

European Commissioner for Migration, Home Affairs and Citizenship
Dimitris Avramopoulos
European Commission

27.04.2018

Subject – Eurosur Regulation and evaluation

Dear Commissioner,

The support received from the Commission to the working group on Schengen Scrutiny has been invaluable. The Working Group has been nothing but constructive with the Commission in exercising the scrutiny competences of the European Parliament in the context of Schengen. Moreover, we have thanked in many instances the positive approach of the European Commission.

As you know, the Regulation (EU) 1052/2013 of 22 October 2013 established the European Border Surveillance System (Eurosur), which the main objectives were to increase coordination within and between Member States to reinforce border surveillance, prevent and tackle serious crime, such as drug trafficking and the trafficking of human beings; It also aimed to contribute to the protection and saving of lives of migrants trying to reach European shores by sea and thus will help to diminish the unacceptable death toll.

According to the above mentioned regulation, the Commission “*shall provide an overall evaluation of EUROSUR to the European Parliament and the Council by 1 December 2016 and every four years thereafter*”. This European Parliament has not yet received such evaluation.

Meanwhile, the Commission has created an expert group where it shares and exchanges views on this subject with the Member States but not this Parliament. Following a letter from the Chair of the LIBE Committee, you have invited the secretariat of this Committee to start attending the meetings of that expert group. However, when invited to update this Parliament in the *Schengen Working Group*, the European Commission has refused to do so. Despite several attempts and informal discussions, we were still told that the European Commission was not in a position to share any information with us in this regard. This, we underline, despite discussions being held with Member States.

The European Commission is failing to comply with European legislation by not presenting the evaluation of Eurosur which it seems it would like to present together with a possible legislative proposal amending the Eurosur Regulation. We find this

approach of not publishing an evaluation until new legislation is presented regrettable. This approach diminishes the value of the evaluation. In our views it would be much better to publish the evaluation, have a transparent interinstitutional debate on it followed by a legislative proposal of the Commission.

Now it seems that Member States are more entitled to information than the Parliament. We consider this to be an unacceptable breach of trust and loyal cooperation. We remind you that, according to Article 17 (8) of the Treaty of the European Union, "*the Commission, as a body, shall be responsible to the European Parliament*". We therefore demand that this provision is given consequence.

We therefore insist that the European Commission to present itself to and inform this Working Group on the discussions being carried out about Eurosur as a matter of urgency.

Best Regards,

Carlos Coelho
Jeroen Lenaers
Ana Gomes
Emilian Pavel
Cecilia Wikstrom
Gerard Deprez
Bodil Valero
Marie-Christine Vergiat
Jussi Halla-Aho