

Security Level:
Amends:
Repeals:

Decision of the Executive Director

No R-ED-2023-90

on adopting horizontal rules on the creation and operation of Frontex Working Groups and continuation of existing Working Groups

THE EXECUTIVE DIRECTOR,

Having regard to the European Border and Coast Guard Regulation¹, and in particular Article 106(4) thereof,

Whereas:

- (1) Following the entry into force of the Regulation, the Agency has been undergoing a major transformation. The extraordinary growth of its responsibilities, competences, staff numbers and financial resources requires an enhanced governance.
- (2) It is necessary to adopt clear horizontal rules on the creation and operation of Frontex Working Groups and standard rules of procedure to reflect this enhanced governance.
- (3) Good governance requires to periodically review existing working groups to ensure they still deliver added value to Member States and the Agency.
- (4) The new governance of the working group needs to take into account the Joint Statement by the Heads of Justice and Home Affairs Agencies on the EU Green Deal signed on 22 November 2021², which confirmed the Agencies' commitment to contribute to the implementation of the European Green Deal and future Green Priorities, as well as the European Commission's

¹ Regulation (EU) 2019/1896 of 13 November 2019 on the European Border and Coast Guard (OJ L 295, 14.11.2019, p.1).

² https://frontex.europa.eu/assets/Images_News/2021/JHA_Agencies_Joint_Statement_on_the_EU_Green_Deal.pdf.

Guidelines for the Home Affairs Agencies on striving for reducing the environmental impact of meetings, missions and authorised travels.

- (5) The horizontal rules on the creation and operation of Frontex Working Groups, the standard rules of procedure as well as the Agency's proposal for streamlining and reducing the number of existing Frontex Working Groups have been discussed in the meetings of the European Integrated Border Management Working Group of the Management Board on 9 September 2022, 7 December 2022, in written procedure in June 2023 as well as in the meeting on 7 September 2023.

HAS DECIDED AS FOLLOWS:

Article 1

Framework for Frontex Working Groups

1. The horizontal rules on the creation and operation of Frontex Working Groups and the standard rules of procedure for Frontex Working Groups, as set out in Annexes 1 and 2 hereto, are hereby adopted.
2. The horizontal rules and standard rules of procedure apply to Frontex Working Groups and their sub-groups (sub-working groups and technical expert groups).
3. The present Decision does not apply to the following:
 - a) independent experts assisting the Agency in specific projects or activities (paid external experts),
 - b) task forces or steering committees which are set up for the handling of temporary tasks or the implementation of specific programmes, projects or policies,
 - c) groups solely composed of Frontex staff, e.g. internal cross-divisional coordination, roundtables, project boards (see FISRoP³),
 - d) joint bodies set up by agreements with other external partners (e.g. Commission, Agencies, International Organisations) for which the Agency is not the single owner,
 - e) experts gathering for ad hoc events, such as one-off meetings and conferences,
 - f) working groups of the Management Board,
 - g) Country Working Groups which are composed of and chaired by Member States for the exchange of information in the field of return.

³ Decision of the Executive Director No R-ED-2021-168 on Frontex Internal Structure and Rules of Procedure ('FISRoP') of 30/11/2021.

4. 'Working Groups' means consultative bodies (such as high-level groups, networks, round tables) composed of external participants⁴ and set up by the Agency for the purpose of providing the Agency with advice and expertise on specific matters within the mandate of the Agency and which are foreseen to meet more than once.
5. 'Sub-groups' means consultative bodies in the form of permanent sub-working groups or temporary technical expert groups set up by and reporting to a Working Group for the purpose of examining specific questions within the mandate of the Working Group.

Article 2

Continuation of existing Working Groups

1. The following existing Frontex Working Groups and their associated sub-groups as set out in Annex 3 may continue to operate⁵:
 - a) Working Group on Boarding of Vessels,
 - b) (High-level) Roundtable on Document and Identity Control,
 - c) (High-level) Roundtable on Returns,
 - d) Pooled Resources Network,
 - e) (High-level) Working Group on Risk Analysis,
 - f) EUROSUR Framework Network,
 - g) Vulnerability Assessment Network,
 - h) Working Group on the Setting-up of the ETIAS Central and National Units,
 - i) Working Group on External Cooperation and Technical Assistance.
2. All Working Groups and their associated sub-groups shall be registered in a list of Frontex Working Groups. The list shall indicate the mandate of each group and its composition (by type of its members). The list shall be uploaded into Frontex One-Stop Shop (FOSS).

Article 3

Entry into force and transitional period

1. This Decision enters into force on the day following its signature.
2. With the exception of Working Groups and their associated sub-groups referred to in Article 2, all other groups shall be considered dissolved six months after entry into force of the present Decision.
3. Working Groups and sub-groups which do not have formally adopted rules of procedure or whose rules of procedure do not comply with the standard rules of procedure set out in Annex 2, shall

⁴ Participants may include representatives of public authorities of Member States or third countries as well as representatives of individual or group interests, representatives of academia, or other individual experts.

⁵ Each of the existing working groups might amend the name of the group. Such decision shall be recorded in minutes of the meeting and in the Rules of Procedure of the relevant group.

adopt rules of procedure or align their rules of procedure at the latest six months after entry into force of this Decision. A group may depart from the standard rules of procedure or supplement them, only where this is duly justified and upon prior approval of the Executive Director.

Electronically signed

Hans Leijtens
Executive Director

List of Annexes:

1. Horizontal rules on the creation and operation of Frontex Working Groups and sub-groups
2. Standard rules of procedure for Frontex Working Groups and sub-groups
3. Tree of Frontex Working Groups