MANAGEMENT BOARD DECISION No. 1 / 2010

of 4 February 2010

SETTING UP FRONTEX OPERATIONAL OFFICES

THE MANAGEMENT BOARD,

Having regard to the Frontex Regulation\(^1\), in particular Article 16 thereof,

Whereas:

(1) The Management Board shall evaluate the need for, and decide upon the setting up of, specialised branches in the Member States, subject to their consent.

(2) Numerous calls have been made by European institutions and Member States, inviting Frontex to consider the possible establishment of specialised branches.

(3) The European Pact on Immigration and Asylum, agreed upon by the Member States on 15/16 October 2008, and the Stockholm Programme adopted on 10/11 December 2009, invite Frontex to consider, within its mandate, establishing regional and/or specialised offices.

(4) On the basis of an independent feasibility study, the Management Board has discussed in its meeting on 20 November 2009 and in its working group meeting on 18 December 2009, the necessity for such specialised branches.

(5) On the basis of these discussions the Management Board decided that there is a need to improve the operational capacity of Frontex and that, therefore, the specialised branches should be established in the form of Frontex Operational Offices.

(6) Frontex operational coordination role has to be strengthened, particularly for the practical organization of joint operations.

(7) Better understanding of local/regional conditions would enhance Frontex situational awareness, risk analysis and intelligence services.

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(8) Consolidation, dissemination and further development, of best practices could also be better achieved by Frontex with the assistance of Frontex Operational Offices.

(9) In addition the development of strategic European projects in the field of border surveillance such as European Border Surveillance System (EUROSUR) or European Patrol Network (EPN) could be facilitated by Frontex Operational Offices.

(10) Increased regional interoperability between border authorities of Member States is desirable;

(11) Operational cooperation with neighbouring third countries for border management can be facilitated by the setting up of specialised branches;

(12) Increased field presence reinforces Frontex operational capacities and enables swift response;

HAS DECIDED AS FOLLOWS:

Article 1

This Decision defines Frontex Operational Offices including their status, roles and tasks.

Article 2

A Frontex Operational Office is located in a Member State subject to its consent and to a Seat Agreement concluded pursuant to Article 5 of this Decision.

The geographical regions to be covered by Frontex Operational Offices, the number of those Offices to be established and their locations are to be decided separately by the Management Board in accordance with Article 24 of the Frontex Regulation. Such decisions of the Management Board are based on the provisions of this Decision.

Within the geographical region assigned to them, Frontex Operational Offices contribute to the performance of Frontex operational tasks in accordance with the Frontex Regulation.

Article 3

A Frontex Operational Office is an integral part of Frontex organisational structure and staff members belong to Frontex staff in accordance with the Frontex Regulation.

Frontex Operational Offices are subordinated directly to Frontex Headquarters. They take instructions from and report to Frontex Divisions as stipulated in Frontex Internal Rules of Procedure. Their internal structures are also defined in Frontex Internal Rules of Procedure.
Article 4

First Frontex Operational Office is to be established as a pilot project in the course of 2010. The pilot office contributes to the preparation, implementation and evaluation of Frontex coordinated joint operations in the Eastern Mediterranean region by ensuring thorough preparation and execution of those operations, by involvement of guest and host officers, by diligent observance of the Operational Plan and by adequate monitoring and reporting of operations. The pilot office is to be located in Greece (Piraeus).

The main tasks of a Frontex Operational Office are described in an annex attached to this Decision. The tasks of each Frontex Operational Office may be further detailed in Frontex Internal Rules of Procedure.

Article 5

Before the effective setting up of Frontex Operational Offices in accordance with this Decision, the Executive Director has to conclude proper Seat Agreements with each of the Member States hosting a Frontex Operational Office. Each Seat Agreement has to ensure in an appropriate way the efficient working conditions and the integrity of a Frontex Operational Office.

Article 6

The functioning of the first Frontex Operational Office shall be subject to constant monitoring by the Management Board and after 9 months of its activity it shall be subject to an independent external evaluation as commissioned by the Management Board. On the basis of this evaluation, the Management Board may decide whether to pursue the pilot project and/or to establish other Frontex Operational Offices as appropriate.

Article 6

This Decision enters into force on the day following its adoption.

Done in Madrid, 4 February 2010

For the Management Board

[signed]  
M. PALOS
Deputy Chairperson
ANNEX
Tasks of a Frontex Operational Office

The tasks conferred upon a Frontex Operational Office and their execution entail no extension of the powers conferred to Frontex. A Frontex Operational Office is entrusted with the following tasks:

• Contribution to the preparation and evaluation of the Joint Operations decided by Frontex headquarters
• Coordination activities in the implementation of Joint Operations
• Contribution to the International Coordination Center tasks for the implementation of Joint Operations
• Providing information for the situational awareness in the region and reporting on events related to Joint Operations.
• Contribution to the debriefing of apprehended illegal migrants and assisting in the identification as pre-return assistance.
• Gathering and assessing information and intelligence for risk analysis purposes
• Propose suggestions for daily operational initiatives
• Networking and intelligence activities
• Provide relevant support to Frontex headquarters in the practical implementation of the working arrangements with Third Countries, EU Bodies or International Organisations.

In addition a Frontex Operational Office delivers baseline administrative functions (human resources and financial management) and an administrative support to the operational and intelligence components attached to them.