MANAGEMENT BOARD DECISION 28/2017
of 27 September 2017

adopting the Strategy for the Acquisition and Leasing of Frontex own Technical Equipment

THE MANAGEMENT BOARD

Having regard to the European Border and Coast Guard Regulation\(^1\), in particular Article 62 thereof,

Whereas:

(1) Frontex led operations are continuing to face resource-demanding challenges at the external borders, not least due to the high influx of irregular migrants.

(2) Frontex led operations are faced with gaps in relation to the operational (equipment) requirements, which affect the overall operational effectiveness.

(3) Article 38(1) of the European Border and Coast Guard Regulation provides that the Agency may acquire either on its own or as co-owner with a Member State, or lease technical equipment to be deployed during joint operations, pilot projects, rapid border interventions, return operations, return interventions, by migration management support teams, or in technical assistance projects in accordance with the financial rules\(^2\) applicable to the Agency.

(4) Frontex acquired or leased technical equipment could be used to complement MS/SAC contributions to the Technical Equipment Pools, thus attempting to cover short and long term gaps.

(5) The Strategy would be a living document to be carefully revised regularly, providing a clear starting direction for the initial stages.

(6) Subsequently, in 2018, the Strategy is to be further developed into a Comprehensive Long Term Strategy for the Acquisition and Leasing of Frontex own Technical Equipment, in close consultation with Member States aiming to provide direction on how the Agency’s own equipment can be used to complement the equipment of MS/SAC in the Technical Equipment Pools.

(7) The Comprehensive Long Term Strategy would further build on the Agency’s experience to date from acquisition projects and explore inter-institutional synergies.

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HAS DECIDED AS FOLLOWS:

**Article 1**

Adoption of the Strategy for the Acquisition and Leasing of Frontex own Technical Equipment

The annexed ‘Strategy for the Acquisition and Leasing of Frontex own Technical Equipment’ is hereby adopted.

**Article 2**

Development of a Comprehensive Long Term Strategy for the Acquisition and Leasing of Frontex own Technical Equipment

1. The Strategy is to be further developed into a Comprehensive Long Term Strategy for the Acquisition and Leasing of Frontex own Technical Equipment (hereinafter “the Comprehensive Long Term Strategy”) in 2018 by Frontex in close consultation with Member States.

2. The Comprehensive Long Term Strategy shall cover all aspects of the acquisition and lease of Frontex own technical equipment, from the requirements capture phase through to the acquisition and through-life management phase until the equipment disposal phase.

**Article 3**

Entry into Force

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

Done in Tallinn, 27 September 2017

For the Management Board

[signed]

Marko Gašperlin

Chairperson

Annex: Strategy for the Acquisition and Leasing of Frontex own Technical Equipment
Strategy for the Acquisition and Leasing of Frontex own Technical Equipment

Proving the Concept

- Acquisition of Services
- Acquisition/Leasing of Light and Medium Weight Equipment
- Development of a Logistical Model
1. **A Living Document**  

2. **Terminology**  

3. **A Gradual and Incremental Approach**  

4. **Proving the Concept - State-of-Play**  
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      - 4.4.1. Frontex Aerial Surveillance Services  
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      - 4.5.1. Resource Gaps Assessment 2015 - 2017  
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      - 4.5.3. Internal Security Fund - Specific Actions  
      - 4.5.4. Heavy Equipment - Assessment of Leasing Opportunities  
      - 4.5.5. Opera Evolution  

5. **Conclusions and Way Ahead**
1. **A Living Document**

The Strategy marks a first step towards more coherent and programmed acquisition and leasing of Frontex' own technical equipment. As such it shall provide direction for the initial phases, thus paving the way to be further developed into a comprehensive strategy and its associated revision process.

Regulation (EU) 2016/1624 in its Article 38 stipulates that the Agency may acquire, either on its own or as co-owner with a Member State, or lease technical equipment to be deployed during joint operations, pilot projects, rapid border interventions, return operations, return interventions, migration management support teams or technical assistance projects in accordance with the financial rules applicable to the Agency.

This strategy aims at exploiting the mandate in the interest of improving operational effectiveness by complementing the contributions from Member States and Schengen Associated Countries (MS/SAC) to the pools with Frontex’ own technical equipment.

2. **Terminology**

For the purpose of clarity, the following terminology is used in the following chapters:

- **Heavy Equipment** including for example:
  - Offshore Patrol Vessels
  - Coastal Patrol Vessels
  - Coastal Patrol Boats
  - Fixed Wing Aircrafts
  - Helicopters

- **Medium Weight Equipment** including (e.g. vehicle-based systems) for example:
  - Mobile Surveillance Systems (MSS) - vehicle equipped with surveillance sensors (thermal cameras, radars) and communication equipment;
  - Vehicles for performing mobile team capacities;
  - Patrol cars (including vehicles equipped for transportation of service dogs);
  - Mobile laboratories for documents’ check.

- **Light Equipment**
  - Portable and handheld surveillance equipment;
    - Portable and handheld thermal/night vision cameras;
    - Night Vision Goggles and binoculars;
  - Equipment for Border Control and border checks;
    - Advanced forensic document imaging workstations (including video spectral comparators for second line)
    - Portable document inspection systems (including for instance in suitcases: this comprises a scanner/reader and a computer)
    - Handheld compact document readers
    - Heart Beat Detectors (HBD);
    - Carbon Dioxide (CO2) Detectors.
3. A Gradual and Incremental Approach

Building up an organisation and structure for the acquisition and through-life management of own technical equipment is a significant undertaking and takes time to implement, especially in an EU institutional setting, where this is a pioneering effort. At the same time, current operations are in urgent need of more resources to cope with challenges faced e.g. in the Mediterranean. With limitations in what gaps can be covered by MS/SAC, Frontex own technical equipment will play an important role. While providing this cannot be done overnight, adopting an incremental approach allows for contributing to covering some of the gaps from the start. Gradually, over time, increasing Frontex’ capability of providing technical equipment to operations will allow to methodically also establish the processes, organisation and structures needed to effectively meet the operational needs for both the short and long term.

In this context three tentative incremental stages and milestones are proposed (see Figure 1).

![Figure 1: A gradual and incremental approach to developing Frontex' capability for acquiring and leasing its own technical equipment.](image)

1. **2018-2019 - Proof of Concept**: Several contracts are under preparation or already in place for wearables and consumables as well as for aerial surveillance services. To further prove the concept, framework contracts for chartering of aircrafts, acquisition of Mobile Surveillance Systems, Patrol Cars and Light Equipment are about to be signed in the near future. This phase will also include testing the effectiveness of inter-institutional procurement. In addition, through a recently launched study, it will deliver recommendations for how to develop and implement a logistical model tailored to the specific characteristics of Frontex. The establishment of a comprehensive strategy for acquisition of Frontex’ own technical equipment in close consultation with MS will conclude the first stage.

2. **2019-2022 - Peak Requirements Management**: Establishing a logistical infrastructure and base, including an inventory management system, will allow Frontex to gradually enhance the acquisition, the management and the deployment of technical equipment with the ambition of achieving full peak operational requirements capability by 2022. Accompanied by safety and quality management processes along with a strengthened systems engineering capacity, more elaborate framework contracts will be operational, increasing both administrative and operational effectiveness, while at the same time being able to sign specific contracts for more complex types of systems and equipment, such as manned and unmanned aerial and marine systems.
3. **2022-2027 - Baseline Requirements Management:** The gradual enhancement towards 2027 will offer the opportunity to explore how MS/SAC resources can be further relieved by swapping roles - Frontex taking on the role as the main provider of technical equipment for operations, while MS/SAC supply the pools in order to cover the peaks. The subsequent need for long term vulnerability assessment seamlessly linked to concept development and investment planning will become more evident. Being able to exploit the results from research and gaining access to test and evaluation resources including modelling and simulation will further enhance acquisition processes, enable to consolidate and become more effective. A larger fleet of technical equipment will require appropriate physical infrastructure as well as the ability to manage surplus equipment.

4. **Proving the Concept - State-of-Play**

4.1. **General Approach and Synergies with the New Financing Mechanism**

In view of the limited resources available within Frontex to acquire or lease technical equipment while ensuring through-life support, presently Frontex has adopted an outsourcing approach for ad hoc requirements. The use of Framework Contracts gives Frontex the capability of providing technical equipment and services to operations without imposing an excessive administrative burden. The scope of the current Framework Contracts has been defined based on thorough market analysis taking into account potential synergies to be reaped when clustering of certain types of technical equipment and services appropriately. While the analysis so far concludes that Framework Contracts are not the solution to all types of acquisition of equipment, those that are in place prove their flexibility and effectiveness in terms of adaptation to current operational needs. A good example of this is the Framework Contract for Frontex Aerial Surveillance Services (FASS).

Furthermore, with the New Financing Scheme Mechanism being implemented, the adoption of a framework contract approach with Member States offers additional opportunities to better assess cost effectiveness of different options, from MS/SAC and directly from industry and service providers.

4.2. **Highlights - Contracted Activities**

4.2.1. **Frontex Aerial Surveillance Services**

The concept of Frontex Aerial Surveillance Services (FASS) has been operational since 2015. The objective of the concept is to enable Frontex to have at its disposal aerial surveillance services, with a high level of availability to be deployed in order to comprehensively cater to the operational requirements. The framework contract was signed in 2015 for a period of two years and was extended for an additional two. Not only does it provide support to Frontex Joint Operations but also the Frontex Situation Centre in the form through Multipurpose Aerial Surveillance (MAS) in the Central Mediterranean Sea including technical assistance to European Fishery Control Agency (EFCA).

4.2.2. **Transfer Services**

Frontex acquired 2016 services for transfer by sea through a framework contract valid up to four years. The focus of the services is on return operations from the Greek islands Lesvos, Chios and Kos. The services include on board catering and medical services. Frontex further signed framework contracts for local transfer by bus on the Greek islands Lesvos, Chios, Leros and Kos respectively in 2017.
4.2.4. Logistical Model 2018
Following the conclusions of a feasibility study carried out in 2010, that no single economic operator can provide comprehensive service for vehicle acquisition, covering the supply of equipment and the full fleet management, it was concluded that Frontex needs to develop its own logistical organisation. For this reason a follow-on study was successfully launched in August 2017, covering all types of technical equipment. With the project set for conclusion in the first quarter of 2018, the results are expected to provide strategic recommendations on how to organise the acquisition, leasing and logistics for Frontex’ equipment fleet. The results will thus cover inventory management, equipment tracking, registration and maintenance. The study will further provide recommendations on acquisition and leasing models for different types of equipment as per Article 38 of Regulation (EU) 2016/1624.

4.3. Highlights - Launched Acquisition Activities

4.3.1. Deployable Facilities and Associated Services
Faced with the situation at the external borders of the EU, there is a pressing need to streamline the registration and fingerprinting process while ensuring basic occupational health and safety for those deployed officers performing these tasks. The envisaged solution is a framework contract for temporary and rapidly deployable field facilities, possibly in the form of mobile field containers, furnished with the appropriate equipment to carry out the tasks and including the necessary logistical and maintenance services required for the deployment. Contract signature is slated for the beginning of 2018.

4.3.2. Chartering of Aircrafts
Set to be signed in autumn 2017 the objective is to provide Frontex with chartered aircraft, properly manned, maintained, equipped, fuelled and fully insured, in order to support return operations. The framework contract (preparations being in the closing phase) will look at not only providing support to planned return operations with multiple destinations, but also emergencies where the operational parameters will be conveyed to the contractor at short notice.

4.4. Highlights - Acquisition Activities in Preparation

4.4.1. Vehicles for Screening, Debriefing and Documents Check
The objective of this project is to provide Frontex with leased off-road vehicles offered with a comprehensive range of services including full insurance coverage, maintenance and repairs. Aiming at covering the gaps in operational needs associated with mobile facilities for screening, debriefing and document checks, the framework contract is expected to be signed in the first quarter of 2018 with a duration of four years.

4.4.2. Light and Medium Weight Equipment
With Framework Contracts on Light and Medium Weight Equipment expected to be signed by the end of 2017, spring of 2018 will see the delivery of the first sets of Border Surveillance and Control Equipment, Patrol Cars and Mobile Surveillance Systems. 2018 will also see the solution (possibly outsourcing) of associated services such as fueling, insurance, maintenance and tracking of equipment in order to deploy the above mentioned equipment into operations based on the recommendations from the ongoing study on the new logistical model (see 4.2.4).

4.4.1. Frontex Aerial Surveillance Services 2
Complementary to the current Frontex Aerial Surveillance Services contract, preparations are ongoing to acquire additional services for aerial surveillance. While the overarching concept of making available aerial surveillance services for deployment to operations, the scope covers a larger geographical region and sets tougher requirements on the secure management of data as well as endurance, compatibility with weather conditions and numbers of operational personnel on board the aircraft. Another novelty is the inter-institutional approach to procurement, which has not been done before. By signing one framework contract
for several institutions - tentatively in early 2018 (preparations for procurement procedures finalized) - this approach is expected to reduce the administrative burden while increasing overall cost effectiveness.

4.5. **Highlights - Enabling Activities**

4.5.1. **Resource Gaps Assessment 2015 - 2017**

Frontex has just concluded an in-house analysis on gaps of technical equipment in average per month as a result of ABN processes for 2015-2017, and the state of play of Rapid Reaction Equipment Pool. The analysis acts as an evidence-based starting point for assessing the volumes of technical equipment to potentially be acquired or leased by Frontex in the future, and to serve as a basis for the logistical model, which is under preparation. As such it would support the future scoping of acquisition activities, based on which the logistical organisation would initially be dimensioned.

4.5.2. **Legal Assessment on Co-Ownership**

Together with MS Frontex has assessed the pros and cons of co-ownership of technical equipment. The conclusion is that it is very complex and therefore requires more in-depth legal analysis before an exploitation route can be developed.

4.5.3. **Internal Security Fund - Specific Actions**

Frontex monitors continuously the acquisition of technical equipment by Member States co-financed under the Internal Security Fund - Specific Action. Upon implementation of the acquisition projects, Member States are obliged to register the acquired equipment in the technical equipment Pool (TEP) and to make it available for Frontex operational activities. So far there is little progress to report as the many of the acquisition projects are still ongoing and procurement activities have yet to be initiated by Member States.

4.5.4. **Heavy Equipment - Assessment of Leasing Opportunities**

Frontex is exploring the feasibility of leasing OPVs with full technical crew on the market. In this modality the ownership of the vessel would remain with the provider of the services which remains responsible - under Frontex control - of the ship operation and maintenance. This internal study aims at bringing clarity to if this approach is realistically possible, the baseline requirements to be applied, what the market can offer in terms of (technical) crew and financial implications. The study will continue during the autumn of 2017 and following the results an assessment will be made on the plausibility of deploying a leased OPV in a Frontex-led operation.

4.5.5. **Opera Evolution**

The Opera Evolution project aims at developing a comprehensive tool - beyond the capabilities of the current Opera 2 system - for the integrated management of operational resources deployed by Frontex. The operational resources include those contributed by MS/SAC and with the implementation of this strategy it will gradually include more Technical Equipment acquired or leased by Frontex. Following a feasibility study performed in 2016 and 2017, the project is now in the requirements definition phase with the aim of procuring the development of this comprehensive tool by the end of 2017.

5. **Conclusions and Way Ahead**

Proving the concept of Frontex acquired or leased technical equipment is progressing well. To date outsourcing has been the preferred option, utilising framework contracts to contribute to operations with aerial surveillance, containers and transport services of both arriving and returning migrants. A similar approach has been applied to ongoing acquisition of services such as the chartering of aircrafts and will be applied to the acquisition of Mobile Surveillance Systems, Patrol Cars and Light Equipment for border management and control.
In paving the way for enabling Frontex to fully exploit the legal mandate set out in Article 38 of Regulation (EU) 2016/1624 and subsequently provide its own equipment to operations the current incarnation of this strategy will be further developed and delivered in 2018 in order to form the basis for a comprehensive long term approach. This approach needs to be developed in close coordination with MS, build on the ongoing study on the logistical model and address a number of key issues as summarised below (see Table 1).

Table 1: In further developing the Strategy into a Comprehensive Strategy in close consultation with Member States, a number of key issues need to be addressed.

<table>
<thead>
<tr>
<th>Examples of Key Issues of Significant Relevance to the Different Stages</th>
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<tbody>
<tr>
<td><strong>2018-2019</strong> Proof-of-Concept</td>
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<tr>
<td>• The future balance between Frontex’ own equipment and equipment from MS/SAC in the pools, taking into account current challenges related to gaps;</td>
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<tr>
<td>• The strategic level of ambition, scope and timeline for the acquisition of Frontex’ own equipment</td>
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<tr>
<td>• Evaluation and lessons learned from acquisition projects (contracted, launched and in preparation);</td>
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<td>• Regular adaptation and continuation of various projects with a view of enhancement of own equipment according to needs;</td>
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<tr>
<td>• Effectiveness of inter-institutional procurement</td>
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<td>• Effectiveness of leasing heavy equipment</td>
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<tr>
<td>• Legal issues relating to e.g. co-ownership, registration of equipment and the utilisation of equipment for different types of tasks in operations</td>
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<tr>
<td><strong>2019-2022</strong> Peak Requirements Management</td>
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<tr>
<td>• Requirements capture and management processes for short-, medium and long term</td>
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<tr>
<td>• Continuation of acquisition processes in accordance with agreed needs</td>
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<tr>
<td>• Management of quality and system safety</td>
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<td>• Strengthened systems engineering capacity</td>
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<td>• The organisation and processes for the acquisition, through-life management (including logistics, supply chain management and contract management) and deployment into operations of Frontex’ own equipment;</td>
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<td>• Acquisition models for different types of equipment services;</td>
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<td>• Fast track approach for managing urgent operational requirements;</td>
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<tr>
<td>• Acquisition or leasing of heavy equipment and unmanned systems</td>
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<tr>
<td>• A stronger link to ISF-funded acquisition projects and exploitation of synergies with other EU-institutional stakeholders;</td>
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<td><strong>2022-2027</strong> Baseline Requirements Management</td>
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<tr>
<td>• Continuation of acquisition processes in accordance with agreed needs</td>
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<td>• The link between vulnerability assessment and long term investment planning</td>
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<td>• Exploiting results from research and innovation in acquisition programmes</td>
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<td>• The use of modelling and simulation to support the requirements development process;</td>
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<td>• Access to Test and Evaluation resources to verify and validate requirements</td>
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<tr>
<td>• Comprehensive fleet management including infrastructure and surplus management</td>
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<tr>
<td>• Protection of information within acquisition projects, including information related to intellectual property as well as such relating to national security.</td>
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