

MANAGEMENT BOARD DECISION 42/2016

of 09 December 2016

on the United Kingdom's participation in Frontex Joint Operation European Patrols Network Poseidon (JO EPN Poseidon 2016)

THE MANAGEMENT BOARD

Having regard to the Frontex Regulation¹, in particular Article 20(5) thereof,

Whereas:

- (1) According to Article 1(1) of Management Board Decision 3/2016 on the practical arrangements for participation in and financial contribution to Frontex activities by the United Kingdom and Ireland² *"the UK and Ireland each submit to the MB their respective annual requests, within two weeks after the adoption of the Frontex Annual Work Programme or at the latest by 15 December of the year N-1"*.
- (2) According to Article 1(5) of Management Board Decision 3/2016, *"in addition to the annual request referred to in paragraph 1, the UK and Ireland may also submit additional requests for participation in Frontex activities during the course of the year, in duly justified cases"*.
- (3) The Management Board by its Decision 02/2016 of 09 February 2016 approved the UK's Annual Request to participate in and contribute financially to Frontex activities in 2017.
- (4) Since the proposed participation in JO EPN Poseidon 2016 with Coastal Patrol Vessels (CPVs) was not foreseen in the UK's annual request, the UK submitted an additional request for its participation in JO EPN Poseidon 2016 from 01.01 to 31.01.2017, pursuant to Article 1(5) of Management Board Decision 3/2016.
- (5) The UK's participation in JO Poseidon will contribute to the achievement of the operational activity by deploying CPVs to Greece to support their implementation of the Operational Plan, according to the existing bilateral agreement concluded between the UK and Greece.
- (6) According to Article 1(3) Management Board Decision 3/2016, by which *"the UK and Ireland shall each cover their respective costs for participation in Frontex activities. This is considered as their financial contribution to the activity(...)"*, the financial contribution of the UK for their participation in JO EPN Poseidon 2016 is all costs related to the afore-mentioned deployment.
- (7) On 01.12.2016 the Management Board was invited by the Chairperson to take a decision on the UK's participation in Frontex JO EPN Poseidon 2016.

¹ Council Regulation (EC) No 2007/2004 of 26 October 2004 establishing a European Agency for the Management of Operation Cooperation at the External Borders of the Member States of the European Union OJ L 349, 25.11.2004, p. 1..

² Decision of the Management Board No. 03/2016 of 24 February 2016 on the practical arrangements for participation in and financial contribution to Frontex activities by the United Kingdom and Ireland.

- (8) Pursuant to Article 3(3) of Management Board Decision 3/2016, the Management Board adopts annual and additional requests for participation by absolute majority of its members with a rights to vote and by written procedure.
- (9) Pursuant to Article 8(3) of the Rules of Procedure of the Management Board, when taking a decision by written procedure the Management Board shall approve or object the proposal in its entirety. Therefore a proposal for a Management Board Decision by written procedure is not subject to amendments.
- (10) No objections to the participation of the UK in Frontex JO EPN Poseidon 2016 have been received by Frontex, which has been considered as tacit approval of the request.

HAS DECIDED AS FOLLOWS:

Article 1

The UK's additional request to participate in Frontex JO EPN Poseidon 2016 has been approved on 09 December 2016.

Article 2

This decision enters into force on the day of its adoption.

Done by written procedure, 09 December 2016

For the Management Board

[signed]

Marko Gašperlin
Chairperson