FRONTEX
MANAGEMENT BOARD

MANAGEMENT BOARD DECISION No 011 / 2008
of 27 March 2008

on authorising the Executive Director to negotiate a working arrangement
for the agency with the United States

THE MANAGEMENT BOARD

Having regard to the Frontex Regulation¹, in particular Article 14 thereof,

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 DECIDED AS FOLLOWS:

Single Article

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

Done at Warsaw, 27 March 2008

For the Management Board

[signed]

M. A. BEUWING
Chairperson

Management of Operational Cooperation at the External Borders of the Member States of the
ANNEX

GUIDELINES

The working arrangement, to establish Frontex operational cooperation with the competent US authorities and to facilitate Member States' operational cooperation with the United States, may cover the following issues:

- Involved authorities: Frontex and the US authorities 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 limited by the Frontex mandate:
  - Exchange of strategic information, in particular related to Frontex risk analyses and occasional participation in the Frontex Risk Analysis Network (FRAN) as observer;
  - Exchange of experiences and best practices;
  - Cooperation on training, according to Article 5 of the Frontex Regulation;
  - Technical cooperation in the field of research and development, according to Article 6 of the Frontex Regulation;
  - Participation in Frontex coordinated joint operations as observer on a case-by-case basis as well as participation in Frontex coordinated joint operations at air borders between EU Member States and the United States;
  - Participation in Frontex coordinated joint return operations on a case-by-case basis and upon agreement of the responsible Member State(s);
  - Exchange of best practices and cooperation in the field of capacity building activities as regards third countries.
  - Improvement of the operational interoperability between the border guard organisations of the EU MS and the United States.
  - Participation in pilot projects on a case-by-case basis.

- Organisation of the cooperation:
  - Dialogue between the Executive Director and the appointed official of the competent authorities of the United States;
  - Other contacts between Frontex and the respective authority. (e.g. the establishment of a NFPOC in the United States);
- 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 one mission of the Executive Director, including staff, will take place. The competent authorities of the United States 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.

Future joint activities in the framework of a working arrangement will take place mainly according to Frontex risk analyses output. Co-financing of joint operations or other joint projects involving the competent US authorities will be determined within the limits of the Frontex budget reserved for operational purposes.

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