

European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex)

2003/0273(CNS) - 26/10/2004 - Final act

PURPOSE : to establish a European Agency for the Management of Operational Cooperation at the External Borders.

LEGISLATIVE ACT : Council Regulation 2007/2004/EC establishing a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union.

CONTENT : this Regulation establishes A European Agency for the Management of Operational Cooperation at the External Borders (the Agency with a view to improving the integrated management of the external borders of the Member States of the EU. While considering that the responsibility for the control and surveillance of external borders lies with the Member States, the Agency will facilitate the application of Community measures relating to the management of external borders. It will do so by ensuring the coordination of Member States' actions in the implementation of those measures. The Agency will also provide the Commission and the Member States with the necessary technical support and expertise in the management of the external borders and promote solidarity between Member States.

The main tasks of the Agency are:

- coordinate operational cooperation between Member States in the field of management of external borders;
- assist Member States on training of national border guards, including the establishment of common training standards;
- carry out risk analyses. The Agency will develop and apply a common integrated risk analysis model. The results of the model will be incorporated in the Agency's development of the common core curriculum for border guards' training.
- follow up on the development of research relevant for the control and surveillance of external borders;
- assist Member States in circumstances requiring increased technical and operational assistance at external borders;
- provide Member States with the necessary support in organizing joint return operations.

In addition, the following should be noted:

- on the question of branches, the Regulation states that the Management Board of the Agency will evaluate the need for, and decide upon the setting up of, specialised branches in the Member States, taking

into account that due priority should be given to the operational and training centres already established and specialised in the different aspects of control and surveillance of the land, air and maritime borders respectively;

- the Agency may operate through its specialised branches for the practical organisation of joint operations and pilot projects;

- on the matter of return cooperation and subject to the Community return policy, the Agency will provide the necessary assistance for organising joint return operations of Member States. The Agency may use Community financial means available in the field of return;

- the Agency will identify best practices on the acquisition of travel documents and the removal of illegally present third country nationals;

- the Management Board will be composed of one representative of each Member State and two representatives of the Commission. The duration of the terms of office is four years. This term of office may be extended once.

- the revenue of the Agency consist of a subsidy from the Community entered in the general budget of the European Union (Commission section), a contribution from the countries associated with the Schengen acquis, fees for services provided, and any voluntary contribution from the Member States.

The Agency will take up its responsibilities from 1 May 2005.

ENTRY INTO FORCE : 26/11/2004.