

## PARLIAMENT OF ROMANIA

## CHAMBER OF DEPUTIES

## DECISION

**approving the opinion regarding the Communication from the Commission to the European Parliament, the European Council and the Council - Enhancing security in a world of mobility: improved information exchange in the fight against terrorism and stronger external borders**

COM(2016) 602

Pursuant to Articles 67 and 148 of the Romanian Constitution, republished, Law No 373/2013 on cooperation between Parliament and the Government in the area of European affairs, and Articles 160 to 185 of the Rules of Procedure of the Chamber of Deputies, republished,

**the Chamber of Deputies** hereby adopts this Decision.

Sole Article. - Having regard to Opinion No 4c-19/1183, adopted by the Committee for European Affairs at its meeting of 18 October 2016, the Chamber of Deputies:

1. Notes that the Communication sets out practical and operational measures to accelerate the implementation of the European Agenda on Migration and the European Agenda on Security and pave the way towards a genuine and effective Security Union; notes that both documents have been analysed in depth by the European Commission and that recommendations and proposals have been put forward.
2. Notes that the European Commission's Communication makes an explicit link between efforts to manage migration and efforts to strengthen internal security, by giving priority to protecting the EU's external borders and improving the exchange of information; the European Commission also promotes an inclusive vision of the various recent initiatives with the objective of protecting mobility within the EU.
3. Welcomes the fact that, after the confusion caused by the ad hoc suspension of the regulations on guarding the EU's external borders in summer 2015, border guards have once again become an essential tool in the EU's strategy for controlling the flow of irregular migration.
4. Endorses the European Commission's approach of using immigrant reception procedures on EU territory, as the best time for carrying out security checks in order to eliminate the terrorist risk; also supports making full use of the law enforcement and border control instruments at the EU's disposal and the use of interoperable information sources a key plank of the Security Union.
5. Aware of the benefits of applying the new system of European border and coast guards for the EU's internal security, welcomes the entry into force of the Regulation whereby the new European Border and Coast Guard Agency became legally operational on

6 October 2016; points out that the speed with which the project was carried out, since it was announced by the President of the European Commission in his state of the union speech on 9 September 2015, demonstrates the European Union's capacity to resolve the serious cases they face and hopes that this success will be replicated in other areas.

6. Considers that the novel elements of the new regulation, such as organisation of rapid interventions on the external border or application of the concept of vulnerability assessment, will pose significant challenges both for the new agency and the Member States; a mobilisation will be required in line with the complexity of this project in order to protect the external borders and manage illegal migration.

7. Trusts that the other stages necessary to make the agency fully operational will be carried out as planned; notes with satisfaction that Romania is already able to make available to the agency the 75 border guards provided for the rapid reaction pool; mentions, moreover, that, in 2016, following the requests for additional human and material resources submitted by Frontex, Romania doubled its initial commitments and deployed 400 border guards in the Frontex mission in the first 9 months of the year.

8. Considers that the European rapid return intervention teams deployed on the ground at the request of a Member State will prove an efficient tool, and stresses that the agency's usefulness will also be confirmed by a significant increase in the enforcement of return decisions.

9. Supports the adoption of the common vulnerability assessment model by the Agency's management board on 23-24 November 2016.

10. Supports the adoption of the revised legislative package aimed at creating an EU entry/exit system that would allow interconnection with passenger name records and advance passenger information databases.

11. In view of the fact that any proposal of the European Commission should link obligations with rights and benefits for all Member States, recommends EU financing of expenditure related to implementation of the EU entry/exit system at the common borders of the Member States.

12. Welcomes the European Commission's support for the initiative of the Member States for the single calculation of the period of stay in the territory of both Schengen and non-Schengen Member States.

13. Supports the creation of a European Travel Information and Authorisation System for pre-screening travellers, since information on third-country nationals exempt from the visa regime who cross the external borders is not available prior to their arrival in the EU, particularly in the context of the phenomenon of foreign terrorist fighters.

Given that the proposal would apply only to Member States participating fully in Schengen, calls for the Member States that do not yet apply the Schengen acquis in full to be included in the scope of the proposal, so as to avoid the artificial separation of those States and make full

use of the contribution that they can make to the joint effort to ensure the security of European citizens.

14. Considers that the pre-set criteria and conditions for checking the applications of third-country nationals exempt from the visa regime who cross the EU's external borders are necessary but not sufficient, and recommends introducing, for certain profiles, specific criteria related to the security risk, to be evaluated by Member States' intelligence services; considers that the Member States should provide Europol's European Counter-Terrorism Centre, on the basis of simplified procedures, with data on the terrorist risk with regard to third-country nationals exempt from the visa regime.

15. Takes the view that this would provide one of the information platforms between the law enforcement authorities and the intelligence services referred to in the Communication; supports any other action to remove the fragmentation of information exchange at national and EU level in the fight against terrorism and cross-border organised crime.

16. In agreement with the European Commission, advocates mobilising the Member States to accept the setting up of the Counter Terrorism Group, for interaction with law enforcement authorities cooperating within Europol and with the European Counter Terrorist Centre, facilitating the establishment of an information exchange hub.

Notes that the meeting of the Operational Committee on internal security of 28 September 2016, during the presentation of the Communication, revealed a number of sensitivities on the part of the Member State delegations with regard to cooperation between the police and security services, which should be carried out within national constraints; hopes that such positions will not obstruct cooperation channels to the detriment of joint action at EU level.

17. Supports access by all authorities involved in preventing and combating cross-border crime and terrorism to the data of the European Travel Information and Authorisation System.

18. In agreement with the view that stronger external borders allow internal mobility and are a precondition for free movement in the Schengen area, points out that Romania has made significant efforts to prepare its accession to the Schengen area and that since 2010 it has been acting as a de facto member, successfully guarding a 2 070 km stretch of the external border.

19. Supports the development of Europol as the main EU instrument to increase cooperation with operational effect between the national authorities responsible for security, as well as the Agency's specialisation in the main sub-sectors through the recent creation of the European Counter-Terrorism Centre, the European Migrant Smuggling Centre and the European Cybercrime Centre.

20. Advocates strengthening the internal governance of the European Counter-Terrorism Centre by supplying it with a Programming Board, actions to maximise the benefits of cooperation by engaging with EU and non-EU partners, measures to develop cooperation with the countries of the Middle East and North Africa in the fight against terrorism, and increased financial and human resources.

21. Notes that the European Migrant Smuggling Centre is intended to cooperate with the other European agencies, in particular Frontex and Eurojust, in operational activities and to dispatch officers rapidly to the reception and registration centres on the migration route (hotspots).

22. Shares the opinion that access to all databases and ensuring the interoperability of information systems are fundamental to the success of Europol's activities; in this respect, welcomes the proposed amendments for increased access to EU databases, namely the Visa Information System (VIS), the European Dactyloscopy System (Eurodac), the future EU entry/exit systems and the European Travel Information and Authorisation System (ETIAS); also supports full use of Europol access to the Schengen Information System (SIS) and the EU Passenger Name Record (PNR).

23. Notes the European Commission's finding that Europol has highlighted the way in which certain persons suspected of involvement in migrant smuggling are also involved in other criminal activities such as drug trafficking, forgery of documents, property crime and trafficking in human beings; in this context, recommends that Europol urgently investigate the ever closer links between organised crime networks and terrorism networks; at the same time, recommends that Member States allocate more resources to combating organised crime as a way to obstruct the access of terrorist networks to financing, weapons procurement and recruitment or propaganda activities, etc.

*This Decision was adopted by the Chamber of Deputies at its sitting of 25 October 2016 in compliance with Article 16(2) of the Romanian Constitution, republished.*

THE PRESIDENT

CHAMBER OF DEPUTIES

Florin IORDACHE

Bucharest, 25 October 2016.

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