



European Parliament

2019 - 2024

Committee on Civil Liberties, Justice and Home Affairs

DRAFT

***LIBE priority activities to be carried out in the context of the COVID-19 crisis
in view of the new EP calendar approved by the Conference of Presidents -***

Priority-setting and working methods

22 April 2020

Background: *This document was prepared on the basis of comments expressed by Coordinators during their meeting of 31 March (point 3.4 of the agenda), in the light of the decisions of the European Parliament President of 9 March, renewed on 26 March until 30 April stressing that “under these particular circumstances, it is important to **ensure Parliament's operational capacity, in particular its legislative and budgetary activity, while at the same time avoiding health risks for Members, staff and other persons working or visiting the European Parliament**”, as well as of the exchange of letters of 13 and 27 March between CCC Chair Tajani and President Sassoli on implementing business continuity by committees¹.*

This draft was prepared after discussion in a meeting at staff level with political advisers on 20 April and is meant to be submitted to Coordinators for approval.

1. Principles for priority setting and practical considerations on working methods

• Tools and resources

¹ The CCC Chair letter of 13 March sets the following guidelines: “1. Ordinary and extraordinary committee meetings can take place on items which the committee Coordinators consider essential for the continuity of Parliament's core business, such as:

- budgetary matters, in particular those for which the Treaties lay down legally binding deadlines;
- urgent legislative procedures, including on international agreements, for which a swift decision by Parliament is necessary;
- actions or decisions that need to be taken in relation to the COVID-19 outbreak;
- the preparation of urgent Parliament positions on major events that may occur worldwide”

[...] 3. Trilogue meetings and meetings of shadow rapporteurs on legislative files should only take place if it is not possible to re-schedule them due to the urgency of the legislative file concerned (e.g. risks of gaps in legislation, impact on contingency-related measures, etc.)”.

As regards practical possibilities for meetings, the guidelines set by the President and the CCC Chair need to be read in the light of available technological tools and resources.

- At the moment, technical services are working hard to enhance capacities for video-meetings with interpretation that are also appropriate for confidential discussions (using WebMeeting). These are so far very limited. Moreover, they involve the presence of technicians, interpreters and committee secretariat staff at the Parliament premises. Precautions should of course be taken to avoid contacts and respect social distancing however the necessary presence of staff remains to be borne in mind in times of confinement.
- Other available tools (WebEx (limited confidentiality), Jabber (appropriate confidentiality, but limited number of connections) can be activated without the presence of staff at the office (although general technical support is involved) but do not allow for interpretation.
- Written procedures can also be envisaged, given the limited time available in full LIBE video-meetings.

- **Principles and working methods**

- Against this background, as far as the LIBE Committee is concerned several files have been identified as essential for the legislative and budgetary activities of the Parliament and as priorities for the Committee (see below, under 2.). Those files take priority as far as tools and resources are concerned, notably for multilingual facilities and inclusion on the LIBE agenda.

- **The list presented in section 2. below is to be revised by Coordinators, if necessary, every four weeks until the lockdown is lifted and work can resume under the pre-lockdown conditions.**

- As a matter of principle, legislative and budgetary work should take precedence over any other work.

- Trilogues, whether at “political” or “technical” level, should not be held via videoconference, among others due to the need to ensure the required confidentiality of inter-institutional discussions at all levels, which is not ensured for the time being by available IT tools.

- In-house technical work (i.e.: within the European Parliament itself and at committee level) may be carried on in relation to any type of **report, provided the Rapporteur and Shadow rapporteurs are in agreement and the corresponding files are included on the list of priorities as approved by Coordinators.**

- Work on **opinions** may be carried out if needed **in view of the time-table adopted by the lead Committee, upon decision on a case-by-case basis of Coordinators to**

include such file on the list of priorities. Written procedures could be considered by rapporteurs and shadows ahead of the vote in Committee..

2. List of LIBE priority procedures and files - as per 21 April 2020

- **Urgent situations monitoring:**

- **The situation at the Union's external borders in Greece (including urgent legislative and budgetary measures under Article 78 TFEU ones, other interested committees to be invited)**
- **The situation of migrants and refugees in Libya and the on the Central Mediterranean Route** (further to Coordinators' decision of 2 April).
- **The situation regarding European external and internal borders**, including a Draft oral question and possibly draft resolution (*if recommended by the Working Group on Schengen Scrutiny*) to the Commission and the Council regarding the situation in the Schengen area with regard to the Covid-19 crisis and the need for solidarity and coordination at EU level;
- **The monitoring of the emergency measures and powers granted to governments with a view to containing the COVID-19 outbreak**, including the monitoring of new contact tracing or tracking applications in the context of COVID-19.

- **Ongoing Rule of law monitoring:**

- **Consultations in the framework of the Draft interim report on the Article 7(1) TEU procedure in relation to Poland** - procedural number *tbc*, Rapp.: LÓPEZ AGUILAR (Chair); including consultations of institutional and other stakeholders;
- **Follow up to the Rule of Law situation in Hungary** [pursuant to the European Parliament resolution of 12 September 2018] - 2017/2131(INL), Rapp.: DELBOS-CORFIELD.

- **Votes (consent) on:**

- **Proposal for a Council Decision on the conclusion of the Agreement between the European Union and the Republic of Belarus on the readmission of persons residing without authorisation** - 2019/0181(NLE), Rapp.: VITANOV (S&D);
- **Proposal for a Council Decision on the conclusion of the Agreement between the European Union and the Republic of Belarus on the facilitation of the issuance of visas** - 2019/0182(NLE); Rapp.: KOVARIK (Renew);
- **Community statistics on migration and international protection** - 2018/0154(COD), Rapp.: OETJEN (Renew); Draft Recommendation for second reading following early second reading agreement, Council;
- **Draft resolution on Obligations of the Commission in the field of visa reciprocity in accordance with Article 7 of Regulation (EU) 2018/1806** - 2020/2605 (RSP), Rapp.: LÓPEZ AGUILAR (Chair);
- **Council Implementing Decision on the launch of automated data exchange with regard to dactyloscopic data in the United Kingdom** - 2019/0819(CNS), Rapp.: LÓPEZ AGUILAR (Chair). (Council has granted an extension of the deadline until 15

May 2020, instead three months requested by the Parliament - the Plenary should decide in May).

- **Procedures relating to the negotiations of international agreements in order to allow the EP to exercise its scrutiny power:**
 - **Recommendation for Council Decision authorising the opening of negotiations for an agreement between the European Union and New Zealand on the exchange of personal data between the European Union Agency for Law Enforcement Cooperation (Europol) and the New Zealand authorities competent for fighting serious crime and terrorism - 2020/2048(INI), Rapp.: TARDINO (ID) (Council is adopting the negotiating mandate end of April);**
 - **Recommendation for a Council Decision authorising the opening of negotiations in view of an agreement between the European Union and the United States of America on cross-border access to electronic evidence for judicial cooperation in criminal matters - COM(2019)0070, Rapp. SIPPEL (S&D) (Negotiations on going);**
 - **Recommendation for a Council decision authorising the participation in negotiations on a second additional protocol to the Council of Europe Convention on cybercrime (CETS no. 185) - COM(2019)0071, Rapp. SIPPEL (S&D) (Negotiations on going).**

- **Legislative procedures for which trilogues had started and for which in-house technical work at committee level could continue:**
 - **Preventing the dissemination of terrorist content online - 2018/0331(COD) , Rapp.: JAKY (ECR);**
 - **Visa Information System (VIS): visa processing - 2018/0152(COD), Rapp.: RANGEL (EPP);**
 - **MFF files:**
 - a) **Internal Security Fund 2021–2027 - 2018/0250(COD), Rapp.: HOHLMEIER (EPP);**
 - b) **Asylum and Migration Fund 2021–2027 - 2018/0248(COD), Rapp.: DALLI (S&D);**
 - c) **Integrated Border Management Fund: instrument for financial support for border management and visa 2021–2027 - 2018/0249(COD), Rapp.: FAJON (S&D);**
 - d) **Pericles IV Programme 2021-2027 - 2018/0219(APP) Rapp.: DALY (GUE/NGL);**
 - e) **Rights and Values Programme 2021-2027 - 2018/0207(COD), Rapp: KUHNKE (Greens/EFA)**
 - f) **Justice Programme 2021-2027 - 2018/0208(COD), Rapp: BARLEY (S&D)**

- **Procedures linked to upcoming Commission proposals or publications:**
 - **Legislative INI on the Establishment of an EU Mechanism on Democracy, the Rule of Law and Fundamental Rights - procedural number *tbc* - Rapp.: ŠIMEČKA (Renew);**

- **Implementing INIs that are linked to the upcoming New Pact on Asylum and Migration and Asylum Pact:**
 - **Implementation of the Return Directive** (Directive 2008/115/EC) - 2019/2208(INI), Rapp.: STRIK (Greens/EFA);
 - **Implementation of the Dublin III Regulation** - 2019/2206 (INI), Rapp.: KELLER (Renew);
 - **Implementation of Article 43 of Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection** - 2020/2047(INI), Rapp.: MARQUARDT (Greens/EFA).

- **Initiative reports which are linked to other Committees' work and timetable:**
 - **Artificial intelligence in criminal law and its use by the police and judicial authorities in criminal matters** - 2020/2016(INI), Rapp.: CIUHODARU (S&D);
 - **Digital Service Act and fundamental rights issues posed** - 2020/2022(INI), Rapp., PEETERS (EPP);
 - **Joint LIBE-FEMM: Implementation of Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims** - (Rule 58) - 2020/2029(INI), LIBE Rapp.: LOPEZ AGUILAR (S&D).

- **Opinions for which the lead Committee time-table involves urgent work:**
 - **LIBE Committee opinion in the form of a letter to the AFET and INTA Report on the mandate for negotiations on the future relations with the United Kingdom**- 2020/2023(INI), Rapp.: VINCZE (EPP), (as was approved by Coordinators on 19 March via written procedure). Vote scheduled in the lead committee 15 June.