

SECURING EUROPE'S EXTERNAL BORDERS

A EUROPEAN BORDER AND COAST GUARD

SEPTEMBER 2017



«We will defend our borders with the new European Border and Coast Guard, which is now being put in place, just nine months after the Commission proposed it. Now, the EU institutions and the Member States should work very closely together to quickly help set up the new Agency.»

European Commission **President Jean-Claude Juncker**, *State of the Union Address*, 14 September 2016

The Schengen area without internal borders is only sustainable if the external borders are effectively secured and protected. To address the new challenges and political realities faced by the EU, with regards to both migration and internal security, the Commission proposed in December 2015 to establish a European Border and Coast Guard. The Agency was agreed in record time and launched on 6 October 2016. Eleven months later, intensive work is ongoing to ensure the full roll-out of the Agency, which is currently assisting Member States with over 1,700 border guards providing support at different sections of the EU external border, complementing the existing national capacities of Member States of over 100,000 border guards. Whereas continued progress has been made towards the full roll-out of the Agency, important gaps remain in terms of human resources and equipment. Additionally, while the Agency has increasingly used its mandate in the field of return, the full spectrum of tools and instruments is still not being utilised by Member States.

EUROPEAN
BORDER AND
COAST GUARD



ROADMAP TO A FULLY OPERATIONAL EUROPEAN BORDER AND COAST GUARD:

▶ IMPORTANT STEPS COMPLETED:

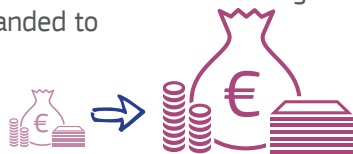
- Confirmed full availability of 1,500 border guards **under the mandatory Rapid Reaction Pool**
- Launch of three new **return pools** to support Member States in organising and coordinating return operations (return monitors, return escorts and return specialists).
- First **vulnerability assessments** carried out for all Member States and **recommendations** sent to 21 of them.
- Authorisation to open negotiations with **Serbia** and the **former Yugoslav Republic of Macedonia** on the status agreements for operational cooperation in the field of border management.
- The **headquarters agreement** between the European Border and Coast Guard Agency and Poland has been ratified and will enter into force on 1 November 2017.
- Setting up of a **complaint mechanism** in order to monitor and ensure the respect for fundamental rights in all the activities of the Agency.

▶▶ NEXT STEPS:

- Member States to **fully respond to calls for deployment** and to ensure that the agreed resources are made available for ongoing operations, both in terms of human resources and technical equipment
- Member States to rapidly fill the gaps in assets for the **Rapid Reaction Equipment Pool**.
- The Agency to verify rapidly the full availability of 1,500 border guards of the **Rapid Reaction Pool** and carry out **mock deployment** of human and technical resources by the end of October 2017.
- The Agency and Member States to better align **return activities** and make full use of the Agency's strengthened instruments and tools.
- The Agency to carry out **simulation exercises** on future challenges from now till October 2017, conduct **Emerging Threat Assessments** and to review the **methodology** for vulnerability assessments by November 2017.
- All Member States concerned to urgently submit Action Plans following the recommendations of the **vulnerability assessments**.
- The Agency to revise and further develop a **fundamental rights strategy** by November 2017 with special focus on child protection.
- The Agency to deploy **Liaison Officers to Member States** by the end of 2017.

A NEW MANDATE

The limitations of the former EU border agency, Frontex, had hindered its ability to effectively address and remedy the situation created by the refugee crisis: it did not have its own operational staff and relied on Member State contributions and was unable to carry out its own return or border management operations without the prior request of a Member State. Building on the foundations of Frontex, the European Border and Coast Guard Agency's role and activities have been strengthened and significantly expanded to address all these issues.



UNION STANDARDS FOR BORDER MANAGEMENT

The new Agency will ensure Union standards for border management are guaranteed at all external borders as a shared responsibility between the Agency and the national authorities. The reinforcement of preventive assessments guaranteeing the effective functioning of the Schengen area is a top political priority for the EU. To that end, the Agency has completed baseline assessments for all Member States and recommended concrete measures on the most urgent vulnerabilities for 21 of them. The Member States concerned now need to share with the Agency their Action Plans outlining timely implementation of the recommendations and report on a quarterly basis on the progress made.



A RESERVE OF EUROPEAN BORDER GUARDS AND TECHNICAL EQUIPMENT

The full availability of more than 1,500 border guards and other officers to the **Rapid Reaction Pool** has been confirmed by Member States. Further improvements are necessary with regards to the nomination of border guards and the harmonisation of profiles for the requested experts. Despite additional calls, no new pledges for equipment have been made since April 2017, leaving considerable gaps in the **Rapid Reaction Equipment Pool**. Only 14 Member States have so far contributed to the equipment pool. The Commission and the Agency will therefore look into possible ways of addressing those equipment shortages.

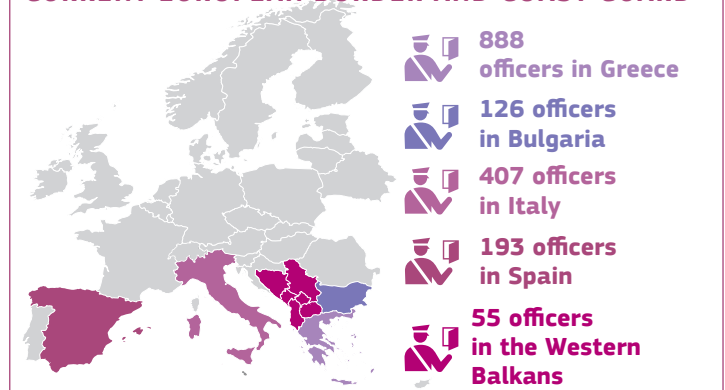


PREVENTION OF CROSS-BORDER CRIME

Prevention of cross-border crime is a priority for the Agency. It will be able to process personal data of persons suspected of involvement in criminal activities, such as migrant smuggling, terrorism or trafficking in human beings, as well as personal data of irregular migrants collected by officers deployed by the Agency. It will also be able to collect information such as license plate numbers, vehicle identification numbers, telephone numbers or ship identification numbers necessary for analysis of migrant routes and methods used in different types of cross border crime. This information will be shared with the authorities of the EU Member States and Europol, enabling them to launch relevant investigations where necessary.



CURRENT EUROPEAN BORDER AND COAST GUARD



A STRONGER ROLE IN RETURNS

Support to Member States in the return of irregular migrants has been added as one of the priority areas of the Agency's work. The Agency's efforts in this field have brought positive results but further work is needed to fully operationalise and exploit the potential of some of the new return tools. The pace of return operations organised by the Agency has continued to grow, reaching a total number of 8,608 returns in 2017. The three **return pools** are now fully operational but are still under-utilised by Member States. To encourage and facilitate the use of the pools the Agency will deliver the final set of practical modalities and rules concerning the deployment of pool members. At the same time, Member States should show more commitment in making full use of the Agency's new tools and work together with the Agency to better align return activities.

WORKING WITH AND IN THIRD COUNTRIES

Under its new mandate, the European Border and Coast Guard is allowed to carry out operations on the territory of neighbouring third countries, subject to prior agreement. Following the adoption by the Council on 8 March of the Decisions authorising the Commission to open negotiations with **Serbia** and the **former Yugoslav Republic of Macedonia** on status agreements for the deployment of European Border and Coast Guards teams on their territories, a second round of negotiations with Serbia took place on 11-12 May. The Commission has proposed to the Council the opening of negotiations with other neighbouring countries, including Albania, Bosnia and Herzegovina and Montenegro.