



EUROPEAN COMMISSION

*Brussels, 12.12.2012
C(2012) 9333 final*

*Mr Gianfranco FINI
President of the
Camera dei Deputati
Piazza Montecitorio
IT – 00100 ROMA*

Dear President,

The Commission would like to thank you for the Opinion of the Camera dei Deputati on the Commission's legislative proposal establishing the European Border Surveillance System (EUROSUR)¹ and apologises for the delay in replying. The Commission is pleased to note that the Chamber of Deputies expresses a positive evaluation of this proposal and would like to provide the following comments to the three main issues raised:

a. One of the biggest challenges in setting up EUROSUR is to ensure that the national coordination centre, provided for in Article 5 of the legislative proposal, coordinates all national authorities responsible for border surveillance.

The fact that Italy has included the State Police, Carabinieri, the Guardia di Finanza, the Guardia Costiera and the navy in its national coordination centre for EUROSUR is a major achievement, which already serves as an example for other Member States and neighbouring third countries.

The Commission agrees with the Camera dei Deputati that the competencies given to the Italian national coordination centre match already to a large extent the requirements listed in the legislative proposal. Hopefully the Italian customs service will also participate in this centre in the near future.

b. According to Article 5 of the draft EUROSUR Regulation the national coordination centre does not have any command or control functions, but it is clearly limited to coordination functions, such as ensuring the information exchange and cooperation between national authorities with a responsibility for external border surveillance.

In order to achieve EUROSUR objectives, the centre shall contribute to an effective and efficient management of resources and personnel. It is up to each Member State to decide whether its national coordination centre should have the power to manage resources directly or to contribute indirectly to the management of resources of the relevant national authorities.

¹ COM(2011)873final of 12.12.2011 and accompanying impact assessment SEC(2011)1536, 1537 and 1538 final.

c. Camera dei Deputati pointed out that Frontex, when managing the common application of surveillance tools under Article 12 of the draft EUROSUR Regulation, should provide available information without any delay to the Member States and also handle with care its right to refuse requests.

The Commission would like to point out that the draft EURSUR Regulation would oblige Frontex to share in near real time with Member States any relevant information it received. Frontex would be able to refuse a request from a national coordination centre only on the basis of technical and financial limitations and other justified reasons. In such a case Frontex would be required to provide the requesting Member State with the reasons for refusing the request.

The Commission hopes this has clarified the issues raised in your Opinion and looks forward to further developing the political dialogue with the Camera dei Deputati in the future.

Yours faithfully,

Maroš Šefčovič
Vice-President