the equipment which forms part of the minimum number of equipment provided by a given Member State for a given year. The deployment of equipment which does not form part of the minimum number of equipment shall be co-financed by the Agency up to a maximum of 60% of the eligible expenses. In cases where, on the request of a Member State, the Agency has assessed that committing assets to the minimum number of equipment by that Member State is not feasible due to the limited amounts of a particular resource available to it, the Agency shall also finance in full the deployment of the equipment which does not form part of the minimum number of equipment provided by that Member State for the given year."

Justification: EU Member States that are facing potential influx of migrants throughout the year, but especially in the summer months, are not in a position to commit assets to the FRONTEX technical pool due to the expected uncertainty. Exposed EU Member States should be given the possibility to review the possibility of offering assets to FRONTEX joint operations if a favourable situation so develops during the course of the year. As the text currently stands, exposed EU Member States that do not offer assets to the FRONTEX technical pool will be discouraged from offering assets to FRONTEX joint operations as FRONTEX will not reimburse 100% of the operational costs. The Malta proposed textual amendments will allow FRONTEX's risk analysis to serve as a determining factor as to whether an EU Member State can be exempted from committing assets to the technical equipment pool, but still be eligible for 100% financing if deployed during the course of a FRONTEX.
