



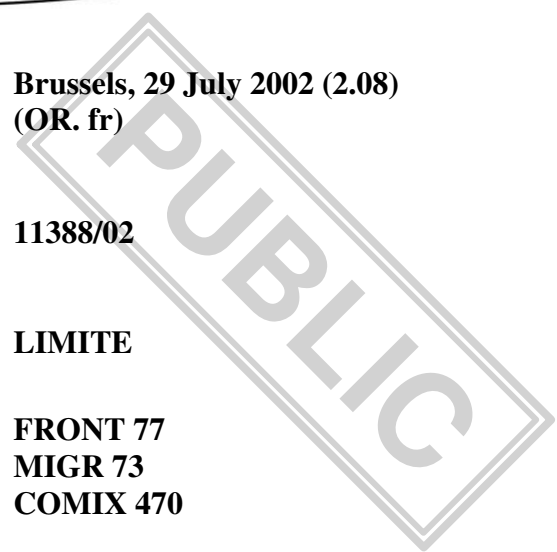
**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 29 July 2002 (2.08)
(OR. fr)**

11388/02

LIMITE

**FRONT 77
MIGR 73
COMIX 470**



NOTE

from: French delegation
to: Strategic Committee on Immigration, Frontiers and Asylum

Subject : Proposals for projects

- to coordinate investigations into cross-border crime connected with illegal immigration
- to rationalise expulsion measures, in particular by means of group returns

Delegations will find attached the proposal from the French delegation concerning the above projects.

INTEGRATED MANAGEMENT OF EXTERNAL BORDERS

CENTRES FOR ENHANCED COOPERATION

PILOT PROJECTS PROPOSED BY FRANCE

The Seville European Council set a timetable for implementing the measures advocated in the comprehensive plan to combat illegal immigration and the plan for integrated management of external borders drawn up under the Spanish Presidency.

In this framework France proposes to be the lead country for two pilot projects it regards as having priority. It invites the other Member States to participate as partner States in the two cooperative projects it wishes to implement.

I The project to coordinate investigations into cross-border crime connected with illegal immigration

1. Objectives

Effective control of migratory flows at European level requires joint, coordinated action by all the Member States to dismantle international illegal immigration networks. These networks, which are highly organised and alert to the police techniques used, are especially quick to react and present a permanent challenge to the structural organisation of the departments responsible for combating organised illegal immigration.

It therefore calls for a comprehensive, harmonised response at European level and an ability on the part of these departments to adapt and to anticipate developments.

Such an approach must focus on the following areas:

- the harmonisation of working methods with the identification of departments qualified to deal with this kind of cross-border crime: central units which specialise in combating networks at operational level and which can communicate with each other must be designated within the police or immigration structures; such a system would use the respective contact points in each State to communicate horizontally for the benefit of the whole network;
- the exchange of information on the routes and operational methods used by these networks and on the use of increasingly sophisticated counterfeit documents is more essential than ever: it helps the police to focus their efforts and make optimal use of their resources; information from investigations jointly involving several Member States can be forwarded to EUROPOL, which will improve EUROPOL's ability to analyse cross-border crime;
- the establishment by the competent national authorities, whenever necessary, of joint investigative teams, supported by EUROPOL, so that a network can be dismantled simultaneously all along the line, from the source country to the target country.

2. The plan

A preliminary meeting to launch the project will be held in Paris during the second half of September. All the Member States, together with Norway and Iceland and EUROPOL, are invited to attend, as are, in particular, the heads of the operational units responsible for dismantling illegal immigration networks.

The office of the Central Border Police Directorate that specialises in dismantling networks, OCRIEST (*office central pour la répression de l'immigration irrégulière et l'emploi d'étrangers sans titre* – Central Office for the Prevention of Illegal Immigration and the Employment of Non-Registered Aliens), which has gained substantial experience after more than six years operating in this area, will chair the discussions with a two-fold objective:

- to identify a suitable contact point in each State that wishes to participate in the arrangement, with a view to setting up an operational network of experts;
 - to define the tasks of the contact point:
- real-time exchange of information and sharing of analysis of matters pending;
 - secondment of observers; France proposes henceforth to invite "operational liaison officers from the Member States" who specialise in combating networks at operational level to undertake short or medium-term missions. This arrangement would be on a reciprocal basis. A distinction must be drawn between these officers and conventional liaison officers on account of their proven experience and expertise in the area of cross-border crime linked to illegal immigration. A typical operational liaison officer profile must be drawn up, with particular attention paid to the seconding service.

In a second phase, once the contact points have been identified, the exchange of experts and information can be organised as and when required and subject to the regulations in force:

- ad hoc meetings, particularly at EUROPOL;
- establishment by the competent national authorities, with the support of EUROPOL, of joint investigation teams to dismantle the various sections of a single network at the same time.

This project does not aim to create a new structure, but to introduce operational procedures to establish horizontal links between the different departments in the Member States that are concerned with dismantling networks.

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II. Project to rationalise expulsion measures, in particular by means of group returns

1. Objectives

The policy on readmission and repatriation is an integral part and an essential element of the fight against illegal immigration. Discussion is underway at European level on the basis of the European Commission's Green Paper on a Community Return Policy on Illegal Residents.

France focuses particular attention on these issues and especially on the issue of Community return of aliens residing unlawfully, which could send a strong signal to the source countries of illegal immigration and to those aspiring to use illegal immigration networks and also effect a marked improvement in the number of expulsions carried out. France has also initiated a bilateral discussion with Germany on the possibility of joint charter flights and, more recently, with the United Kingdom on the same subject. The objective now is to formalise a draft protocol on special European charters (laying down the legal framework, the procedures and practical aspects of this type of joint operation) and involve other Member States in the discussion.

In the short term the aim is to achieve concrete practical results. However, experience may lead to proposals for harmonisation measures which appear desirable.

2. The plan

The idea is to establish a steering group under the auspices of the departments of the French Ministry of the Interior with responsibility for expulsion (DLPAJ/DCPAF – *Directorate of Civil Liberties and Legal Affairs/Central Border Police Directorate*) and organise monthly working meetings with experts from Member States specialising in these issues.

The first meeting, which is to be held in Paris in the second half of September, will make it possible to take stock of the various problems that exist:

- legal framework;
- operational constraints (security rules during flights, composition of the escort, requests to overfly third States, etc.);
- diplomatic constraints (issue of consular laissez-passer, reception by the authorities of country of destination, etc.).

Subsequent meetings should make it possible to draw up a draft protocol on special European charters which can be communicated to the competent Council working parties in preparation for the JHA Council in November 2002.

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III. Following the SCIFA meeting in Elsinore on 22 July 2002, France proposes to support the following proposals as a partner State:

- creation of a network of liaison officers at international airports (Italy);
- development of a core curriculum for training officers tasked with monitoring and surveillance at borders (Austria and Sweden);
- establishment of a cooperation centre at external land borders (Germany);
- development of a standard matrix for risk analysis (Finland);
- creation of a network for falsified documents (Spain).