DECISION OF THE MANAGEMENT BOARD

OF 23 NOVEMBER 2006

AUTHORISING THE EXECUTIVE DIRECTOR TO
NEGOTIATE A WORKING ARRANGEMENT FOR THE AGENCY WITH
LIBYA

THE MANAGEMENT BOARD


Having regard to the decision of the Management Board laying down the procedures for negotiating and concluding working arrangements with third countries and international organisations, and in particular Article 2 point 1 thereof,

HAS ADOPTED THIS DECISION:

Single Article

The Executive Director is hereby authorised to negotiate a working arrangement with the competent authorities of Libya in accordance with the guidelines and financial implication annexed to this decision.

Done at Warsaw, 23 November 2006

For the Management Board

[signed]

M. A. BEUVING
Chairperson
ANNEX:

GUIDELINES

The working arrangement, to establish FRONTEX' operational cooperation with the competent authorities of Libya and to facilitate Member States' operational cooperation with Libya, may cover the following issues:

- Involved authorities; FRONTEX and the Libyan authorities competent in matters covered by Council Regulation 2007/2004;
- Basic principles of establishing the operational cooperation;
- Objectives of the operational cooperation;
- Contents of the operational cooperation:
  - Exchange of information, in particular related to FRONTEX Risk Analyses
  - Exchange of experiences;
  - Cooperation on training, according to article 5 of the Council Regulation 2007/2004;
  - Secondment of Border Guard Officers to maritime Focal Point Offices located at External Borders, on proposal by FRONTEX and upon agreement of the hosting Member State;
  - Participation in FRONTEX coordinated Joint operations as observer on case by case basis as well as the participation in FRONTEX coordinated joint operations at maritime borders between EU Member States and Libya without any restrictions;
  - Operational cooperation in the framework of FRONTEX coordinated joint return operations upon agreement of the responsible operating Member State;
  - Participation in pilot projects on case by case basis.
- Organisation of the cooperation:
  - Dialogue between the Executive Director and the Head of the competent authority of Libya;
  - Other contacts between FRONTEX and the respective authority. (e.g. the establishment of working contacts);
  - Possibility of establishing common working groups;
- Alternations and additions
- Legal status
- Entry into force and validity of the working arrangement
FINANCIAL IMPLICATIONS

For the preparatory and signing phase administrative costs for the negotiation process will be made. Approximately two missions of the Executive Director in cooperation with the Chairperson of Management Board, including staff, will take place. The Libyan competent authorities will be invited for an induction visit to FRONTEX premises in Warsaw.

Travel costs for missions of FRONTEX staff, with the aim to strengthen the partnership and to elaborate common activities will be made. Financial means will be covered by the administrative budget.

Activities in regard to training will take place within the limits of the allocated budget for the respective purposes.

Future joint operations in the framework of a working arrangement will take place according to requests based on article 8 of the Council Regulation (EC) No 2007/2004 and/or FRONTEX risk analyses output. Co-financing of joint operations with competent Libyan authorities will be determined within the limits of FRONTEX budget reserved for operational purposes.