DEcision OF THE MANAGEMENT BOARD No 20/2012
Of 27 September 2012

establishing the rules related to the Technical Equipment to be deployed for Frontex coordinated operational activities in 2013

THE MANAGEMENT BOARD

HAVING REGARD to the Frontex Regulation\(^1\), in particular Article 7(5) thereof,

Whereas

(1) Frontex has to set up and keep centralised records of equipment in a Technical Equipment Pool for external border control purposes,

(2) The Member States have to contribute to the Technical Equipment Pool with their own technical equipment, including such equipment acquired in accordance with the priority #1(3) defined in the Strategic Guidelines for the External Borders Fund (EBF) and adopted by the European Commission on 27 August 2007, to be deployed during Frontex coordinated operational activities in order to show their solidarity towards Member States under specific and disproportionate migratory pressure,

(3) The “Strategic Guidelines for co-financing of experts and technical means deployed during Frontex coordinated joint operations”, adopted in the 38th meeting of the Management Board in March 2012, were taken into account

DECISION OF THE MANAGEMENT BOARD

27 September 2012

establishing the rules related to the Technical Equipment to be deployed
for Frontex coordinated operational activities in 2013

(4) This decision concerns Frontex operational activities and the technical equipment during 2013 and is in line with Frontex Operational Portfolio prepared for 2013 and, therefore, provides the basis for the annual bilateral negotiations and agreements between Frontex and the Member States as required by Article 7(3) of the Frontex Regulation.

HAS ADOPTED THIS DECISION:

Article 1
Object

This decision establishes the rules related to technical equipment, including the conditions for deployment and reimbursement of costs, as well as the required overall minimum numbers per type of technical equipment (OMNTE) for Frontex coordinated operational activities during 2013.

Article 2
Required overall minimum number of technical equipment

The required OMNTE for 2013 consists of the following types of technical equipment:

- Offshore Patrol Vessels (OPV);
- Coastal Patrol Vessels (CPV);
- Coastal Patrol Boats (CPB), including fast boats;
- Fixed Wing Aircraft (FWA);
- Helicopters;
- Thermo Vision Vehicles (TVV);
- Patrol Cars;
- Mobile Laboratories for Document Checking (Schengen busses);
- Heartbeat Detectors and
- Dogs.

The OMNTE is defined as “the minimum number of required technical equipment per type and per month”.

The breakdown of the OMNTE to be deployed during Frontex coordinated operational activities in 2013 is presented in the Annex, which constitutes an integral part of this Decision.
Article 3
Criteria for the selection of equipment for the OMNTE

The technical equipment for the OMNTE is selected on basis of a compiled assessment of operational needs and requirements identified prior to the intended deployments in 2013. Frontex takes into account the operational efficiency for the particular operational activity, duration of the deployment and the estimated budget. The principle of operational solidarity will also be taken into consideration.

The selection takes duly into account the resources that the host Member State deploys in the specific operational area and the needs for additional resources required for the operational purposes.

Article 4
Conditions for the deployment of the technical equipment

The detailed request regarding the technical equipment forming part of the OMNTE for 2013 is presented by Frontex and negotiated with the Member States during the Annual Bilateral Talks (ABT) of 2012.

Equipment making part of the OMNTE for 2013 has to be made available by the Member State for deployment in Frontex coordinated operational activities upon request by Frontex in accordance with Article 7 of the Frontex Regulation. Frontex deploys the equipment from the OMNTE 2013 under the conditions agreed with the Member States during the ABT 2012.

The individual figures in the OMNTE may be subject to amendments in the event of major changes in the circumstances at the EU external borders, including changes in the modus operandi of irregular migration or in related cross-border crime. In case the Frontex Executive Director so recommends, the Management Board decides on such amendments pursuant to the Rules of Procedure of the Management Board.  

Such amendments to the figures in the OMNTE have to be reflected accordingly in way of changes to be made to the annual bilateral agreement(s) with the Member State(s) concerned.

The conditions for the deployment of technical equipment, which does not form part of the OMNTE, may be negotiated between Frontex and the Member States during the ABTs, during the operational planning meetings or, in the event of a specific and identified need, even during the course of the respective operational activity.

---

1 Decision of the Management Board No 8/2011 of 30 March 2011 establishing the Rules of procedure of the Management Board
Article 5
Reimbursement of deployment costs

The eligible costs incurred by the Member States relating to the deployment of the technical equipment which forms part of the OMNTE are financed by Frontex.

Frontex reimburses the eligible costs related to the deployment of the OMNTE in accordance with the Framework Partnership Agreement (FPA) signed between Frontex and the Member State as well as with the conditions defined in the Specific Financing Decision (SFD), established for the particular operational activity.

Frontex co-finances the eligible costs of the deployment of the equipment which does not form part of the OMNTE in accordance with Article 7(5) of the Frontex Regulation. The level of such co-financing is negotiated on a case by case basis taking into consideration the particular circumstances of the Member State deploying such equipment as well as the “Strategic Guidelines for co-financing the deployment of experts and technical means deployed during Frontex coordinated joint operations”, adopted by the Management Board during its 38th meeting in March 2012.

For the purpose of this Decision the salaries and social security charges of the crew members of the deployed technical equipment are not part of the eligible costs.

Article 6
Review

This decision may be reviewed in accordance with the provisions of Article 7(5) of the Frontex Regulation in the event described in that Article.

Article 7
Entry into force

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

Done in Warsaw, 27 September 2012

For the Management Board

[signed]
Ralf GÖBEL
Chairperson
establishing the rules related to the Technical Equipment to be deployed for Frontex coordinated operational activities in 2013

<table>
<thead>
<tr>
<th>2013</th>
<th>OPV</th>
<th>CPV</th>
<th>CPB</th>
<th>FWA</th>
<th>Helicopters</th>
<th>TVV</th>
<th>Patrol cars</th>
<th>Mobile Laboratories</th>
<th>Heart Beat Detectors</th>
<th>Dogs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jan</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>3</td>
<td>5</td>
<td></td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>Feb</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>3</td>
<td>5</td>
<td></td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>Mar</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>3</td>
<td>5</td>
<td></td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>Apr</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>4</td>
<td>1</td>
<td>5</td>
<td>8</td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>May</td>
<td>1</td>
<td>6</td>
<td>3</td>
<td>1</td>
<td>6</td>
<td>8</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>5</td>
</tr>
<tr>
<td>June</td>
<td>2</td>
<td>6</td>
<td>3</td>
<td>1</td>
<td>6</td>
<td>14</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>5</td>
</tr>
<tr>
<td>July</td>
<td>3</td>
<td>2</td>
<td>6</td>
<td>4</td>
<td>1</td>
<td>6</td>
<td>14</td>
<td></td>
<td></td>
<td>22</td>
</tr>
<tr>
<td>August</td>
<td>3</td>
<td>4</td>
<td>6</td>
<td>5</td>
<td>1</td>
<td>6</td>
<td>8</td>
<td></td>
<td></td>
<td>22</td>
</tr>
<tr>
<td>Sept.</td>
<td>3</td>
<td>4</td>
<td>6</td>
<td>5</td>
<td>1</td>
<td>6</td>
<td>8</td>
<td></td>
<td></td>
<td>5</td>
</tr>
<tr>
<td>Oct</td>
<td>1</td>
<td>2</td>
<td>2</td>
<td></td>
<td>4</td>
<td>5</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>Nov</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td>3</td>
<td>5</td>
<td></td>
<td></td>
<td></td>
<td>3</td>
</tr>
<tr>
<td>Dec</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td>3</td>
<td>5</td>
<td></td>
<td></td>
<td></td>
<td>3</td>
</tr>
<tr>
<td>Total</td>
<td>13</td>
<td>16</td>
<td>34</td>
<td>22</td>
<td>6</td>
<td>54</td>
<td>90</td>
<td>3</td>
<td>4</td>
<td>79</td>
</tr>
</tbody>
</table>