MB Decision 17/2007

DECISION OF THE MANAGEMENT BOARD OF FRONTEX

OF 25 MAY 2007

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

THE MANAGEMENT BOARD

Having regard to the Regulation (EC) No. 2007/2004 of the Council of 26 October 2004 establishing a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union, hereinafter referred to as "the Frontex Regulation", and in particular to Article 14 thereof,

Having regard to the decision of the Management Board of 01 September 2006, 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 DECIDED AS FOLLOWS:

Single Article

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

Done at Balatonalmadi, 25 May 2007

For the Management Board Chairperson

[signed]

M. A. BEUVING
ANNEX:

GUIDELINES

The working arrangement, to establish Frontex operational cooperation with the competent authorities of Cape Verde and to facilitate Member States’ operational cooperation with Cape Verde, may cover the following issues:

- Involved authorities; Frontex and the authorities of Cape Verde competent in matters covered by the Frontex Regulation;
- 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 Frontex Regulation;
  - 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;
  - Participation in Frontex coordinated joint operations focusing at maritime borders between EU Member States and Cape Verde with only such restrictions that are justified due to legal or operational reasons;
  - 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 Cape Verde;
  - Other contacts between Frontex and the respective authority. (e.g. the establishment of working contacts);

- 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 competent authorities of Cape Verde 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 exchange of information and experiences as well as training and Research and Development issues 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 Frontex Regulation and/or Frontex risk analyses output. Co-financing of joint operations with competent authorities of Cape Verde will be determined within the limits of Frontex budget reserved for operational purposes.