Annex 1- Operational Areas

FRONTEX

Annex 1

Operational area

FRONTEX

Operational area

Commented [A1]: The blanked out parts contain detailed information regarding the operational area. Its disclosure would expose law enforcement officials' patrolling the area and harm the course of future and ongoing operations, and thus facilitate irregular migration. Therefore, public security will be affected. In light of the above, the text is not disclosed pursuant to the exception laid down in the first indent of Article 4(1)(a) of Regulation No 1049/2001 relating to the protection of the public interest as regards public security.
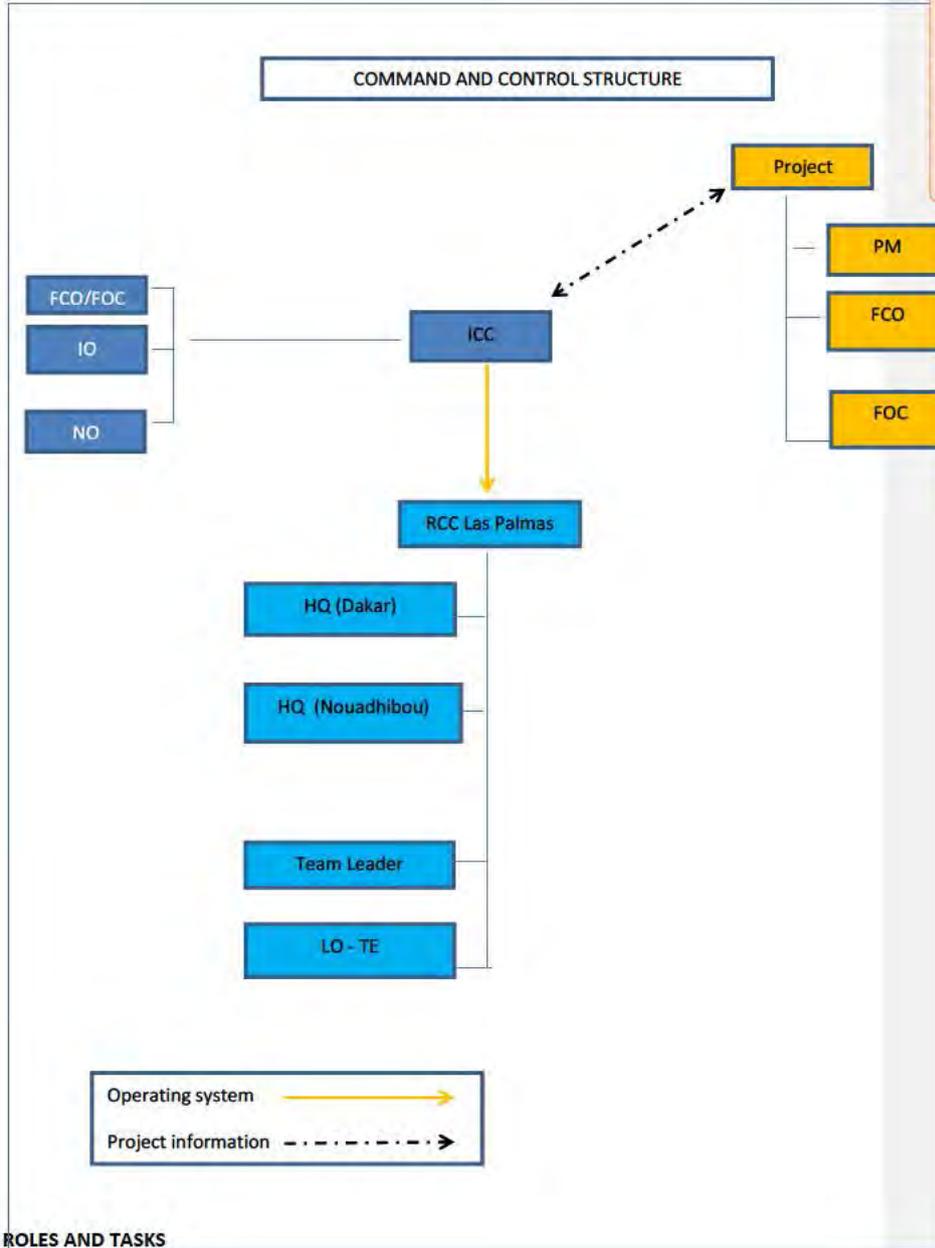
ANNEX 2

OPERATIONAL OBJECTIVES AND INDICATORS

Objectives	Indicators
Enhance border security	• Effective border control at external borders maintaining deterrent effects • Enhanced detection and prevention of cross border crime • Support to the national authorities in disclosing cases of smuggling of migrants and trafficking in human beings
Enhance efficiency of border security	• Detection of all targets enabling to intercept persons, to prevent unauthorized border crossings, to counter other cross-border criminality and to take measures against persons who have crossed the border illegally as well as to report the other illegal activities observed to respective authorities
Enhance operational cooperation	• High level of MS/SAC participation in Joint Operations • Enhanced inter-agency cooperation and cooperation between national authorities of host MS as well as on EU level • Seeking involvement of 3rd countries in operational activities • Multi-character operational concept applied
Enhance exchange of information	• Collection of operational information from all actors involved in order to obtain intelligence, thus improving the risk assessments that underpin the operational activities
Enhance efficiency of the exchange of information	• Implementation of fully automated online reporting system; • Establishing standardized format and quality of the reports and interviews
Identify possible risks and threats	• Better knowledge about the irregular migration related to criminal activities and networks operating in the area, thus improving the situational awareness of the maritime borders of the area concerned
Establish and exchange best practices	• Fostering practical cooperation between the authorities involved in prevention and tackling illegal migration as well as other cross-border crime • Delivering workshops, briefings, operational meetings to participants
Support establishment of permanent structures	• To continue the fostering cooperation/information exchange between MS ICC/RCC/ HQ 3rd countries

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Annex 3 Command and Control

COMMAND AND CONTROL STRUCTURE

Project

PM

FCO/FOC

IO

ICC

FCO

NO

FOC

RCC Las Palmas

HQ (Dakar)

HQ (Nouadhibou)

Team Leader

LO - TE

Operating system

Project information

Commented [A2]: The blanked out parts contain detailed information regarding the command & control scheme of law enforcement officials. Its disclosure would expose law enforcement officials engaged in the operation and harm the course of future and ongoing operations, and thus facilitate irregular migration. Therefore, public security will be affected. In light of the above, the text is not disclosed pursuant to the exception laid down in the first indent of Article 4(1)(a) of Regulation No 1049/2001 relating to the protection of the public interest as regards public security.

ROLES AND TASKS

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Project Manager (PM)

Frontex shall appoint the PM responsible for the project acting as the Frontex point of contact for the defined activity. The PM will be supported by assigned specialized staff from the relevant Frontex units/sectors forming the Project Management Team. The PM is responsible for distribution of tasks between the team members and their proper management, whereas the responsibility for the project remains with the PM.

PM shall:

- Coordinate the planning, implementation, reporting and evaluation of the operational activity;

- Prepare project templates, reports, situational assessments, letters, invitations to the MS, briefing notes, written communication and responses to inquires;

- Elaborate the Frontex financial contribution to the defined activity and ensure that administrative and financial procedures are followed;

- Ensure professional maintenance and archiving system of project documentation in line with Frontex standards;

- In cooperation with the MS elaborate the Operational Plan for the defined operational activities;

- Facilitate and promote the implementation of the operational activities in a flexible manner ensuring the adaptation to the operational needs;

- Following latest developments of the project, and update the Operational Plan if needed;

- Gather, store and analyze information received from the different sources;

- Follow up the project budget spending and management of the available funds;

- In line with the Frontex mandate cooperate with other units/sectors, the MS and the third countries;

- Follow instructions received from the project owner (HoS) and keep him/her informed about the implementation of assigned tasks.

Frontex Coordinating Officer (FCO)

The Frontex Coordinating Officer (FCO) shall act on behalf of the Agency in all aspects of the deployment of the teams. In particular, the coordinating officer shall:

- Act as an interface between the Agency and the host MS;

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- Act as an interface between the Agency and the members of the teams, providing assistance, on behalf of the Agency, on all issues relating to the conditions for their deployment with the teams;

- Monitor the correct implementation of the operational plan;

- Report to the Agency on all aspects of the deployment of the teams.

The coordinating officer may be authorized by the ED to assist in resolving any disagreement on the execution of the operational plan and deployment of the teams. In discharging his duties, the coordinating officer shall take instructions only from the Agency.

Only a staff member of the Agency subject to the Staff Regulations of Officials of the European Union or to Title II of the Conditions of employment of other servants of the European Union may be designated as coordinating officer.

Frontex Operational Coordinator (FOC)

In order to facilitate PM and FCO, Frontex shall appoint and deploy the FOC throughout the joint operation in the ICC or at the location wherefrom the most efficient coordination can be accomplished, to act on behalf of Frontex as an interface between Frontex, the host MS and the deployed resources to monitor the operational activity, fostering the cooperation and coordination among the deployed resources of the host and participating MS.

The FOC shall:

- Monitor and facilitate the correct implementation of the operational activities as defined in the Operational Plan;

- Initiate adjustments of the operational concept and working procedures when it is justified by updated threat and risk assessment, and/or operational needs;

- Be present in the JCB meetings, monitor the work in the ICC and give adequate advice, particularly to the ICC Coordinator and the NO;

- Be aware of the operational situation to ensure the efficient implementation and promote the further development of the organizational and operational issues;

- Facilitate the information gathering, sharing and dissemination process as well as the functioning of the related reporting system;

- Provide Frontex HQ with a daily situation reports from the operational area and specific reports on cases which need immediate attention, further reporting and handling;

- Work closely with and be accessible for the ICC Coordinator;

- Work closely with, follow instructions from and be accessible for the PM and/or Frontex HQ;

- Be appointed for a certain period of time and in accordance with a relevant list of persons provided to the ICC by Frontex before the enactment of the JO , which should also include their deployment period along with their contact details on 24/7 basis.

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Operational Analyst (OA)

Frontex shall appoint the OA to assess constantly relevant information from available sources and to produce regular analytical assessments related to the operational activities enabling a wider vision on the threats, risks and situation affecting the operational areas.

The OA shall:

- Produce analytical assessments, on a weekly/bi-weekly and ad-hoc basis, of the given situation within the operational areas and beyond to be distributed to the Project Management Team, and via the FOC to the ICC and participating MS;

- Provide feedback and guidelines to the experts on the quality and content of the interview/debriefing reports;

- The OA will brief and debrief the Debriefing Experts;

- Provide the FOC with the analytical support needed for the ongoing reporting;

- Give the PM, the FOC and the ICC advice and/or proposals on the planning of operational activities in the predefined operational areas and recommend countermeasures to the authorities encouraging a dynamic approach to the situation;

- After the end of the Joint Operation, produce a final analytical evaluation;

- Be constantly linked with and reporting to the PM, the FOC, the IO and the experts for intelligence matters.

International Coordination Centre (ICC)

The host MS in cooperation with Frontex shall establish the ICC. The ICC shall be located in the premises ensuring the most efficient coordination of the joint operation taking into account all the integrated activities. If permanent operational structures in the framework of EPN (NCC/ICC LCC, FPSB) have been established, the ICC shall preferably be located within this structure. Careful consideration on the location should be taken where more than one MS are hosting the joint operation.

The ICC shall be equipped in accordance with the minimum Frontex requirements for the joint operations and be accessible for FOC, IO and NO on 24/7 basis.

The ICC shall:

- Lead and coordinate the implementation of the operational activity as described in the Operational Plan;

- Coordinate, based on a daily threat and risk assessment, the deployment of human and technical resources at the right moment and locations;

- Gather, combine and share information and intelligence about all border related incidents;

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- Plan an intelligence driven tactical and/or strategic synchronization of available human and technical resources;

- Ensure communication and cooperation between the participants of the host and participating MS;

- Administrate the patrolling schedule database: plan patrolling activities and working hours for deployed staff, and record planned and delivered activities;

- Elaborate the daily reports with situational updates from the operational area.

- Follow up and report the cases which need immediate attention, further reporting and handling.

Minimum requirements for the ICC

- Ensure 24/7 functioning to achieve the situation awareness and proper coordination of ongoing operation;

- Be manned with duty officers, necessary technical and administrative staff of the host national authorities involved on 24/7 basis;

- Have staff with operational experience from operational activities and good skills in English designated for each working shift to supervise, perform and support the coordination of the operational activities;

- Ensure telecommunication between the ICC and all participating MS, deployed operational units and Frontex;

- Ensure the radio communication between the ICC and all deployed assets;

- Ensure access to the internet and printer for the staff in the ICC;

- Ensure the daily delivery of the Daily Reporting Package to Frontex.

ICC Coordinator

The MS hosting the ICC shall appoint and deploy an officer as the ICC Coordinator who is responsible for leading the daily activities and fulfilment of the tasks of the ICC throughout the joint operation. To ensure the continuous presence of the ICC Coordinator he/she shall be deputized by an appropriate officer who shall take over the responsibilities and tasks during his/her absence. The ICC Coordinator is the chairman of the JCB.

The ICC Coordinator shall:

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- Lead the coordinated implementation of the operational activities as described in the Operational Plan;

- Initiate and present adjustments of the operational concept and working procedures to Frontex, when it is justified by updated threat and risk assessment, and/or by operational needs;

- Chair the JCB meetings on a daily basis throughout the joint operation;

- Coordinate the proper implementation of operational information gathering, sharing and dissemination;

- Ensure the proper functioning of the reporting system in the ICC (Daily Reporting Package dissemination);

- Monitor the operational situation to ensure the efficient implementation and promote the further developments regarding organizational and operational issues;

- Work closely and continuously with the IO, the NO and the FOC.

Joint Coordinating Board (JCB)

The JCB is the board which runs the joint operation and is established in the ICC. The JCB is at least composed of ICC Coordinator, NO (if national assets are deployed), the FOC and the IO. The JCB has its meetings on a daily basis, chaired by the ICC Coordinator.

Intelligence Officer (IO)

The host MS shall appoint and deploy an officer skilled in intelligence matters as the IO in the ICC to act permanently as a daily connection between the local authorities and the ICC enabling the gathering, sharing and dissemination of all relevant information. Intelligence units of national authorities of the host MS shall cooperate closely with the IO including the establishment of a network of contact points in order to ensure a constant and adequate flow of intelligence related to the Frontex coordinated operational activities for further analytical assessments.

The IO shall:

- Contribute to the proper implementation of the operational activities as described in the Operational Plan;

- Contribute to the needed adjustments of the operational concept and working procedure when it is justified by updated threat and risk assessment, and/or by the operational needs;

- Take part and contribute in the JCB especially concerning information that might be valuable operationally for redeployment of human and technical resources;

- To be a constant link between the deployed experts and the ICC to facilitate their activities by providing them with constant updates on modus operandi, routes, involvement of

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facilitators and feedback on the output of interviews, taking into account the analytical assessments prepared by the OA;

- Facilitate the monitoring of the operational situation to ensure the efficient implementation and promote the further development regarding organizational and operational issues;

- Coordinate the proper implementation of operational information gathering, sharing and dissemination;

- Contribute to the proper functioning of the reporting system in the ICC and with Frontex (deliver the IO Daily Report, interview/debriefing/screening reports collected from experts, contribute to the Incident Reports and Daily Statistical Reports);

- Work closely and continuously with the ICC Coordinator, the NO, the FOC and the OA for intelligence matters.

National Official (NO)

The MS deploying their aerial, land and/or maritime mean to an operation shall appoint and deploy the NO in the ICC for the period the mean is deployed. The NO is responsible for coordinating the actions of their national mean with the ICC Coordinator according to their national legislation. The NO must have the necessary power and/or authorizations to give instructions and commands to the CO of their national mean according to the national legislation.

The NO shall:

- Contribute to the proper implementation of the operational activities as described in the Operational Plan;

- Contribute to the needed adjustments of the operational concept and working procedures when it is justified by updated threat and risk assessment, and/or by operational needs;

- Take part and contribute in the JCB meetings on a daily basis;

- Ensure that the decisions of the JCB are followed by the mean for which he/she has the coordination responsibility;

- Facilitate the monitoring of the operational situation to ensure the efficient implementation and promote the further development regarding organizational and operational issues;

- Coordinate the proper implementation of operational information gathering, sharing and dissemination;

- Contribute to the proper functioning of the reporting system in the ICC (deliver Technical Equipment Mission Report, contribute to the Incident Reports, Daily Statistical Reports, Patrolling Schedule);

- Work closely and continuously with his/her operational entity to ensure an efficient operational management of the mean according to updated risk assessment and operational needs.

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Local Coordination Centre (LCC)

The host MS in cooperation with Frontex may establish one or more LCC for the coordination of activities at the regional/local level and with the neighbouring MS and third countries. If permanent operational structures in the framework of EPN (NCC/ICC, LCC, FPSB) have been established, the LCC should preferably be located within this structure

The LCC shall:

- Lead and coordinate the implementation of the operational activity in the area of responsibility as described in the Operational Plan;

- Plan an intelligence driven tactical and/or strategic synchronization of available technical and human resources in the area of responsibility;

- Facilitate the monitoring of the operational situation to ensure the efficient implementation and promotion the further developments regarding organizational and operational issues;

- Facilitate the proper implementation of operational information gathering, sharing and dissemination;

- Facilitate the proper functioning of the reporting system in the ICC (contribute to the Daily Reporting Package);

- Ensure communication and cooperation between the participants of the host and participating MS;

- Assess the content of the reports received from GO and/ or CO and shall elaborate the daily LCC situational reports from the operational scene in the area of responsibility;

- Be manned by the duty officers and necessary technical and administrative staff from the host national authorities involved in the operational activities.

LCC Coordinator

In case Frontex and the host MS decide to establish the LCCs, the host MS shall appoint and deploy an officer to perform tasks of the LCC Coordinator for each of them.

The LCC Coordinator is responsible for leading the daily operational activities in the area of responsibility in close cooperation with and under coordination of the ICC Coordinator throughout the joint operation. To ensure the continuous presence of the LCC Coordinator he/she shall be deputized by an appropriate officer who shall take over the responsibilities and tasks during his/her absence.

The LCC Coordinator shall:

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- Lead the proper implementation of the joint operation in the area of responsibility as described in the Operational Plan

- Ensure that the decision of the JCB and the ICC Coordinator are followed by the means and staff deployed in the area of responsibility;

- Contribute to the needed adjustment of the operational concept and working procedure when it is justified by updated risk assessment and/or operational needs;

- Contribute to the proper implementation of information gathering, sharing and dissemination and the related reporting system;

- Chair the operational meetings in the LCC;

- Monitor the operational situation in the area of responsibility to ensure the efficient implementation and promote the further development of the organizational and operational issues;

- Provide the ICC with the incident reports on situational updates from the operational area;

- Work closely and continuously with the deployed resources in the area of responsibility, particularly the COs, the ICC and other;

- Follow instructions of the ICC Coordinator.

Liaison Officer (LO)

The host MS where different authorities are involved may appoint and deploy an LO in the ICC and in LCC if established, to facilitate the cooperation between different components from the involved authorities ensuring an effective implementation of the operational activities.

Liaison Officer - Technical Equipment (LO-TE)

If requested by the participating or the host MS, the host MS shall appoint a liaison officer skilled in know-how about the relevant operational matters for aerial and maritime means as LO-TE deployed onboard the foreign aerial and maritime mean to act as the continuous connection between the CO and the host national authorities.

The LO-TE shall:

- Support the proper implementation of the operational activities as described in the Operational Plan;

- Support the implementation of decisions of the JCB and the ICC Coordinator to be followed by the mean and the crew;

- Contribute to the needed adjustment of the operational concept and working procedure;

- Ensure the right implementation of the national law/procedures related to the operational activities;

- Support the communication between LCC and the mean;

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- Support the proper implementation of information gathering, sharing and dissemination and the related reporting system;

- Support the CO to ensure the efficient implementation and promote the further development of the operational issues;

- Work closely and follow instructions of the LCC Coordinator.

Guest Officer (GO)

➤ **Border Surveillance Officer** carries out border surveillance duties at the external borders to prevent unauthorized border crossings, to counter cross-border criminality and to take appropriate measures.

➤ **Debriefing Expert** interviews a person having crossed, or having attempted to cross, an external border irregularly in order to collect information that is used for risk analysis, raising operational awareness and facilitating operational decision-making that may be used for supporting national measures of the host Member State.

Special instructions:

Executive powers

With reference to the Frontex Regulation guest officers have the capacity to perform all tasks and exercise all powers for border checks in accordance with the SBC, and that are necessary for the realisation of the objectives of the SBC. Guest officers may only perform tasks and exercise powers under instructions from and, as a general rule, in presence of the host Member State officers.

Uniform

Guest officers shall wear their national uniform without any service weapons (guns, truncheon, handcuffs, pepper spray) while performing their tasks and exercising their powers. However, guest officers carrying out interview shall follow the related host Member State national procedures.

Armbands

Guest officers shall wear a blue armband with the insignia of the European Union and Frontex on their uniforms, identifying them as participating in the operation. However, guest officers carrying out interview shall follow the related host Member State national procedures.

Accreditation document

Guest officers shall carry at all times (on and off duty) an accreditation document for the purposes of identification vis-à-vis the national authorities of host Member State and its citizens. This document shall be presented on request.

Databases

Deployed guest officers might not be able to access directly the national databases of host Member State. In such case request for consultation shall be directed to the national officers of host Member State. Guest officers are encouraged to consult their own national databases to the extent possible.

Service weapons

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Commented [A3]: The blanked out parts contain detailed information regarding the modus operandi of law enforcement officials. Its disclosure would expose law enforcement officials patrolling the area and harm the course of future and ongoing operations, and thus facilitate irregular migration. Therefore, public security will be affected. In light of the above, the text is not disclosed pursuant to the exception laid down in the first indent of Article 4(1)(a) of Regulation No 1049/2001 relating to the protection of the public interest as regards public security.

Use of force

Guest officers may use force only in the case of self-defense and with legitimate defence.

In order to fulfil the tasks efficiently the GO shall have a very good command of English.

Commanding Officer (CO)

COs are the Commanders of the aerial, maritime and land means according to the national legislation.

Special adviser

Based on the risk analysis and operational needs the special adviser may be deployed within the joint operation. However, special advisers' performance is not covered by the Regulation (EC) 2007/2004 and (EC) 863/2007, and thereby limited to the support and assistance without any power to act on their own.

Interpreters and Cultural Mediator

The host MS and Frontex shall consider the needs to deploy additional interpreters or cultural mediators. The interpreters / cultural mediators shall assist the local staff and GOs with the implementation for the operational activities in the area.

Local staff of the host Member State

The national authorities of the host MS, mainly the local staff, has the leading role in the implementation of the operational activities. The GOs, advisers and observers shall support and, based on their mandate, carry out measures in line and in agreement with the local staff.

The basic tasks of local staff involved with the implementation of the JO will be unchanged according to the relevant national law and internal regulations of the national border guard service but additionally they should:

- Cooperate closely with the GOs, advisers, observers knowing their role and mandate;

- Be familiar with the Operational Plan and more accurately the tasks assigned to the local level;

- Support the participants to carry out their tasks with practical contribution.

Additional staff of the host Member State

Additional staff could be deployed in the operational area based on operational needs and in agreement between the host MS and Frontex to increase the operational capacity and supporting the participants from other MS.

FRONTEX

ANNEX 4

LIST OF PARTICIPATING RESOURCES

LIST OF PARTICIPATING UNITS/ EXPERTS

MS/SAC	Units/Experts	Dates
ES	2 CPV	02.07-15.12
LU	1 Airplane (FWA)	01.08-30.09
IS	1 Airplane (FWA)	01.10-30.10

Communication Table JO EPN–Hera 2012
(FX Project Team)

Position	Name, Surname	Phone number	Email
Project Team (common email)			
Project Manager			
Project Team Member			
Project Team Member			
Frontex Coordinating Officer (FCO)			
FX Situation Centre (FSC)			
Frontex Operational Analyst (OA)			

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ANNEX 7

RECOMMENDED RULES OF ENGAGEMENT (ROE)

General

These ROE do not affect the participant's rights and obligations under international law and nor under relevant domestic laws and shall be used only as a coordination tool during Frontex maritime operations.

In order to provide uniform training and planning capabilities, this document is authorized for distribution to EU MS/SAC at all levels and is to be used as fundamental guidance for training and directing their forces.

This instruction is approved for limited release.

The rules of engagement do not affect the participant's rights and obligations under international agreements and other instruments establishing international courts and tribunals, and relevant domestic laws and shall be used only as a coordination tool during Frontex maritime operations.

The prevention of loss of lives has overall priority in all operational actions

The security of the operational means and the safety of the crew should not be put into unnecessary risk

The patrols should monitor intensively of specific maritime areas against illegal migration on the basis of information provided by Frontex EU MS/SAC. The scope of these intensified patrols is to prevent illegal migrants from undetected landing in EU Member States.

Safeguards

Where a MS takes measures against a vessel, it shall:

take due account for the strict respect for fundamental rights consigned in international laws and the boarding MS law and regulations;

(b) take due account of the need not to endanger the safety of life at sea;

(c) take due account of the safety and security of the vessel and its cargo;

(d) not prejudice the national, commercial or legal interests of the Flag State;

(e) ensure within available means, that any measure taken with regard to the vessel is environmentally sound under the circumstances;

(f) ensure that the master of the vessel is, or has been, afforded at any time the opportunity to contact the vessel's Flag State, and, subject to preserving the safety and security of operations, is, or has been, afforded the opportunity to contact the vessel's owner or manager.

All reasonable efforts shall be taken to avoid a vessel being unduly detained or delayed.

Exchange and Knowledge of Laws and Practices of MS

Exchange of Information. To facilitate implementation of those ROE, each HMS, shall endeavor to ensure the other MS are appropriately informed of its respective applicable laws and practices, particularly those pertaining to the use of force.

Knowledge. Each participating MS shall endeavor to ensure that its representatives in Frontex maritime operations are knowledgeable concerning the applicable laws and policies in accordance with this ROE.

To ensure MS concluding knowledge of Frontex - ROE - Frontex provides a basic training in these rules in cooperation with each HMS.

Specific regional and local conditions, which must be taken into special account shall after negotiations be clearly described in the operational report.

Implementation of ROE - Measures against suspect vessels

The patrols should monitor intensively of specific maritime areas against illegal migration on the basis of information provided by Frontex EU MS/SAC. The scope of these intensified patrols is to prevent illegal migrants from undetected landing in EU Member States.

Once a suspect vessel has been detected, it should be approached in order to observe its identity and nationality and, pending the adoption of any other appropriate measure, it should be surveyed at a prudent distance.

Detection – monitoring

This is the initial phase, where a suspicious vessel is detected and the CO assesses the situation, analyzing possible courses of action available.

Upon sighting a suspicious vessel, EU MS/SAC vessels are to continue to follow the progression of the suspicious vessel and try to identify:

Position (coordinates)

The course

The speed

The flag or/and registration number

Size ant type of a vessel

Number of persons visible

Activity on board

Description of a vessel including: (color, other special identifying marks; possible recognition of equipment, etc.)

During this phase, the EU MS/SAC unit is to keep a safe distance so that the suspect vessel will not identify the type of vessel approaching.

Disembarkation

DISEMBARKATION OF PEOPLE APPREHENDED SUBSEQUENTLY TO INTERCEPTION

Persons apprehended subsequently to interception will be disembarked in the third country from where the ship carrying them departed or through the territorial waters of which that ship transited and if this is not possible, they will disembarked in Spain.

DISEMBARKATION OF PEOPLE RESCUED BY PARTICIPATING UNITS

The main applicable principle is that *the responsibility to provide a place of safety, or to ensure that a place of safety is provided, falls on the MS/third country responsible for the SAR region in which the survivors were recovered*, as set forth in relevant applicable international legal instruments.

It shall be ensured that coordination and cooperation is carried out in such a way that the persons rescued can be delivered to a place of safety.

FOLLOW-UP MEASURES

PROVISION OF BASIC HUMAN NEEDS

The Member State where disembarkation takes place shall, prior to any other action, render the basic human needs of the apprehended and rescued persons such as food, shelter and medical assistance. Special consideration shall be given to persons in particularly vulnerable situations and to minors.

SCREENING AND STATUS ASSESSMENT

The screening and status assessment of persons apprehended or rescued shall take place after disembarkation and the assistance has been provided to them.

FOLLOW-UP MEASURES

Upon disembarkation and following the adoption of measures referred to in paragraphs 1 and 2 above, apprehended persons in need for international shall be handed over to the competent authority of the Member State for an examination of their status.

Use of Force

All uses of force pursuant to this Agreement shall be in strict accordance with the applicable laws and practices of the EU MS/SAC conducting the boarding and with applicable international law.

Each MS shall avoid the use of force except when and to the degree necessary to ensure the safety of their vessels (units), and where participants are obstructed in the execution of their duties.

Any use of force pursuant to this Article shall not exceed the minimum degree of force that is necessary, proportional and reasonable in the circumstances.

Boarding and search teams of MS vessels (units) have the inherent right to use all available means to apply that force reasonably necessary to defend themselves or others from physical harm.

Any use of force by the EU MS/SAC conducting a boarding and search shall be immediately and promptly reported with all necessary details to ICC/NCC and Frontex as indicated in the OPPLAN.

It is important to underline that above mentioned guidelines of use of force do not limit a use of force in self-defense.

Nationality of vessels

(a) A vessel must sail under the flag of one state only, and a vessel: "which sails under the flags of two or more States, using them according to convenience, may not claim any of the nationalities in question with respect to any other State, and may be assimilated to a vessel without nationality;"

(b) A vessel is not prohibited to sailing without a flag, but if it does it cannot invoke diplomatic protection for any international wrong it may have allegedly suffered. "In the interest of order on the open sea, a vessel not sailing under the maritime flag of a State enjoys no protection whatever, for the freedom of navigation on the open sea is freedom for such vessels only as sail under the flag of a State."

Right of Assistance Entry

(a) Vessels, or under certain circumstances aircraft, have the right to enter a foreign territorial sea or archipelagic waters and corresponding airspace without the permission of the coastal or archipelagic state to engage in legitimate efforts to render emergency assistance to those in danger or distress from perils of the sea.

(b) Right of Assistance Entry extends only to rescues where the location of those in danger is reasonably well known. It does not extend to entering the territorial sea, archipelagic waters, or territorial airspace to conduct a search.

(c) For vessels and aircraft rendering assistance on scene, the right and obligation of self-defense extends to and includes persons, vessels, or aircraft being assisted. The right of self-defense in such circumstances does not include interference with legitimate law enforcement actions of a coastal State.

(d) Any operational activities in the territorial waters of a Member State that does not participate in the operation or of a third country should be conducted in accordance with the authorization and instructions of the coastal State. The coordination centre should be informed of any communication with the coastal State and of the subsequent course of action.

Vessel Boarding

Reasons for boarding

The fundamental reason for conducting vessel boardings is to enforce all international maritime laws, particularly relating to immigration;

Minimizing impact

Boarding are conducted thoroughly but expeditiously so as to interfere as little as possible with legitimate voyages. Where there is a high probability of detecting unlawful conduct, or a need to increase the frequency of boarding in a given area and/or of particular vessel types, the possible negative impact on maritime commerce or potential ill will among the boating public is not a significant factor in boarding decisions. In other circumstances, however, impacts on maritime commerce and the boating public are considered carefully. Both groups have legitimate interests relating to oceans and waterways use, and the continuing support of both groups is important to the future effectiveness of Frontex maritime operations.

Personnel conduct

Boarding personnel are required to promote a positive impression of the service through outstanding appearance, professional conduct and competence.

Boarding teams

COs are responsible for ensuring their law enforcement personnel are properly trained, equipped and motivated to carry out their duties. At the discretion of the CO, non-qualified Coast Guard personnel (e.g., break-in boarding personnel, cadets, and engineering personnel) may support the boarding team in the progress of their action.

(a) Boarding officer. The boarding officer, under the CO's supervision, is in charge of the boarding team and is responsible for the proper conduct of the boarding.

(b) Qualified boarding team members. Law enforcement team members may consist of qualified personnel from different MS.

(c) Other law enforcement agencies. When multinational boarding team is used all personnel from different MS participate in boardings, they agree in advance to follow the boarding officer's direction and comply with customary policy governing the use of force. Special circumstances may dictate deviation from this policy with the concurrence of higher authority.

(d) Boarding team qualifications. Boarding officers are required to meet the national criteria related to the boarding.

(e) Boarding team size. Boarding teams are comprised of at least two qualified personnel, at least one of which is a qualified boarding officer. Boarding team size beyond this minimum requirement is determined on a case-by-case basis.

Factors that are considered when making these determinations include:

(a) suspicion of criminal activity;

(b) size and condition of the vessel;

(c) number of personnel thought to be onboard;

(d) vessel activity being examined or regulated, and

(e) recent experience in the operating area.

When an adequate number of qualified boarding personnel are not available to safely conduct a boarding, the following considerations are made:

(a) postpone the boarding and call for additional personnel, or

(b) postpone the boarding and escort the vessel to a location where the boarding may proceed safely and secure.

Pre-boarding activity

Practice exists regarding pre-boarding activity that must be made in determining whether to board a particular vessel. A determination shall take in consideration at least the following elements: asking right of approach questions; asking pre-boarding questions; establishing authority and jurisdiction, and conducting a risk/benefit assessment.

(a) Right of approach. Under international law, a war vessel, military aircraft, or other duly authorized vessel may approach in international waters any vessel, other than a war vessel or government vessel on non-commercial service, to verify its nationality.

This is the phase where the suspicious vessel is approached by the EU MS/SAC asset and the danger of pursuing further with their crossing is explained to them.

(b) Pre-boarding questions. Pre-boarding questioning is conducted by MS asset CO's vessels to obtain specific law enforcement information. Units contemplating law enforcement action, if practicable, ask the pre-boarding questions/actions. Rather than asking questions about weapons during pre-boarding, boarding teams query the master upon boarding. When practicable, units contemplating law enforcement action conduct an intelligence database check on the vessel and master.

(c) Authority and jurisdiction. Maritime assets ascertain whether their authority and jurisdiction exist prior to conducting a boarding and/or taking follow-up law enforcement action. Additionally, maritime units are required to comply with internal practice guidance that may limit the exercise of authority and jurisdiction without first obtaining a statement of no objection from a higher authority.

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(d) Risk/benefit assessment. Given the limited number of enforcement resources, the maritime units cannot board all vessels encountered, and therefore, operational cost/benefit decisions should be made.

While all possible contingencies cannot be addressed, the following factors figure prominently in deciding whether to initiate a boarding:

• Safety of personnel and property.

• Probability of detecting unlawful conduct.

• Impact on maritime commerce and boating public.

The maritime assets makes every attempt to ensure its personnel and assets, the people and property against which enforcement action is contemplated, and bystanders are not placed at undue risk of injury or loss.

Boarding procedures

Detailed guidance and explicit boarding procedures and tactics have to be developed by each MS to ensure that boarding are conducted safely and effectively.

Detention and release of persons and property

Vessels, the persons aboard, and property associated with either may be detained by the maritime unit, at sea for the time reasonably necessary to:

(a) ensure the safety of persons and property;

(b) complete an investigation of a violation of law (including interviewing suspects and witnesses); As a minimum the detainee should be informed about the aim of EU MS/SAC actions;

(c) effect other law enforcement action (e.g., seizing the boat of facilitator); and

(d) carry out the enforcement of a law where the vessel, person or property is subject to a more severe sanction (e.g., vessel subject to forfeiture or person subject to arrest).

If, during the course of a vessel inspection, evidence of criminal activity is encountered

(e.g., contraband is discovered on the chart table while checking required publications on the bridge), a criminal investigation takes place in EU MS/SAC or third country under which jurisdiction criminal activity can be prosecuted;

As general rule all administrative procedures related to screening and status assessment of persons intercepted are to be carried out after to disembarkation by authorities in charge;

Hosting EU MS/SAC should ensure smooth coordination of all relevant national or/and international authorities relating to the disembarkation persons intercepted by participating EU MS/SAC vessels.

Disposition of Seized Property

Except as otherwise agreed by the EU MS/SAC, cargo and other items seized in consequence of operations undertaken onboard vessels subject to the jurisdiction of a EU MS/SAC pursuant to this ROE, shall be disposed of by HMS in accordance with its laws.

Cooperation and Assistance

The Competent Authority of participating EU MS/SAC may request, and the Competent Authority of the other HMS may authorize, representatives of contributing MS to provide technical assistance, such as specialized assistance in the boarding and search of suspect vessels, including vessels of the HMS located within territory of HMS jurisdiction.

Claims

Any claim for injury to or loss of life or other claim submitted for damage, harm or loss resulting from an operation carried out by the EU MS/SAC while carrying out operations arising from this ROE shall normally be resolved in accordance.

RULES AND GUIDELINES FOR

FRONTEX COORDINATED SEA OPERATIONS

Part I

Rules for sea border operations coordinated by the Agency

1.   General principles

1.1.   Measures taken for the purpose of the surveillance operation shall be conducted in accordance with fundamental rights and in a way that does not put at risk the safety of the persons intercepted or rescued as well as of the participating units.

1.2.   No person shall be disembarked in, or otherwise handed over to the authorities of, a country in contravention of the principle of non-refoulement, or from which there is a risk of expulsion or return to another country in contravention of that principle. Without prejudice to paragraph 1.1, the persons intercepted or rescued shall be informed in an appropriate way so that they can express any reasons for believing that disemarkation in the proposed place would be in breach of the principle of non-refoulement.

1.3.   The special needs of children, victims of trafficking, persons in need of urgent medical assistance, persons in need of international protection and other persons in a particularly vulnerable situation shall be considered throughout all the operation.

1.4.   Member States shall ensure that border guards participating in the surveillance operation are trained with regard to relevant provisions of human rights and refugee law, and are familiar with the international regime on search and rescue.

2.   Interception

2.1.   Upon detection, the ship or other sea craft ("ship") shall be approached in order to observe its identity and nationality and, pending further measures, it shall be surveyed at a prudent distance. Information about the ship shall be communicated immediately to the coordination centre established in the context and for the purposes of the sea operation coordinated by the Agency.

2.2.   If the ship is about to enter or it has entered the contiguous zone or the territorial waters of a Member State that does not participate in the operation, information about the ship shall be communicated to the coordination centre, which will convey the information to the Member State concerned.

2.3.   Information about any ship suspected of being engaged in illegal activities at sea outside the scope of the operation shall be communicated to the coordination centre, which will convey the information to the Member State or Member States concerned.

2.4.   Measures taken in the course of the surveillance operation against ships or other sea craft with regard to which there are reasonable grounds for suspecting that they carry persons intending to circumvent the checks at border crossing points may include:

(a)   requesting information and documentation on ownership, registration and elements relating to the voyage, and on the identity, nationality and other relevant data on persons on board;

(b)   stopping, boarding and searching the ship, its cargo and persons on board, and questioning persons on board;

(c)   making persons on board aware that they are not authorised to cross the border and that persons directing the craft may face penalties for facilitating the voyage;

(d)   seizing the ship and apprehending persons on board;

(e)   ordering the ship to modify its course outside of or towards a destination other than the territorial waters or contiguous zone, escorting the vessel or steaming nearby until the ship is heading on such course;

(f)   conducting the ship or persons on board to a third country or otherwise handing over the ship or persons on board to the authorities of a third country;

(g)   conducting the ship or persons on board to the host Member State or to another Member State participating in the operation.

2.5.   Measures referred to in paragraph 2.4 shall be taken under the following conditions:

2.5.1.   Territorial waters and contiguous zone

2.5.1.1. Measures referred to in paragraph 2.4 shall be taken upon authorisation and in accordance with the instructions from the host Member State transmitted to the participating unit via the coordination centre. To that end, the participating unit shall communicate to the host Member State, via the coordination centre, whether the master of the intercepted vessel has requested that a diplomatic agent or consular officer of the flag State be notified.

2.5.1.2. Any operational activities in the territorial waters or contiguous zone of a Member State that does not participate in the operation shall be conducted in accordance with the authorization of the coastal State. The coordination centre shall be informed of any communication with the coastal State and of the subsequent course of action.

2.5.2.   The High Seas beyond the contiguous zone

2.5.2.1. If the ship flies the flag or displays the marks of registry of the nationality of a Member State participating in the operation, measures referred to in paragraph 2.4 shall be taken upon authorisation of the flag State. The national official representing that Member State at the coordination centre shall be entitled to grant or to transmit such authorisation.

2.5.2.2. If the ship flies the flag or displays the marks of registry of a Member State that does not participate in the operation or of a third country, confirmation of registry shall be requested from the flag State through the appropriate channels and, if nationality is confirmed, authorisation shall be requested, in accordance with the Palermo Protocol against the smuggling of migrants, from the flag State to take the measures referred to in paragraph 2.4.

The coordination centre shall be informed of any communication with the flag State.

2.5.2.3. If, though flying a foreign flag or refusing to show its flag, there are reasonable grounds for suspecting that the ship is, in reality, of the same nationality as the participating unit, the participating unit shall proceed to verify the ship's right to fly its flag. To this end, it may send a

boat under the command of an officer to the suspected ship. If suspicion remains after the documents have been checked, it shall proceed to a further examination on board the ship, which must be carried out with all possible consideration. The country of which the ship is allegedly flying the flag shall be contacted through the appropriate channels.

2.5.2.4. If, though flying a foreign flag or refusing to show its flag, there is reasonable ground for suspecting that the ship is, in reality, of the nationality of another Member State participating in the operation, verification of the ship's right to fly its flag shall be conducted upon authorisation of that Member State. The national official representing that Member State at the coordination centre shall be entitled to grant or to transmit such authorisation.

If, in the above cases, the suspicions regarding the nationality of the ship prove to be founded, measures referred to in paragraph 2.4 shall be taken under the conditions laid down in paragraph 2.5.2.1.

2.5.2.5. If there are reasonable grounds for suspecting that the ship is without nationality or may be assimilated to a ship without nationality, the participating unit shall proceed to verify the ship's right to fly its flag. To this end, it may send a boat under the command of an officer to the suspected ship. If suspicion remains after the documents have been checked, it shall proceed to a further examination on board the ship, which shall be carried out with all possible consideration.

Measures referred to in paragraph 2.4 shall be taken if the suspicions that the ship is without nationality prove to be founded and that there are reasonable grounds to suspect that the ship is engaged in the smuggling of migrants by sea in accordance with the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime.

A ship is without nationality or may be assimilated to a ship without nationality when the ship has not been granted by any State the right to fly its flag or when it sails under the flags of two or more States, using them according to convenience.

2.5.2.6. Pending or in the absence of authorisation of the flag State, the ship shall be surveyed at a prudent distance. No other measures shall be taken without the express authorisation of the flag State, except those necessary to relieve imminent danger to the lives of persons as set out in section 1 of Part II or those measures which derive from relevant bilateral or multilateral agreements, or unless the ship has entered the contiguous zone.

Part II

Guidelines for search and rescue situations and for disembarkation in the context of sea border operations coordinated by the Agency

1.   Search rescue situations

1.1.   The obligation to render assistance to the persons in distress at sea shall be carried out by Member States in accordance with the applicable provisions of international conventions governing the search and rescue situations and in accordance with requirements concerning the respect for fundamental rights. Participating units shall provide assistance to any vessel or person in distress at sea. They shall do so regardless of the nationality or status of such a person or the circumstances in which that person is found.

1.2.   When facing in the course of the border surveillance operation a situation in which uncertainty or apprehension exists as to the safety of a ship or of any person on board, the participating unit should forward as soon as possible all available information to the Rescue Coordination Centre responsible for the search and rescue region where the situation is taking place.

In cases where the Rescue Coordination Centre of the third country responsible for the search and rescue region does not respond to the notification transmitted by the participating unit, the latter should contact the Rescue Coordination Centre of the host Member State.

While awaiting instructions from the Rescue Coordination Centre, participating units should take all the appropriate measures to ensure the safety of the persons concerned.

1.3.   Participating units should take all relevant elements into account and communicate their assessment to the responsible Rescue Coordination Centre, including in particular:

a)   the existence of a request for assistance,

b)   the seaworthiness of the ship and the likelihood that the ship will not reach its final destination,

c)   the number of passengers in relation to the type of ship (overloading),

d)   the availability of necessary supplies (fuel, water, food, etc.) to reach a shore,

e)   the presence of qualified crew and command of the ship,

f)   the availability of safety, navigation and communication equipment,

g)   the presence of passengers in urgent need of medical assistance,

h)   the presence of deceased passengers,

i)   the presence of pregnant women or children,

j)   the weather and sea conditions.

1.4.   The existence of an emergency should not be exclusively dependent on or determined by an actual request for assistance.

In cases where, despite a ship being perceived to be in a state of emergency, the persons on board refuse to accept assistance, the participating unit should inform the Rescue Coordination Centre

and continue to fulfil a duty of care, taking any measure necessary to the safety of the persons concerned, while avoiding taking any action that might aggravate the situation or increase the chances of injury or loss of life.

1.5. The coordination centre of the operation should be informed as soon as possible of any contact with the Rescue Coordination Centre and of the course of action taken by the participating unit.

1.6. If the ship cannot or can no longer be considered as being in a state of emergency or the search and rescue operation has been concluded, the participating unit should, in consultation with the coordination centre of the operation, resume the operation in accordance with Part I.

ANNEX 8

JORA General information

JORA product management

FSC JORA team is responsible for JORA product management in accordance with the JORA policy and process. The product managers are nominated in Annex 10.

The Product Manager is the steward of the system; his/her primary role is to ensure that the system runs properly in line with the end-users needs and if necessary to manage the further developments or readjustments of the system. The Product Manager also ensures the correct use of JORA. The Product Manager reviews quality, efficiency and user-satisfaction of the system in accordance with the needs.

Responsible for:
- Executing the day-to-day operational management of the system;
- Communication with external customers and Frontex entities;
- Management and maintenance of the SLA with ICT;
- Content & structural design management on application level;
- Managing change requests;
- Identifies training needs;
- Coordination of user training;
- Performance reporting to internal stakeholders;
- Reporting risks, statistics, issues to Business Owner;
- Initiating and executing new developments;
- Provide expertise to new product development activities;
- Initiating quality checks.

Day to day product operational support:
- Expertise;

- Consultancy;
- Service;
- Required support.

JORA product management is collecting feedback from the end users (find it in the relevant annex). The feedbacks are collected, evaluated and analyzed by JORA change advisory board.

JORA Administrator

- Nominated FSC staff member by FSC Head of Unit
- Authorized to manage JORA for all roles in all processes
- Define/modify/delete operation in JORA
- Acting as incident template approver and validate and publishing incident template in JORA.

JORA Frontex access manager (SBS)

- Nominated in Annex 10 of the operational plan
- Initiating the operation and creating its structure in JORA system according to Annex 9 of the Operational Plan
- Selecting and assigning the incident template creator in JORA system and approves the incident template
- Managing the access requests from member of EU Institutions, Frontex, and other authorities participating regarding this operation,
- Assigning and managing the National Access Managers to the operation in the JORA system as it mentioned in Annex 9
- Delegating responsibilities to other Frontex Project Team members authorized to act on behalf of JO Project Manager / Frontex JORA Access Manager as it mentioned in Annex 10 of Operational Plan
- Acting as incident template verifier,
- Managing users concerning this operation

Delegated JORA Frontex access manager (SBS)

- Nominated in Annex 10 of the operational plan
- All the roles and responsibilities are applicable for delegated Frontex access manager as listed under JORA Frontex access manager.

Deployed Support Officers to FSC

FSC JORA team provides necessary training for JORA in accordance with the role and responsibility of deployed support officers.

JORA National Access Manager

National Access Managers are nominated by MS / National Authority and named in Annex 10 of the Operational Plan.

Responsibilities:

- Approving or rejecting the access requests from member of national entities participating in Frontex operations and defining the operational access rights;
- Creating and approving Initial Access Requests from member of national entities participating in Frontex operations and defining the operational access rights;
- Managing users' accounts for this operation.

JORA Incident Reporter

A Member of BCP or surveillance unit is responsible for incident reporting.

The incident reporters' main responsibilities to create, modify, and forward incident for LCC level data validation.

JORA Local Incident Verifier

A Member of Local Coordination Centre responsible for incident validation at local level and nominated in Annex 5 of the Operational Plan. Local incident verifiers' main responsibilities are verify, modify and forward incident to ICC level data validation.

If the ICC level does not exist, the Local incident verifier shall forward the incidents, upon verifying and modifying them, to selected authorities especially to Frontex Situation Centre as defined in the operational structure of this operation in JORA system.

JORA International Incident Verifier

A Member of International Coordination Centre or member of other authorities responsible for incident validation on international level. The ICC incident verifiers' main responsibilities are to verify, modify and forward incident to selected authorities especially to Frontex Situation Centre as defined in the operational structure of this operation in JORA system.

ANNEX 9

JORA INFORMATION FLOW SCHEME AND ACTORS

JORA Information Flow Scheme

The following operational structure shall be defined in JORA by Frontex Access Manager (JOU Project Manager):

Commented [A5]: The blanked out parts contain detailed information regarding the modus operandi of law enforcement officials. Its disclosure would expose law enforcement officials patrolling the area and harm the course of future and ongoing operations, and thus facilitate irregular migration. Therefore, public security will be affected. In light of the above, the text is not disclosed pursuant to the exception laid down in the first indent of Article 4(1)(a) of Regulation No 1049/2001 relating to the protection of the public interest as regards public security

Note: When referring to FSC, ICC, LCC and BCP in connection to JORA, they represent the reporting/validation levels as described in JORA general information.

ANNEX 10

JORA Actors

ROLE	Name	Member State / EU	Institution / Unit	e-mail	phone
JORA Admin and product management					
Frontex Access Manager					
Delegated Frontex Access Manager					
Template Creator					
				-	
National Access Manager 1					
				-	

NOTE: Detailed roles and responsibilites of the different actors are described in JORA policy and process business documents

ANNEX 11

JORA Incident template attribute list

The Incident Template defined in JORA system shall contain the following attributes in order to fulfill Frontex data collection requirements regarding operational data collection within this joint operation:

GENERAL INFORMATION:

No	NAME OF ATTRIBUTE	MANDATORY[1]	REMARK
1			
2			
3			
4			
5			
6			
7			
8			
9			

PERSONS INFORMATION

10			
11			
12			
13			

ADDITIONAL INFORMATION

14			
15			
16			
17			
18			
19			

---

[1] Please mark this area if input shall be given by incident reporter. Please note that without filling in mandatory fields the system will not let the incident reporter to submit the report (sending it for validation).

ANNEX 12

JORA end user feedback template

Please fill in the following feedback template and send it to JORA product management via e-mail (jora@frontex europa eu). In case you are reporting an error message which appeared in JORA please save the log and send it as an attachement of your e-mail together with this form.

NAME of reporter	
Frontex Unit / Sector	
Members State	
Duty station	
²Name of the operation	

³Users role in the operation	Frontex Access Manager ☐	Frontex Template Creator ☐
	National Access manager ☐	BCP/BCU Incident reporter ☐
	LCC incident verifier ☐	ICC incident verifier ☐
	FSC incident approver ☐	No specific role in the system ☐

Reported issue			
Log-in problem ☐	⁴Error message ☐	Attribute⁵ ☐	Drop-down list ☐
Data input ☐	Validation process ☐	Data modification ☐	Data loss ☐
Export function ☐	Attaching docs, image, video ☐	Dashboard ☐	Development requirement ☐
User friendliness ☐	Other ☐		

[Please describe the situation or provide some explanation about the reported issue]

⁵ Attribute in this document means the different fields for collecting information and also mentioned in drop down lists.

EPN-Hera 2012 - Incident Report
Version 3.3
GENERAL INFORMATION

FRONTEX

Field	Value	
Name of the operation:	EPN-Hera 2012	Save File
Incident No:	IR_0_1_1300__	Clear Form
Local Coor. Centre: / Rep Points	Out Rep. Pts	
Date of interception:		
Time of interception:		
Intercepted by:		
Place of interception:		
Latitude:	decimals	degrees/min/sec
Longitude:	decimals	degrees/min/sec
Reference to OP. Area:		

INFORMATION ON PERSONS

Total Migrants	0	Male:	0	Female:	0	Minors:	0

Nationality	Adults		Minors		Nationality:	Adults		Minors	
	Male	Female	Male	Female		Male	Female	Male	Female

TO ADD OTHER-PRESS HERE   **Country codes**

Field	Value	Field	Value
Place of departure:		Country of departure:	
Place of destination:		Date of arrival:	
Migrants deterred:		Death cases:	
Migrants arrived:		**Data on Asylum seekers**	
Asylum requests:	0	**Document Alert**	
Facilitators arrested:		Documents alerts:	
Nationality facilitator:		Victims of trafficking:	

INFORMATION ON TRANSPORT

Field	Value	Field	Value
Nr. of transport means:		SAR involved:	
Means of transport:			

COMMENTS

ANNEX 14

Serious Incident Reporting

1. Introductory Information

The Serious Incident Report (SIR) pursues the goal to inform Frontex, Member States, Management Board and other stakeholders if relevant as soon as possible about the occurred situation described in the "Frontex Serious Incident Catalogue" in order to increase the situation awareness and reaction capabilities of Frontex activities. Furthermore to support an adequate and rapid response related to Frontex Joint Operations. The SIR can be the first basis to be used for official statements and follow-up measures of Frontex.

2 Serious Incident Catalogue

2.1 Definition of serious incident

Serious incident is an event or occurrence, natural or caused by human action, which may affect, or be relevant to, the Frontex mission, its image, the safety and security of the participants on the operation, or any combination thereof including violations of Fundamental Rights and of EU or international law rules related to the access to international protection and infringements of the Frontex Code of Conduct.

2.2 Serious Incident Categories

2.2.1 **Category 1** – Situations of high political and/or operational relevance especially with potential effect on EU border management on one or more MS/SAC[6] including international crisis situations, including:

- Terrorist attack in MS/SAC, EU neighboring or third countries
- Natural disasters in MS/SAC, EU neighboring or third countries

---

[6] Leading to a change on the level of border control. (e.g. introduction of specific border control. means, temporary introduction of border control between Schengen countries, stop for air traffic)

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- Other disasters/man-made disaster (chemical, nuclear) in MS/SAC, EU neighboring or third countries
- Unexpected major changes in border management, e.g. introduction of visa obligations, temporary closure of BCPs
- Major incidents related to EU/SAC border security (not in relation with Frontex operational activities), e.g. massive arrivals of irregular migrants, traffic accidents on BCP, blockade of BCP
- Border conflict between MS/SAC and third countries
- Civil war / riots and civil commotion in MS/SAC, EU neighboring or third countries
- Armed conflict between EU neighboring and / or third countries or with MS/SAC

2.2.2 Category 2 - Incidents occurred in Frontex activities/Joint Operations and not related to Frontex staff, or any other participant in such activity/Joint Operation (e.g. members of the European Border Guard Team and border guards of the host Member State) including:

- Incidents in Frontex activities with a high public or political interest (death of persons, high number of arrivals in unexpected regions), unexpected massive arrivals of irregular migrants
- Incidents or accidents at the external border with potential effect of Joint Operation implementation
- Use of force, and in particular the use of firearms in Joint Operations
- Incidents with involvement of third countries
- Serious accidents with involvement of deployed means (e.g. plane crash)
- Dissension between participating MS (Host and Home) in Frontex coordinated activities, significant (unexpected) changes in implementation compared with operational plan
- Unforeseen other incidents with potential effect on the implementation of Joint Operations

2.2.3 Category 3 – Participating actors in a Frontex coordinated activity (e.g. Frontex staff, Members of the European Border Guard Team), including:

- Death of Frontex staff member/deployed participant
- Severe injury of Frontex staff/deployed participant

- Serious accident involving Frontex staff/deployed participants whether on or off duty
- Arrest / with involvement of Frontex staff/deployed guest officers
- Serious illness or contagious diseases of Frontex staff/deployed participants (epidemic related)
- Impossibility to use Frontex premises or parts of Frontex premises

2.2.4 Category 4 – Situations of suspected violation of Fundamental Rights including:

- Suspected violation of Fundamental Rights in the European or international law related to the access to international protection
- Observed or witnessed possible violation in particular against
    - Right to human dignity
    - Prohibition of torture and inhuman or degrading treatment or punishment
    - Right to liberty and security
    - Right to asylum
    - Principle of non-refoulement and non-discrimination
    - Rights of the child
    - Right to an effective remedy

3. Reporting

Serious incidents shall be reported to the Frontex Situation Centre (FSC) immediately after knowledge (latest within 2 hours after recognistion) to ensure that Frontex is able to react properly if needed. It is crucial that participants / actors involved in a Joint Operation understand the importance of the SIR (Former Flash Report) as serious incidents might have big impact on Frontex work and reputation, immediately or at a later stage.

3.1 Tools

Initial SIR	Initial Serious Incident Report
SIR	Serious Incident Report
Follow up SIR	Follow up Serious Incident Report

3.2 Chronology of the reporting

- Initial SIR (Former Flash Report)

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If a serious incident occurs, the actors of a JO who are directly involved or get knowledge of this incident shall immediately report this case to the FSC by using possible communication tools (email, sms, or mobile phone), latest within 2 hours after recognition. The Initial SIR shall contain a summary of information known at that point of time and shall be titled as such.

- SIR
  Subsequently and based on the development of the serious incident, a SIR (Annex 2) shall be sent via e-mail to FSC as soon as possible.
  The SIR shall contain a comprehensive overview of the information available at this stage and including possible developments and proposals for decision making process (if applicable). The SIR shall be titled as such.

- Follow up SIR
  The follow up of SIR shall be carried out and updates sent to FSC following the same reporting procedure indicated above. The Follow up SIR shall be titled as such by adding a consequent number in order to show the chronological development.

3.3 Content of SIR

The SIR shall include the following content (whenever possible) with respect to the serious incident occurred:

- HEADER (in the subject line), containing keywords for the serious incident
- WHAT....happened?
- WHEN....did it happen?
- WHERE...did it happen?
- WHO.......was involved/affected?
- WHY.......did it happen?
- HOW.......did it happen?
- MEANS USED: which means were used to carry out the actions leading to the incident?
- SOURCE OF INFORMATION: reliable / not reliable information
- ACTIONS TAKEN: own actions and actions from MS/others
- POSSIBLE CONSEQUENCES, EFFECTS, REACTIONS
- COMMENTS (if any)

Collecting additional information shall be carried out as agreed between the actors involved.

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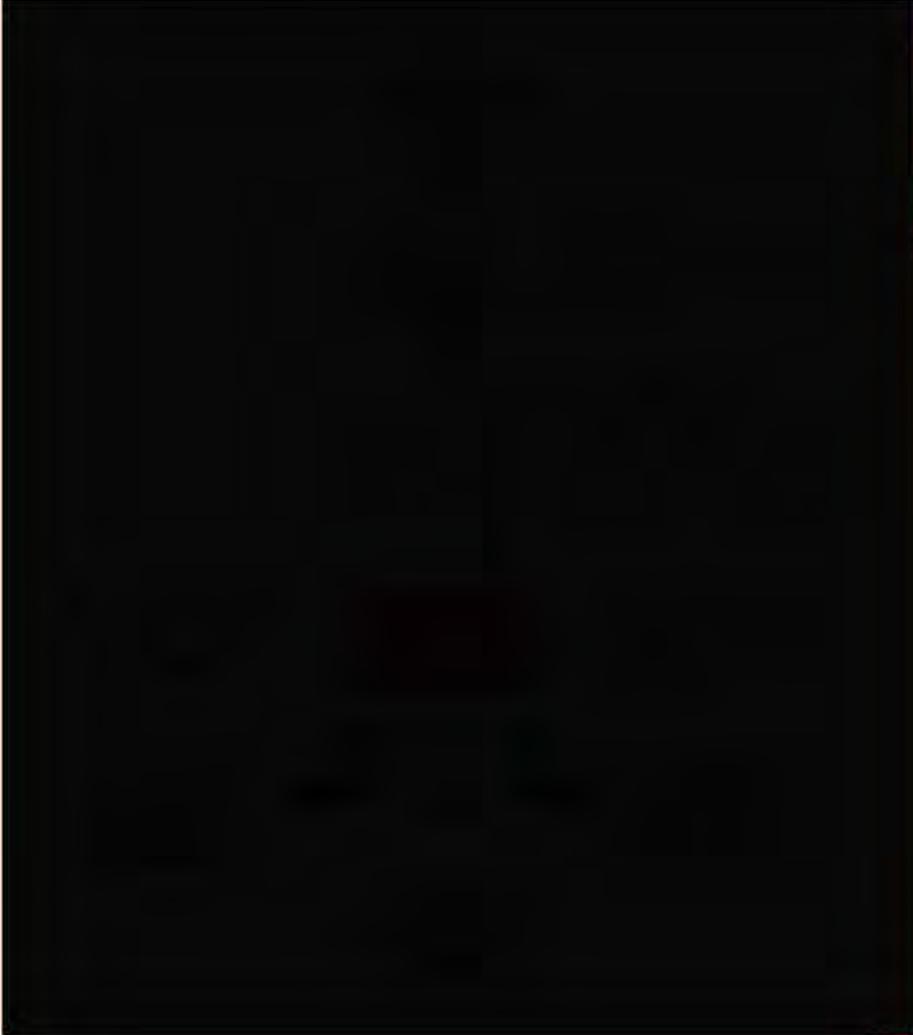Error! Use the Home tab to apply F.Section Title to the text that you want to appear here.

3.4   Responsibilities

- Actors/Participants in Frontex activities shall follow the chain of command of the Operational Plan but shall inform FSC immediately when a serious incident occurs. The responsible one shall report the Initial SIR/SIR/Follow up SIR to FSC.

Item	Description	Responsibility According to the respective JO
Initial SIR	An alert message in case an unexpected and relevant incident that needs immediate attention occurs in the operational area	All participants of the JO
SIR	Filled in SIR template based on the information provided in an initial SIR	FSO/FOC/FCO or ICC
Follow up SIR	Further informations based on the information provided in the SIR	FSO/FOC/FCO or ICC

FSC: fsc@frontex.europa.eu ; +48 785 001 309

ICC: icchera@guardiacivil.org, 34 915 146 608

LCC : ccrc@guardiacivil.org, +34 928 431 766

FCO

FOC

FSO: see contact list

> **Commented [A8]:** The blanked out parts contain detailed information related to means of communication used by law enforcement officials. Their disclosure would lead to possible abusive usage and harm the course of future and ongoing operations, and thus facilitate irregular migration. Therefore, public security will be affected. In light of the above the text is not disclosed pursuant to the exception laid down in the first indent of Article 4(1)(a) of Regulation No 1049/2001 relating to the protection of the public interest as regards public security.
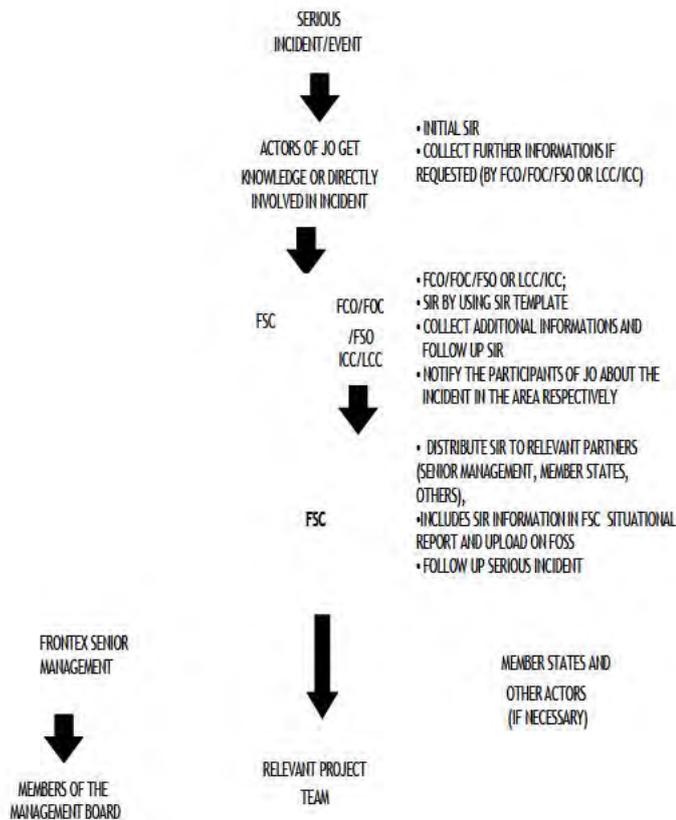
- In case of doubts whether the occurrence fulfills the requirements of a Serious Incident do not hesitate to contact the FSC directly.

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Error! Use the Home tab to apply F.Section Title to the text that you want to appear here.

Commented [A9]: The blanked out parts contain detailed information regarding the reporting mechanisms of law enforcement officials. Its disclosure would expose law enforcement officials engaged in the operation and harm the course of future and ongoing operations, and thus facilitate irregular migration. Therefore, public security will be affected. In light of the above, the text is not disclosed pursuant to the exception laid down in the first indent of Article 4(1)(a) of Regulation No 1049/2001 relating to the protection of the public interest as regards public security.

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4. Serious Incident Reporting Mechanism

SERIOUS
INCIDENT/EVENT

ACTORS OF JO GET
KNOWLEDGE OR DIRECTLY
INVOLVED IN INCIDENT

- INITIAL SIR
- COLLECT FURTHER INFORMATIONS IF
REQUESTED (BY FCO/FOC/FSO OR LCC/ICC)

FSC   FCO/FOC
              /FSO
              ICC/LCC

- FCO/FOC/FSO OR LCC/ICC;
- SIR BY USING SIR TEMPLATE
- COLLECT ADDITIONAL INFORMATIONS AND
  FOLLOW UP SIR
- NOTIFY THE PARTICIPANTS OF JO ABOUT THE
  INCIDENT IN THE AREA RESPECTIVELY

- DISTRIBUTE SIR TO RELEVANT PARTNERS
  (SENIOR MANAGEMENT, MEMBER STATES,
  OTHERS),
- INCLUDES SIR INFORMATION IN FSC SITUATIONAL
  REPORT AND UPLOAD ON FOSS
- FOLLOW UP SERIOUS INCIDENT

FSC

FRONTEX SENIOR
MANAGEMENT

MEMBER STATES AND
OTHER ACTORS
(IF NECESSARY)

MEMBERS OF THE
MANAGEMENT BOARD

RELEVANT PROJECT
TEAM

5. Serious Incident Report Template - EXAMPLE

<u>**Serious Incident Report**</u>

Subject:	**SHOOTING CASE AT XXX**
Joint Operation:	**JO XXX**
Location:	**XXX**

Incident date/time: 01.01.2011/03:00

Finding date/time: 01.01.2011/05:00

Reporting unit/person: Frontex Coordinator

1.   Facts of the case

What happened; when and where did it happen; who was involved/affected; why did it happen; with what did it happen (which means were used);

Source of information

2.   Measures

Actions taken: possible arranged follow up measures resulted from the incident (e.g., order of wearing bullet proof west, military escort reactions, suspension of officers, etc (intended, initiated, completed)

3.   Assessment

Brief description about possible consequences, effects, reactions, further comments

ANNEX 15 - FOSS (FRONTEX ONE-STOP-SHOP)

FOSS (FRONTEX ONE-STOP-SHOP)
https://foss.frontex.europa.eu

The Frontex One-Stop-Shop (FOSS) is the information-sharing platform that will be used during the Joint Operations coordinated by the Sea Borders Sector.

The platform has been designed to provide its users with an overall picture of the situation at the external borders of the European Union, with a specific focus on the relevant Area of Operations.

FOSS: Definition and functions

By definition, the Frontex One-Stop-Shop (FOSS) is a web-based and secure portal designed to both provide situational awareness and share operational-related information. Close-to-real-time and up-to-date information is available to multiple users, simultaneously.

The information shared in FOSS is organized and clustered in specific areas, according to the relevant topic, and is related to the core business of Frontex: co-operation and operational coordination between Member States in the field of border security. It is available 24 hours a day to its authorized users.

FOSS users

Access to the FOSS portal is limited to internal and external members of the Frontex-related community: Member States representatives, National Frontex Points of Contact, national authorities, Frontex staff, deployed border guard experts, as well as certain other experts and authorised parties with a business need in Frontex activities.

All end-users registered in FOSS have "basic" type of access to general sections for unlimited period of time[7], including information such as:

- Frontex library: "Library" (Legislation, FOSS Procedures and statistics, Financial Templates - e.g. Running Expenses of Means, etc.),
- FOSS general information page: "Help"
- "Contacts" (FSC Duty Officer, EU Agencies, National Border Guard Authorities, Contacts to NFPOCs, etc.)
- "Media Monitoring" with FMM and Daily Newsletter.

---

[7] until the deletion of a user account

Commented [A11]: The blanked out parts contain detailed information related to means of communication used by law enforcement officials. Their disclosure would lead to possible abusive usage and harm the course of future and ongoing operations, and thus facilitate irregular migration. Therefore, public security will be affected. In light of the above the text is not disclosed pursuant to the exception laid down in the first indent of Article 4(1)(a) of Regulation No 1049/2001 relating to the protection of the public interest as regards public security.

Figure 1: Sections available to all users: General documents

In addition for all the users coming from the parties involved in the activities of the Joint Operations the information from Pooled Resources Unit, Training Unit and information about document Alerts is also made available for unlimited period of time.

Commented [A12]: The blanked out parts contain detailed information related to means of communication used by law enforcement officials. Their disclosure would lead to possible abusive usage and harm the course of future and ongoing operations, and thus facilitate irregular migration. Therefore, public security will be affected. In light of the above the text is not disclosed pursuant to the exception laid down in the first indent of Article 4(1)(a) of Regulation No 1049/2001 relating to the protection of the public interest as regards public security.

Figure 2: Sections available to users involved in Joint Operations.

Figure 3: Section with „Document alerts"

Commented [A13]: The blanked out parts contain the names and contact details of actors participating in Frontex activities. The disclosure of such information would undermine the protection of the privacy and the integrity of the individuals, in particular in accordance with EU laws regarding the protection of personal data. In this regard those parts are not disclosed pursuant to the exception laid down in Article 4(1)(b) of Regulation (EC) 1049/2001.

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USE of FOSS

In order to access the specific area on FOSS and the information related to the respective operation coordinated by the Sea Border Sector, after you log on, click on "Operational Activities", then "Sea Borders Sector".

To reach the information related to the respective operation you are interested in click on the name of the operation (or navigate from the left side menu):

Figure 4. Navigation in FOSS. Sections available to Guest officers taking part in one specific Joint Operation

FOSS Users belonging to any of the Sea Border Sector FOSS User Groups have in addition access to the areas (under Sea Border Sector): "Reporting Tools" and "Yellow Pages".

Commented [A14]: The blanked out parts contain detailed information related to means of communication used by law enforcement officials. Their disclosure would lead to possible abusive usage and harm the course of future and ongoing operations, and thus facilitate irregular migration. Therefore, public security will be affected. In light of the above the text is not disclosed pursuant to the exception laid down in the first indent of Article 4(1)(a) of Regulation No 1049/2001 relating to the protection of the public interest as regards public security.

Figure 5. Navigation in FOSS. Sections available to Guest officers taking part in one specific Joint Operation

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Each area in FOSS has its own owner (called "Area of Interest Owner" - AoIO) who is responsible for the information contained in that specific area.

For Joint Operations, the Area of Interest Owner is the Frontex Project Manager.

2. Enhance efficiency of border security
3. Enhance operational cooperation
4. Enhance exchange of information
5. Enhance efficiency of the exchange of information
6. Identify possible risks and threats
7. Establish and exchange best practices
8. Support establishment of permanent structures

Commented [A15]: The blanked out parts contain the names and contact details of actors participating in Frontex activities. The disclosure of such information would undermine the protection of the privacy and the integrity of the individuals, in particular in accordance with EU laws regarding the protection of personal data. In this regard those parts are not disclosed pursuant to the exception laid down in Article 4(1)(b) of Regulation (EC) 1049/2001.

Operational Area

Operational Area:

The Joint Operation will be launched within the following geographical areas:
- Operational Area A "Canary": Land area of the Canary Islands;
- Operational Area B "Mauritania": Territorial waters and contiguous zone of Mauritania (with limit up to 24 nm from coast line,) and its air space;
- Operational Area C "Senegal": Territorial waters and EEZ of Senegal, as well as its air space.

Contacts with JO Hera

(OA) E-mail: opn.hera@frontex.europa.eu

Templates in JO Hera

☐ ❤ Subscribe

Operational Plan

Situational Reports

Figure 6. Navigation in FOSS. Sections available to Guest officers taking part in *JO EPN-Hera 2012*.

FOSS Access levels:

Depending on the operational need and access level granted, end-users can have one of the following view rights:

a) Full sector overview (all JOs):

- includes documents regarding all Joint Operations and other activities within the specific sector[8]

---

[8] concerns mainly the permanent partners within the sector

Commented [A16]: The blanked out parts contain the names and contact details of actors participating in Frontex activities. The disclosure of such information would undermine the protection of the privacy and the integrity of the individuals, in particular in accordance with EU laws regarding the protection of personal data. In this regard those parts are not disclosed pursuant to the exception laid down in Article 4(1)(b) of Regulation (EC) 1049/2001.

Read more

Joint Operations – the Concept

Joint Sea Operations – integrated activities of the EU MS/SAC for the control of the EU external maritime borders in the specified operational areas based on risk analysis...

read more

Additional documents

Sea Borders Success Stories 2011
Tuesday, June 12, 2012 4:50 PM /March
Zakrzewska/ FOI
Sea Borders Success Stories 2010
Wednesday, February 08, 2012 2:47 PM
/Anna Repantalska FOI
Performance of assets & experts in sea
operations 2006 – mid 2011
Wednesday, February 08, 2012 2:47 PM
/Anna Repantalska FOI
Special Edition of the Border Post
magazine for EO450-Mar 2011
Wednesday, February 08, 2012 2:45 PM
/Anna Repantalska FOI
With number of articles dedicated to sea
operations

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Joint Operations – Portfolio 2012

The sea operations portfolio 2012 includes:

EPN Aeneas 2012
EPN Indalo 2012
EPN Hera 2012
EPN Hermes 2012
EPN Minerva 2012
Poseidon 2012 Sea
Focal Points 2012 Sea

Contacts to SBS Sector

Sea Borders Sector
contact list (as on 11.06.2012)

European Patrols Network – the Concept

EUROPEAN PATROLS NETWORK

Detailed information on EPN
EPN operational areas

Projects' Finance in SBS

Previous years activities

SBS Previous Years Activities

EPN General

EPN Workshops
European Coast Guard Function
Baltic Sea Region Border Control Cooperation (BSRBCC)
Compatible Operational Images
Maritime Operational Centers
Mobile Operational Units 2012
Positioning System

Figure 8. Navigation in FOSS. SBS activities. Full Sector overview – View for national authorities

b) Full overview of JO documents:

Aside from the access to general section[9], users authorized to have access to a specific operation, like to the *"JO EPN-Hera"* area can *view* and *download* information related to that operation only.

- includes all documents regarding the specific Joint Operation[10]

---

[9] More details in paragraph 2

[10] Concerns mainly the partners from national authorities involved in the activities of this Joint Operation

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Document Type	Editing (uploading to FOSS)	Access to view
General Information	Frontex SBS	All users *(within the specific JO)*
Contacts details	Frontex SBS	All users
Preparatory documents	Frontex SBS	NFPOC, National Permanent authorities *(within the specific sector)*
Briefing and debriefing	Frontex SBS	All users
Operational Plan	Frontex SBS	All users
Weekly Analytical Updates/ other analytical	FSC	All users
Situational Reports	FSC	All users
Serious incidents reports	FSC	All users
Frontex Evaluation Report	Frontex SBS	NFPOC, National Permanent authorities

Figure 9: Document types published in FOSS in sections for specific Joint Operations.

c) Standard overview of JO documents:

- documents available for Guest Officers (as "All" indicated in the above table)

FOSS Users during the Joint Operations:

FOSS users are divided into *"User Groups"*: each group is granted a specific access level that enables group members to view, read or upload information, depending on the operational needs.

For each specific operation under the umbrella of the Sea Borders Sector user groups are divided into categories:

a) Permanent access:
- Frontex - all staff
- Frontex Sea Borders Sector (SBS)
- Frontex Situation Centre (FSC)
- National Frontex Point of Contact (NFPOC)
- National Authorities
- Specific Sea Border Sector Contacts
b) Temporary access:

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- ICC/LCC staff, National Officials, Commanding Officers, Guest Officers, experts of the Host MS and other specific contacts (if so chosen by NFPOC/National Authorities).

Temporary access refers only to the specific operational information. Temporary access is limited to the duration of the operation; officers will be granted access before their deployment begins. Access to this specific operational information will expire after agreed period of time. By default it will expire after 30 days after the end of the deployment, depending on the decision about the level granted.

FOSS Access authorization

Access to FOSS is given upon request. It is granted if the requestor meets the following conditions:
- Has an operational need
- Provides required details
- Is authorized by the relevant authority

Access is provided to individuals only, is personal, and should not be shared.

Required details:

Access is granted upon receipt of the following data:
- Family Name[11]
- Name[1]
- E-mail address[12] (the e-mail address is the username used to log in to FOSS)
- Sending Institution's name
- Sending Institution's country
- Time frame during which access is requested[13]

Relevant Authorities:
- 1st level authorization: NFPOC (User Coordinator)/National Authorities
- 2nd level authorization: "Area of Interest Owner" for Joint Operations (Frontex Project Manager).

They agree on, and decide, the access levels to be granted to deployed officers and other experts.

Access authorization procedure for Guest Officers:

1. In the "*Accreditation form*"[14], NFPOC/National Authority approves/disapproves the access request for their Guest Officers by ticking one of the relevant boxes displayed in the mentioned form [15]
2. NFPOC/National Authority sends the "*Accreditation form*", duly completed, to Frontex Project Manager.
3. The Project Manager sends the relevant data to the FSC User Administrator.

Access authorization procedure for other participants

4. Representatives of the NFPOC/National Authority whose personnel or assets are deployed to the joint operation approves/disapproves the access request for their **National Officials, Commanding Officers,**

---

[11] The use of the real full name and surname is mandatory If a "functional access" applies, the name and surname are the ones of the person responsible to manage the functional access at local level (log, registration, etc)

[12] An official business e-mail address should be provided to check incoming messages during the deployment If a "functional access" applies, The person managing the functional access at local level is **responsible for the secure use of such access and dissemination of related information.**

[13] For deployed personnel: please indicate initial and final date of deployment

[14] **"Accreditation form"** is attached to the Operational Plan

[15] In case of use of OPERA: If "Yes" is chosen, the following options for "type of access" are available:

    a) Standard overview of JO documents
    b) Full overview of JO documents
    c) Full sector overview (all JOs)

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ICC/LCC staff, experts of host MS and other participants by filling in the *"Specific FOSS User Access Request Form"*[16] identifying the joint operation to be accessed.

Steps 2 and 3 are the same as in the procedure for the Guest Officers.

Below is displayed the flow diagram describing the access request mechanism.
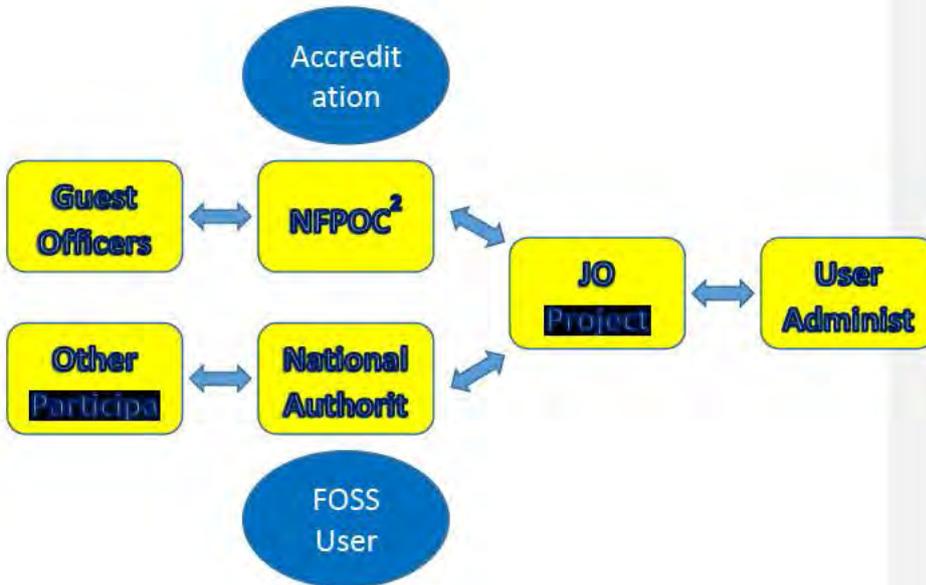
1 National Officials, Commanding Officers, ICC/LCC staff, experts of host MS and other participants

2 User Coordinators

FOSS – Description of roles & responsibilities

User Coordinator

This function is assigned to the relevant Member State's NFPOC / National Authority

Responsibilities:
- Gathers user data
- Validates access
- Provides user data to the "Area of Interest Owner" (Frontex Project Manager)

Area of Interest Owner

---

[16] *"Specific FOSS User Access Request Form* is attached to the Operational Plan

This function is assigned to the Project Manager in charge with the Joint Operation

Responsibilities:

- Establishes the structural design and the layout of the Joint Operation's specific area (FOSS Area of Interest);
- Uploads the content in the Joint Operation's specific area
- Authorizes the users groups and their permissions levels
- Provides all necessary information to the User Administrator

User Administrator's (FSC)

This function is assigned to FSC

Responsibilities:

- Creates, updates, and removes user accounts
- Assigns users to a respective group
- Assign the groups to the Joint Operation's specific area

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want to appear here.

ANNEX 16

User Access Request Form – FOSS
Access to view[17]

To be used by FOSS Member State User Coordinator

Request for □ Access / □ Change / □ Termination[18]

First Name[19]	
Last Name[20]	
Email	
Member State/ Organisation	
User Signature and Date	

User Group[21]:		Choose relevant	Justify the need of access[22]	Start date	End date	Unlimited
National Frontex Point of Contact		□				
National Authorities: – *overview of all related activities.*	*Air Border Sector*	□				

17 Read and download
18 Choose one only
19 Use capital letters when f l ing out (preferably electronically)
20 Use capital letters when f l ing out (preferably electronically)
21 Choose relevant user group which should have access to view the information on FOSS
22 Provide short justification what is your need to have access and what are your activities you are involved in

Please indicate if:	*Land Border Sector*	☐				
	Return Operations Sector	☐				
	Sea Border Sector	☐				
	Other (e.g. R&D; Pooled Resources)- please specify:	☐				
Other activities/projects and related content *(please specify):*		☐				

Validation/ Sign-off	Date	Signature
FOSS MS User Coordinator		
FOSS Area of Interest Owner		
Data Protection Statement: these data are compiled solely for the purpose of access management to FOSS. Individual data are kept for one year after the access to the portal is terminated. Data subjects are entitled to have access to their data and to have those data corrected. Service requests should be directed to the FOSS User Administrator. Any concern can be addressed to the FOSS User Administrator or the Frontex Data Protection Officer.		

FRONTEX

Note: Use one form per each Deployed Officer.

| Deploying Country | |
| National Autorithy | |

Personal information

| Family name | | Name | |
| Date of birth | | | |

Operational Information

Current rank	
Current Core	
Current place of	
Number of experience years in	
Is this the first deployment for Frontex :	
Mother language:	
er languages at a good conversational le	

The NFPOC/Frontex Contact Point approves the request to access FOSS for:

Note: To be compiled or confirmed by the NFPOC. The Deployed Officer/Expert will only have access to the Project area mentioned above.

Deployment availability

| Starting date | | End date | |

Contact Details

Postal Address		
Telephone		Mobile	
Mobile in the deployment place		
Service E-mail		
Personal E-mail		

Personal Financial Details

| Daily gross wage EU | |
| Daily subsistence allowance EU | |

| Please, provide additional information related to the officer's profile | |

PHOTO

Please insert the photo in the same e-mail and as JPEG annex

ANNEX 18

<u>**Operational resources management system (Opera)**</u>

<u>https://fis.frontex.europa.eu/opera/</u>

The Operational resources management system (Opera) is an integrated web-based system for the management of the operational resources pooled and deployed in Frontex coordinated activities. Information related to the availability and deployment of the resources is stored in the application and is available for the generation of statistics, and for automated reporting.

The main <u>functions</u> of the Opera system are the following:

- **To Manage contributions to the HR and TE Pools:** Personal data (including deployment history, profiles, participation in Frontex training, etc) of officers nominated to the HR Pools is stored in the HR Pools database. MSs nominate officers and update the information in real time by using Opera. The content is fully searchable and available for the other functionalities of the application. The same applies to the TE Pool database (CRATE).
- **To Manage and allocate resources to Frontex Operations and Pilot Projects by:**
    - Creating and storing operational details such as duration, location, type of Operation, operational needs in terms of HR and TE;
    - Supporting the generation of Frontex requests for availability of resources to the MSs;
    - Managing the contribution and allocation of MSs resources to a given Frontex coordinated activity;
    - Managing the Running Expenses of Means templates
    - Monitoring and registering the deployed resources
- **To Issue secure accreditation documents:** information on the allocation of HR gives the Frontex project manager the possibility of easily creating requests for accreditation documents for his/her Operation. Opera foresees also the possibility of sending a PDF document directly to the NFPoC when the document is created.
- **To generate reports:** opera gives Frontex and the MSs the possibility of generating different types of report in a fully automated way such as composition and statistics on Pools, overviews on deployments and registration fo officers, KPIs, reports on the deployed resources in a given Operation, other customisable reports.

As of 2nd April 2012 the platform is to be used as a pilot project by Frontex and by the Member States/Schengen Associated Countries authorities to organise the deployment of technical equipment and

human resources under a specific activity (RABIT Operation, Joint Operation, Joint Return Operation and Pilot Project).

Users, according to the instructions received during the Opera Training and procedures discussed and agreed in the Opera workshops organised in 2012, input information concerning the available/deployed resources, Running Expenses of Means related financial data, and officer registration details (necessary for issuing accreditation/participant's documents) directly through the Opera dedicated interface.

The previous version of the Excel-based Accreditation form is replaced by the Opera system with the following input interface:

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Under **"Travel Details"**, MSs shall input information about the arrival and departure dates (including indication of approximate time of arrival), Flight details if travelling by airplane,, Mean of Transportation, Route, Arrival Airport, Entry BCP/Airport and Accommodation. In the event of Accommodation being provided by the Host MS and being unknown at the time of registration, MSs shall indicate this in the Accommodation box by the text "accommodation provided by Host MS".

The Expiry date of the Accreditation Document is automatically set as the date of departure from the operational area. In the event of any particular need (e.g. transportation by car, etc.), MSs can manually

extend the date in order to have the Accreditation Document valid until the arrival of the officer in his/her Country.

Operation completed successfully

Under "*Personal Equipment\Weapons*", MSs shall indicate if the officer is travelling to the operational area carrying weapons or not. If yes, MS shall also register the weapon and indicate the amount of ammunition. This field is mandatory.

Operation completed successfully

Under "*Technical Equipment*", MSs shall indicate if the deployed officer is linked to a specific item of Technical Equipment requested and deployed through Opera (e.g. helicopter, vessel, etc.), or if he is carrying with him/her any other item of Technical Equipment.

Under Additional Information, MSs shall indicate if the officer shall have access to FOSS, and the type of access requested (including duration). Detailed information can be found in **ANNEX 12**. MSs shall also indicate the Daily Gross Wage and Daily Subsistence Allowances of the deployed officer for that specific operation.

ANNEX 19

<div align="center">

STANDARD PLAN OF BRIEFING/DEBRIEFING

</div>

The 1st day of their deployment the deployed NOs/ experts shall be briefed by ICC/ RCCs. They shall be introduced in:

- Presentation of the Operational Plan and distribution of copies for those not provided in advance
- Introduction to the national and local border authorities, operational area, organizational structure and responsibilities (incl. tasks, responsibility areas on map, main statistics etc.)
- Organizational response or how the relevant border security tasks are carried out in this organization
- Introduction of Local Coordinators, contact persons; advices on practical arrangements in the area of accommodation (<u>Not applicable to NOs</u>)
- General and specific roles and tasks during their deployment. Structure and essential information on the reporting flow
- Presentation of duty plan/working schedule for their deployment
- Brief practical summary about relevant national legislation for powers of border policing officers and instructions (supported by demonstration) for use of force in different situations, including self-defense (not only print-out of documents) (<u>Not applicable to NOs</u>)
- Working conditions and facilities in the specific operational area
- All needed contact details (local contact persons/Frontex coordinator, ICC/RCC, mobile numbers of experts currently deployed)
- Confirmation accreditation document and armband are in their possession (<u>Not applicable to NOs</u>)
- Any other information related to their deployment

At the end of their deployment, the NOs/ experts shall be debriefed by ICC/RCCs. Agenda for debriefing will consist of at least the following topics:

- Presentation about operational results; Organizational response or how the relevant border security tasks were carried out in this regional organization
- Instant, short evaluation of the operational phase
- Evaluation of the guest officers'/observer's performance and deployment of technical means
- Reporting system / exchange of information
- Planning and practical arrangements before/during implementation
- Transportation/storage/carry/use of weapons/special technical equipment
- Organization for transportation and departure
- Comments, suggestions

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In between Briefings (1st day of their deployment)/ debriefings (Last day of their deployment), the NOs shall attend the daily JCB meeting while the experts deployed in the operational area shall take part in local daily briefings provided by RCCs (Possible participation of the LCCs to the daily JCB meetings via videoconference)

During the briefings/ debriefings, participants shall wear uniforms (if applicable). Daily JCB meeting and local daily briefing meetings/ debriefings will be attended at least by:

- The NOs and experts deployed in the ICC/ operational area
- Relevant staff from the hosting law enforcement authorities involved

ANNEX 20

GUIDELINES FOR INTERVIEWS

Guidelines for the debriefing of migrants for intelligence purposes

Guest Officers should be aware of the Hera operational plan which provides information on irregular migrant trends in the region and specific details on the role and responsibilities of Guest Officers. The interview templates to be used during the operation are annexed to the operational plan.

Fixed questions will not necessarily provide honest responses and very often facilitators will know what the questions are going to be, and will instruct the migrants to provide set answers. For the same reasons country-specific questionnaires also have limited value. The provided interview template highlights the basic information that is required for each interviewee; however Debriefers should personally develop their own tailored questions during the course of the interview in order to get at a more accurate picture of the migration process.

Interview templates should be conducted in English and given a specific reference number, prior to being emailed to the FOC, OA and ICC (debriefing.hera2012@frontex.europa.eu).

The role of the Debriefing Officer is to obtain information on criminal activity. The personal data (name and family names) of interviewees must not be recorded on the interview template. The JDTs/MTs should mark in the top right-hand corner of the interview template how credible they believe each interview is. The JDTs/MTs should grade each interview using the following criteria:

A. The information received was of a good standard, and clearly shows the routing and *modus operandi* used by the migrant;

B. The information received is of an average standard; although incomplete, the information gathered gives some insight into the routing and *modus operandi* used by the migrant;

C. The information received is of a poor standard, and it was not possible to establish with any degree of certainty the routing or *modus operandi* used by the migrant.

B: Purpose of the JDT interviewing process.

Guest Debriefers are placed in host countries to provide an additional resource provided by Member States to assist during the Frontex Joint Operation. They are seconded to enhance local capability and should not replace local Officers, or be expected to work independently.

Guest Debriefers should, at the very least, engage with the authorities to try to assimilate their activities into the routine processing of migrant arrivals, without becoming part of the official process itself. Where possible, Guest Debriefers should work alongside host country Debriefing Officers, who have the additional advantage of providing local knowledge, improved cooperation and shared working practices. Debriefers should not duplicate the processes of the national authority.

The purpose of JDT/MTs interviews are:

1) to gather intelligence on facilitator's detection, routes and modi operandi used by irregular migrants. These interviews should be sent by the JDTs/MTs to the FOC, IO and OA as soon as practicable, so that the intelligence gathered can be analyzed by Frontex. This information is used by the ICC Coordinator in the operational area to assist in the deployment of means used in the detection and disruption of irregular migrant activity;

2) to target those migrants most willing to talk about their journey, and to gain an intelligence picture of the methods and means by which their journeys are constructed;

3) to identify suitable candidates for interview. The JDTs/MTs should ensure that they know the history of each migrant that they propose to interview, such as the date of arrival and circumstances of their detection. The JDTs/MTs should seek to identify migrants from

Commented [A17]: The blanked out parts contain detailed information related to means of communication used by law enforcement officials. Their disclosure would lead to possible abusive usage and harm the course of future and ongoing operations, and thus facilitate irregular migration. Therefore, public security will be affected. In light of the above the text is not disclosed pursuant to the exception laid down in the first indent of Article 4(1)(a) of Regulation No 1049/2001 relating to the protection of the public interest as regards public security.

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minority ethnic groups, and individuals who may have been isolated or mistreated during their journey, as such people are often more willing to talk about their experiences;

4) to identify potential interview candidates possible after they arrive; once arriving migrants integrate with others in the camp, there is a tendency for them to become more reluctant to cooperate with the interview process. In addition, the JDTs/MTs should try and interview several migrants from the same boat in order to cross-reference their stories;

5) the JDTs/MTs should be transparent with the national authorities on the investigations that they carry out, and act in accordance with the rules which govern the handling of irregular migrants that are laid down by the national authority. The JDTs/MTs should also avail themselves of any opportunities to engage in joint working with the national authorities, such as joint interviews, debriefing at the Border Crossing Point/seaport, or opportunities to participate in land/sea operations;

6) If during the course of an interview the JDT/MT suspects that an interviewee may be a facilitator, this should be communicated to the national authority as soon as possible, and the FOC/IO/ICC should be informed;

7) to record the interview contemporaneously unless this is not practicable or interferes with the conduct of the interview. If not made during the course of the interview, the written record should be made as soon as practicable after completion of the interview;

8) the interviews conducted by the JDTs/MTs are carried out on a voluntary basis; irregular migrants are not obliged to talk to the JDTs/MTs. If, after gaining the consent of the irregular migrant to be interviewed, he/she is unwilling to talk, or is providing limited responses, the JDTs/MTs should excuse them and move on to another migrant;

9) to make it clear to the migrant that the interview will be conducted anonymously, and will not affect the outcome of their (asylum) case with the national authorities.

C: Interview planning.

Some conflict may arise when debriefers are given, or request, access to migrant's mobile telephones, address books, diaries or other personal belongings. When migrants wish to provide this information voluntarily it is exceptionally useful, but great care should be taken to comply with local legal requirements and processes. A formal process should be in place to ensure that such information is not lost or disposed of at the point of apprehension and, where possible, is made available to debriefing and identification teams alike.

The following tasks should be performed to adequately prepare for an interview:

1) Ensure that all the necessary equipment is available such as stationery, pens etc, and that those present in the interview know their roles;

2) Ensure that the irregular migrant is willing to be interviewed;

3) Where necessary, provide for an official interpreter to be present, avoid relying on other migrants to act as interpreters and discount would-be interviewees with whom communication is problematic;

4) Ensure that adequate personal details are available about the migrant intended for interview; i.e. when they arrived at the camp, when and where they were detected etc.;

5) As far as practicable, interviews should take place in interview rooms which must be adequately heated, lit and ventilated. Persons being questioned or making statements should not be required to stand.

Commented [A18]: The blanked out parts contain detailed information regarding the modus operandi of law enforcement officials related to debriefing activities. Its disclosure would expose law enforcement officials debriefing tactics and activities and harm the course of future and ongoing operations, and thus facilitate irregular migration. Therefore, public security will be affected. In light of the above, the text is not disclosed pursuant to the exception laid down in the first indent of Article 4(1)(a) of Regulation No 1049/2001 relating to the protection of the public interest as regards public security.

D: Health and safety

Prior to commencing the interview, the JDTs/MTs should:

1) establish the layout of the interview room and the procedures in place for calling for assistance;

2) ensure that the interview room does not contain objects which could be used as weapons;

3) ensure that they sit closest to the exit door;

4) if an incident occurs it must be reported to the person in charge of that area as well as to FOC/IO/ICC;

5) If a Guest Officer has used unarmed defensive tactics during a violent incident, this must be notified to the national authority and to FOC/IO/ICC. Remember that it is as important to report a 'near miss' as it is to report an actual incident.

> **Commented [A19]:** The blanked out parts contain detailed information regarding the modus operandi of law enforcement officials related to debriefing activities. Its disclosure would expose law enforcement officials debriefing tactics and activities and harm the course of future and ongoing operations, and thus facilitate irregular migration. Therefore, public security will be affected. In light of the above, the text is not disclosed pursuant to the exception laid down in the first indent of Article 4(1)(a) of Regulation No 1049/2001 relating to the protection of the public interest as regards public security.

E: Interview techniques

There are proven methods of obtaining reliable information during interviews, the following techniques are suggestions only:

1) The Guest Officers should identify themselves to the irregular migrant, and explain the procedure to be followed and the reasons for the interview;

2) When investigating the arrival of an irregular migrant, adopt a chronological approach, going through each section of their journey one section at a time, covering all aspects thoroughly before moving onto another section, probing, clarifying and reviewing as necessary. Switching suddenly to unrelated topics is likely to confuse the interviewee.

   Linking phrases should be used, such as "We've discussed why you left your home town, I now we want to discuss the first leg of your journey";

3) You should aim to adopt a neutral interviewing style, remaining calm, courteous, considerate and non-confrontational throughout. However, the behaviour of the interviewee and/or his response to your questions may require a different approach and this should be taken into account throughout the interview;

4) You must not try to obtain answers to questions or to elicit a statement by the use of oppression nor must you indicate, except in answer to a direct question, what action will be taken if the person being interviewed answers specific questions, makes a statement or refuses to do either;

5) Open questions (what, why, when, where, who, how) invite explanation and encourage conversation. Closed questions can be useful to specify the information but should be used sparingly. You should avoid leading questions, e.g. "Was your facilitator a fat man with a beard?", as they do not always elicit the true answer. However, questions designed to clarify information, e.g. "Now if I understand things correctly, what you're telling me is...?" can aid comprehension and fluency. Brief interjections, e.g. "Tell me more", "Go on" are useful to aid the flow of information;

6) Be flexible in your approach during the interview to allow the migrant to provide explanations, and be prepared to explore unexpected responses;

> **Commented [A20]:** The blanked out parts contain detailed information regarding the modus operandi of law enforcement officials. Its disclosure would expose law enforcement officials patrolling the area and harm the course of future and ongoing operations, and thus facilitate irregular migration. Therefore, public security will be affected. In light of the above, the text is not disclosed pursuant to the exception laid down in the first indent of Article 4(1)(a) of Regulation No 1049/2001 relating to the protection of the public interest as regards public security.

7) Do not adhere to a detailed list of specific questions, be flexible in your questioning and be prepared to adapt your line of questioning in reaction to the information provided by the irregular migrants;

8) Whilst having no evidential value in themselves, signs that a suspect is lying may indicate that a particular line of questioning might be worth pursuing further. Once you have identified a lie, do not challenge it straight away as the more details added, the more difficult it will be to retract. Challenging a lie provides new information about your knowledge. Once you have decided to expose the lie, do it in a clear and confident manner and ask the irregular migrant for an explanation;

9) At the end of the interview summarise the main points, and allow the interviewee to add anything or otherwise comment. Invite questions and feedback, replying honestly and as fully as possible. Any comment about the conduct of the interview should be seriously acknowledged.

10) Although a debriefing interview should be informal in its structure, there will always be a basic set of information that needs to be collected, as far as possible. (Collection of any personal data should always comply with national legislation).

This consists of:

- Coast or most recent point of departure (name of the port or geographical position)
- Where the journey started from (home town, place of residence)
- Route (GPS or Telephone Card data?). Means of transport
- Time and date of departure and duration of the trip
- Day of departure (holiday, weekend or weekday)
- Contact details of agents, friends or family (addresses/telephone numbers)
- Details of facilitators on the journey
- Places of rest – staging posts during the trip and length of time in each
- Details of any documents held. If not, who kept them and where are they now?
- Nationality
- Details of travelling companions/family members
- Reasons for migrating illegally
- Payment to facilitators (how much – the source of finances – to whom paid and how)
- Point of contact in their place of origin (addresses – telephone numbers – persons)
- Was this the first attempt? Details of previous attempts and reasons for failure
- Intended destination (Who were they going to meet there?)

Supporting information to be collected (also when allowed by law):

- GPS data
- Maps
- Telephone numbers

F. Identification process

Determining nationality upon arrival is a extremely important part of the migrant screening process and, for this information to be accurate, an interpreter is often required. However, if subsequent debriefing establishes contrary nationality, this information must remain entirely separate from the official process.

Debriefers and their interpreters should not be asked to assist in the screening process and should politely decline any requests on the grounds that it would prejudice their position and might render the authorities open to judicial challenge. Should the local authorities wish to engage the interpreter separately for their own screening purposes (with the agreement of Frontex and the supplying Member State), then that is entirely acceptable.

To be related to the processes of identification/ screening of nationalities of apprehended migrants. They should assist the Spanish authorities accordingly by conducting identification interviews with/ screening of illegal migrants and establishing their assumed nationality.

Testing the apprehended migrants in order to identify them will be in 2 steps:

- First test is the knowledge of the claimed country of origin. The illegal migrants will be asked to answer some basic questions: ethnicity, language, name of the tribes, name of the currency/money, national food dishes, way of clothing, name of the most famous person
- Illiteracy level is very high in most of the countries where the illegal migrants come from that is why it is very advisable to perform the test orally

Second deeper test is performed to determine the assumed country of origin:

- The interview experts will listen to the language and dialect of illegal migrants and will make a phonetical and semantical evaluation. The migrants will be asked to give information and speak freely (in his mother language/dialect about the environment in which he/she was living and growing up: houses, building, infrastructure, schools and above all the **specific cultural phenomena for the area** (the traditions there, for example how a wedding is celebrated, what holidays are there? What food/dishes are specific for his area?)
He/she should also talk about the **community-specific features** (everything he knows about the political situation, the constitution, the government, the police, other authorities etc).

    He/she should talk about his own hobbies and interests, what famous persons, singers, football teams he supports etc.

Test result/evaluation:

- The above mentioned information given by the apprehended migrants will give the interview experts enough basic material to determine and judge what dialect the immigrant speaks, what foreign influence there is in his language (by phonetical and semantical evaluation) and from where/which country does the immigrant possibly originate and where he has been living lately (by analyzing the given cultural-specific features) and (country-specific features).

The interview experts shall not be involved in the asylum process.

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ANNEX 22

Team Leaders Daily Report

Debriefing Team:	Place of deployment
Report Number:	
Date:	DD/MM/YYYY
Reporting period:	
Team Leader:	Name/Surname
Interpreter:	Name/Surname
Officer/interpreter off duty:	Name/Surname

1. INTERVIEWS PERFORMED				
(Brief description of the daily activity of the Team)				
Nationality	Males	Females	Minors	Total

(Add rows if necessary)

	Total	Total	Total	Total

Notes: (incident)	
Type of evidence collected:	
Attach photos of boat/vessel/evidence/etc:	

2. DEBRIEFING ACTIVITIES

Brief Description of the daily activity of the team other than the interviews

3. ADDITIONAL INFORMATION / REMARKS

Information the team considers being important.

4. PLAN FOR NEXT DAY

Working day for:	e.g. activities out of the center, place of interview, etc.

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Annex 23 A

INTELLIGENCE OFFICER WEEKLY REPORT

Ref. No: Click here to enter text.

Date: Click here to enter a date.

Period covered: FROM Click here to enter a date. TO Click here to enter a date.

Joint Operation: Choose an item.

Intelligence Officer: Click here to enter text.

A. INTELLIGENCE

1. INTELLIGENCE GAPS

Click here to enter text.

2. FLASH NEWS

Click here to enter text.

3. REMARKS/ADDITIONAL INFORMATION

Click here to enter text.

B. GENERAL

1. WEEKLY TOTAL OF INCIDENT S REPORTED				
Nationality	Males	Females	Minors	Total
Choose an item.				0
Choose an item.				0
Choose an item.				0
Choose an item.				0
Choose an item.				0

Choose an item.	0
Choose an item.	0
Choose an item.	0
Choose an item.	0
Choose an item.	0

	0	0	0	0

Notes:	Click here to enter text.

2. VULNERABLE GROUPS					
Incident	Nationality	Pregnant	THB	Elderly	Unaccompanied Minors
Incident number (JORA)	Choose an item.				
Incident number (JORA)	Choose an item.				
Incident number (JORA)	Choose an item.				
Incident number (JORA)	Choose an item.				
Incident number (JORA)	Choose an item.				

3. ILLEGAL MIGRANTS									
3.1 RETURN		3.2 READMISSION/ REFUSAL		3.3 ASYLUM		3.4 PERMIT OF STAY		3.5 HITS in SIS	
Nationality	Number	Nationality	Number	Nationality	Number	Nationality	Number	Nationality	Number
Choose an item.		Choose an item.		Choose an item.		Choose an item.		Choose an item.	
Choose an item.		Choose an item.		Choose an item.		Choose an item.		Choose an item.	
Choose an item.		Choose an item.		Choose an item.		Choose an item.		Choose an item.	
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Choose an item.		Choose an item.		Choose an item.		Choose an item.		Choose an item.	
Choose an item.		Choose an item.		Choose an item.		Choose an item.		Choose an item.	

3.6 TRANSFER OF MIGRANTS			
Nationality	**Number**	**From: Detention/Reception/Asylum Centre**	**To: Detention /Reception/Asylum Centre**
Choose an item.		Click here to enter text.	Click here to enter text.
Choose an item.		Click here to enter text.	Click here to enter text.
Choose an item.		Click here to enter text.	Click here to enter text.
Choose an item.		Click here to enter text.	Click here to enter text.
Choose an item.		Click here to enter text.	Click here to enter text.
Choose an item.		Click here to enter text.	Click here to enter text.
Choose an item.		Click here to enter text.	Click here to enter text.
Choose an item.		Click here to enter text.	Click here to enter text.
Choose an item.		Click here to enter text.	Click here to enter text.
Choose an item.		Click here to enter text.	Click here to enter text.

4   FACILITATORS: JUDICIAL SENTENCES
Click here to enter text.

5 PATROLLING ASSETS			
Asset	**Planned**	**Delivered**	**Area**
Choose an item.			Click here to enter text.
Choose an item.			Click here to enter text.
Choose an item.			Click here to enter text.
Choose an item.			Click here to enter text.
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6 OTHER OPERATIONS / EXERCISES IN THE OPERATIONAL AREA

Click here to enter text.

Annex 24

trolling   **JO EPN-Hera**
hedule: **2012**

Week 52 : 26
DECEMBER - 01
JANUARY

	LEGEND FOR COLOURS

Indicate patrolling time in format HH:MM (eg. 20:35)

For patrols over midnight indicate: start →24:00 and 0:00 →end time

ONLY COLOR MARKING NO TIME INDICATION

Legend	Colour
on duty planned in advance	
on duty delivered	
on duty but not in the area /other operational activities	
in transfer	
moored	
preparation /effective end of patrol	
not available	

| | 26 Mon |

PLANNED /DELIVERED	Asset	AIR/ SEA	Type	MS	Authority	▮	Start of mission	End of mission	Days	Weekly patrolling time	Daily patrolling time
PLANNED	Rio Guadalaviar	SEA	CPV	ES	Guardia Civil	Noadhibou	02/07/12	31/12/12	183	00:00	0:00
DELIVERED	Rio Guadalaviar	SEA	CPV	ES	Guardia Civil	Noadhibou	02/07/12	31/12/12	183	00:00	0:00
PLANNED	Rio Duero	SEA	CPV	ES	Guardia Civil	Noadhibou	02/07/12	31/12/12	183	00:00	0:00
DELIVERED	Ro Duero	SEA	CPV	ES	Guardia Civil	Noadhibou	02/07/12	31/12/12	183	00:00	0:00
PLANNED	Rio Adaja	SEA	CPV	ES	Guardia Civil	Dakar	02/07/12	31/12/12	183	00:00	0:00
DELIVERED	Rio Adaja	SEA	CPV	ES	Guardia Civil	Dakar	02/07/12	31/12/12	183	00:00	0:00
PLANNED	Rio Cabriel	SEA	CPV	ES	Guardia Civil	Dakar	02/07/12	31/12/12	183	00:00	0:00
DELIVERED	Rio Cabriel	SEA	CPV	ES	Guardia Civil	Dakar	02/07/12	31/12/12	183	00:00	0:00
PLANNED	BN2T Islander	AIR	airplane	LU	CAE	Dakar	01/08/12	30/09/12	61	00:00	0:00
DELIVERED	BN2T Islander	AIR	airplane	LU	CAE	Dakar	01/08/12	30/09/12	61	00:00	0:00
PLANNED	Dash 8 300 Q	AIR	airplane	IC	Coast Guard	Dakar	01/10/12	30/10/12	30	00:00	0:00
DELIVERED	Dash 8 300 Q	AIR	airplane	IC	Coast Guard	Dakar	01/10/12	30/10/12	30	00:00	0:00
PLANNED	ATR 42	AIR	airplane	IT	G.d.F.	Dakar	01/11/12	30/11/12	30	00:00	0:00
DELIVERED	ATR 43	AIR	airplane	IT	G.d.F.	Dakar	01/11/12	30/11/12	30	00:00	0:00

Commented [A22]: The blanked out part contains information regarding the operational area. Its disclosure would expose law enforcement officials' patrolling the area and harm the course of future and ongoing operations, and thus facilitate irregular migration. Therefore, public security will be affected. In light of the above, the text is not disclosed pursuant to the exception laid down in the first indent of Article 4(1)(a) of Regulation No 1049/2001 relating to the protection of the public interest as regards public security.

Annex 25

FRONTEX

Technical Equipment Mission Report

JOINT Operation/RP:.............

Patrolling asset:
Mission Number:
Date:
Responsible ICC/LCC:
Operational Area:
National Official:
Asset currently deployed at:
(airport, harbour)
Provided by Member State:
Authority:

FRONTEX Mission Data Sheet

Patrolling asset:
Registration/Call Sign:
Assets Officer in charge:
e.g. Commanding Officer, Pilot
Used communication means:
e.g. SAT, HF, VHF, telephone, GSM

Mission scheduled:		total hrs:
Mission executed:		total hrs:
Brief description in case of derogations:		
e.g. technical failure, weather conditions		

Engine(s) start up:	Engine(s) cut off:	total (hh:min):
Take off/off berth:	Landing/on berth:	total (hh:min):
On station (opsarea):	Off station:	total (hh:min):
Fuel consumed:		

Total committed hours according to the SFD (hh:min):
Total executed hours so far (hh:min):

≋ FRONTEX

Mission Events

Attach a chart showing the operational area(s) and the entire track flown/sailed while introducing a position mark at least each 1 hrs or occasionally depending on the cruising speed.

Mark and number **ALL** identified targets detected within the operational area(s) in this chart and describe briefly identified targets according to the number given in a legend (e.g. crafts type, course, speed, activity). Support identified targets with images.

In cases where incidents occurred outside of the operational areas and in cases where incidents occurred on the way towards to the operational area and vice versa applies the same.

Do not delete, filter of cut the footage in case of any incidents. **ALL** the footage taken in relation to any incidents within Frontex coordinated operations has to be forwarded asap to the designated ICC (preferably using down link capabilities) for further consideration.

≋ FRONTEX

Mission Events

Brief description about the mission event(s):
e.g. repair activities, SAR events, technical failures, other crime (drug, oil spills etc.)

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ANNEX 26

Report of Participant

All participants of the joint operation (experts, national officers, commanding officers, ICC staff and etc) are kindly requested to fill in this questionnaire and to send it to the Project Team via email account epn.hera@frontex.europa.eu **within 15 days after finalizing the deployment.**

The aim of this questionnaire is not to evaluate the hosting MS, but to provide a feedback in order to support improving conditions for future operational activities.

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Name of the joint operation	
Name of the officer	
Home MS/SAC	
Period of deployment	
Place of deployment	

Question	Answer
Did you receive enough information about Frontex coordinated JO from your home MS/SAC?	
Was the planning and preparation of the JO timely and thorough?	
Was the implementation of the JO well organized?	

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Did you have the opportunity to generate ideas and contribute to the JO during the implementation phase?	
What actions/practices worked well in the framework of the JO?	
Which actions/practices would you consider as not that successful for the JO?	
Was communication with Frontex regular and sufficient for effective co-operation? Have you had sufficient feedback during the course of implementation of the JO?	
What actions/practices would you improve taking into consideration available human/technical recourses?	
Are there any comments/suggestions you would like to add?	

ANNEX 27

Final Report of the Member States / Schengen Associated

and 3rd countries

Joint Operation EPN- HERA 2012

_____

(MS/SAC/3rd country)

_____

(Authority)

Each MS/SAC/3rd country participating in the joint operation are invited to produce the Final Report and to send it to the Project Team of the joint operation via email account **epn.hera@frontex.europa.eu** **within 1 month after finalizing the deployment.** (The report can be produced by each participating authority separately). The information requested below is just indicative and the participants can send whatever they consider convenient (ie. PPT Presentation).

The template of the Final Report provides the minimum requirements for the report. The MS / SAC / 3rd countries / authorities are encouraged to include any additional information considered to be important to report.

Commented [A24]: The blanked out parts contain detailed information related to means of communication used by law enforcement officials. Their disclosure would lead to possible abusive usage and harm the course of future and ongoing operations, and thus facilitate irregular migration. Therefore, public security will be affected. In light of the above the text is not disclosed pursuant to the exception laid down in the first indent of Article 4(1)(a) of Regulation No 1049/2001 relating to the protection of the public interest as regards public security.

1. Coordination and cooperation

Assessment of the coordination structure established during the JO: performance of Frontex (FX) and the hosting MS (ICC/LCC, Focal Points Sea, Police Stations, Detention Centers, BCPs, etc);

Level of cooperation between FX, hosting and participating MS during the JO

Interagency cooperation (EMSA, CFCA, Europol, etc)

2. Reporting system and the information flow

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Assessment of the reporting system and information flow between all actors involved in the JO (FX/ICC/IO/experts/assets/NO/MS/FX feedback to the MS about ongoing JO and etc)

JORA, FOSS usage

3. Deployed resources

Participating authorities (if report involves few authorities)

Technical equipment: total number, type, periods of deployment, operational areas covered, patrolling hrs performed, etc

Experts: total number, periods, locations of deployment, activity performed by of different profiles' experts, etc

4. Operational results

Results achieved by the human and technical resources during the deployment period, e.g.:

- *the number of migrants detected, deterred, intercepted, rescued, landed, identified, detained, repatriated;*
- *the number of migrants boats detected, deterred or intercepted;*
- *the number of facilitators identified/arrested;*
- *other cross-border crime identified;*
- *etc*

5. Practical arrangements and logistics

Positive and negative aspects identified prior and during the implementation of JO

6. Additional information

Any additional information MS/SAC/3rd country considers to be reported

7. Recommendations

ANNEX 28

PRESS COMMUNICATION RULES

1. General

All authorities involved in the execution of the JO EPN-HERA 2012 will ensure full transparency of all actions undertaken.

Information given to the media cannot hamper the course of the operation.

National authorities sending border guards to JO EPN-HERA 2012 should limit their public statements to the general objectives of the operation, numbers and profiles of experts sent.

Guest officers are allowed to talk to the media only within the limits set by specific guidelines for the participating officers below.

A network of press offices of all involved authorities will be established. All contact details shall be sent to the press@frontex.europa.eu address.

> **Commented [A25]:** The blanked out parts contain detailed information related to means of communication used by law enforcement officials. Their disclosure would lead to possible abusive usage and harm the course of future and ongoing operations, and thus facilitate irregular migration. Therefore, public security will be affected. In light of the above the text is not disclosed pursuant to the exception laid down in the first indent of Article 4(1)(a) of Regulation No 1049/2001 relating to the protection of the public interest as regards public security.

A compiled list will be distributed to all parties involved.

2. Communication Rules

The communication strategy on the Border Control Operational Actions on the territory of Spain is common for Frontex and the Host Member State.

Press Offices of Frontex and Spanish Authorities will be entirely responsible for coordination of all matters related to interview requests, press visits to the operational area and any other press-related matter related to JO EPN-HERA 2012 in general, as well as on the ground.

Press Lines regarding joint border control operational issues and actions as well as specific incidents that might occur, are agreed by Frontex and Spanish Authorities.

3. Tasks of press offices

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Press visits to the JO EPN-HERA 2012 will be organised by Spanish authorities in cooperation with Frontex Information and Transparency.

The tasks of the press offices will include:

- Informing the media representatives on the Frontex mission and activities, as well as on the daily activities of JO EPN-HERA 2012.
- Being the local Point of Contact for media requests.
- Handling requests by the media representatives in cooperation with Frontex Information and Transparency
- Arranging interviews with representatives of the Spanish Authorities and with selected guest officers.
- Arranging filming opportunities, in close cooperation with the competent Spanish Authorities for the representatives of TV channels.
- Media monitoring and analysis of media tendencies (neutral, positive, negative) in cooperation with respective authorities
- Drafting, reproducing, sending and distributing press releases, statements and other communication issues, according to the circumstances and in close cooperation with the competent Spanish Authorities (National Police and Guardia Civil)
- Promoting the activities of JO EPN-HERA 2012 and presenting the results of operation in the area.

4. Management of Press Requests

The communication strategy regarding the Frontex mission and activities in general is under the auspices of the Agency.

Given that journalists need to get authorisation from the Spanish Authorities to visit the area, the following procedures must be kept:

- Individual and on-the-spot media requests must be directed to Frontex Information and Transparency and adequate Spanish Authorities electronically.

- Both Frontex Information and Transparency and Spanish authorities will inform each other about media representative requests on a regular basis.

- The Spanish Authorities will directly coordinate the flow of national (Spanish) press requests received and will inform Frontex Information and Transparency about the planned presence of these media in the operational area.

- The Spanish Authorities will decide whether or not to authorise a journalist to visit the operational area. The Spanish Authorities will inform the interested parties and Frontex Information and Transparency about the decision.

- The Spanish Authorities will host the media representative. Media representatives will be asked to present their press credentials before participating in any patrolling activity

5. Specific guidelines for the participating officers if approached by the media representatives:

What you can say:

- This is a Joint Operation coordinated by the European Agency Frontex
- Two participating Member States (Iceland and Luxembourg) and host country Spain take part in the JO EPN-HERA 2012: These countries participate either by providing experts or technical equipment for border control purposes.
- I am a border guard from (name of your country) deployed to this operation. I am assisting Spanish officers in border control activities. I am an expert in (e.g. first line control, interviews etc.)
- I am not authorised to give the media any more details - please contact the Frontex press office.

What you should NOT say:

- Do not give details of the operation
- Do not talk about the exact area covered by the operation
- Do not give details of the technical means deployed
- Do not talk about the patrolling schedule
- Do not discuss the migratory situation in Spain (let the Spanish authorities cover this)
- Do not talk about the individual incidents that may have taken place during the operation (let the Spanish authorities and Frontex press office handle this)
- Do not try to answer detailed questions about what Frontex is (let Frontex press office handle this)

Please refer the journalists to Frontex spokespeople for further details or call Frontex press office in case of doubt (you can also send a sms and we will call you back).

6. Contact details for Frontex Information and Transparency

Izabella Cooper

Spokesperson

Tel.: +48 22 544 95 35

Mobile: +48 667 667 292

e-mail: press@frontex.europa.eu

Ewa Moncure

Press Officer

Tel.: +48 22 544 9635

Mob: +48 785 001 374

e-mail : press@frontex.europa.eu

7. Contact details for the Spanish Authorities

Guardia Civil:

National Police:

8. Contact details to the press offices of the participating Member States

Iceland

> **Commented [A26]:** The blanked out parts contain the names and contact details of actors participating in Frontex activities. The disclosure of such information would undermine the protection of the privacy and the integrity of the individuals, in particular in accordance with EU laws regarding the protection of personal data. In this regard those parts are not disclosed pursuant to the exception laid down in Article 4(1)(b) of Regulation (EC) 1049/2001.

> **Commented [A27]:** The blanked out parts contain detailed information related to means of communication used by law enforcement officials. Their disclosure would lead to possible abusive usage and harm the course of future and ongoing operations, and thus facilitate irregular migration. Therefore, public security will be affected. In light of the above the text is not disclosed pursuant to the exception laid down in the first indent of Article 4(1)(a) of Regulation No 1049/2001 relating to the protection of the public interest as regards public security.
>
> The blanked out parts contain the names and contact details of actors participating in Frontex activities. The disclosure of such information would undermine the protection of the privacy and the integrity of the individuals, in particular in accordance with EU laws regarding the protection of personal data. In this regard those parts are not disclosed pursuant to the exception laid down in Article 4(1)(b) of Regulation (EC) 1049/2001.

Pubblic Affairs Oficers

Icelandic Coast Guard

Web: http://www.lhg.is

Luxembourg

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ANNEX 29

LIST OF CONTACT

1. Frontex Headquarters

> **Project Management Team Hera 2012**
> E-mail: epn.hera@frontex.europa.eu

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E-mail: epn.hera@frontex.europa.eu

Frontex Situation Center (FSC)

Commented [A30]: The blanked out parts contain detailed information related to means of communication used by law enforcement officials. Their disclosure would lead to possible abusive usage and harm the course of future and ongoing operations, and thus facilitate irregular migration. Therefore, public security will be affected. In light of the above the text is not disclosed pursuant to the exception laid down in the first indent of Article 4(1)(a) of Regulation No 1049/2001 relating to the protection of the public interest as regards public security.

Duty officer: +48 22 205 9797/ +48 785 001 309

E-mail: fsc@frontex.europa.eu

> Frontex Information and Transparency / Communication Press-Media

Izabella Cooper

Spokesperson

Tel.: +48 22 205 95 35

Mobile: +48 667 667 292

e-mail: press@frontex.europa.eu

Ewa Moncure

Press Officer

Tel.: +48 22 205 9635

Mob: +48 785 001 374

e-mail : press@frontex.europa.eu

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2. Spanish Police

> **Police Headquarters Madrid**
> E-mail: **nfpoc.spain@policia.es**
> Phone: +34 913226950 and (in urgent cases) +34 913226840
>
> Fax: +34 913226844

Names:

Contact person on press issues Spanish Police:

Responsible Authority: Spanish Police Press Office

Phone number: +34 913223319

E-mail address: servicio prensa@policia es

Post address: C/ Rafael Calvo 33 B Madrid CP 28010 Spain

Contact person for Fuerteventura' Detention Centre (Spanish Police):

Post address: Crtra Del Matorral s/n Fuerteventura (Canary Islands) CP 35600 Spain

Contact person for Tenerife' Detention Centre (Spanish Police):

Post address: Crtra General del Sur km 4, 200 Tenerife (Canary Islands) CP 38004 Spain

Commented [A31]: The blanked out parts contain detailed information related to means of communication used by law enforcement officials. Their disclosure would lead to possible abusive usage and harm the course of future and ongoing operations, and thus facilitate irregular migration. Therefore, public security will be affected. In light of the above the text is not disclosed pursuant to the exception laid down in the first indent of Article 4(1)(a) of Regulation No 1049/2001 relating to the protection of the public interest as regards public security.

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3. Guardia Civil

INTERNATIONAL COORDINATION CENTRE (ICC)

Guardia Civil Headquarter, Calle Guzmán el Bueno, 110 CP 28003, Madrid

E-mail: ncc-guardiacivil@guardiacivil org

FAX: +34 91 514 6179

Phones:

- •

REGIONAL COORDINATION CENTRE

➢ **Las Palmas de Gran Canaria, Spain**

Centro de Coordinación Regional de Canarias

Calle Alicante 22

CP 35016, Las Palmas de Gran Canaria - Spain

E-mail: ccrc@guardiacivil org

Phone: +34 928431766 Fax: +34 928391575

> **Commented [A32]:** The blanked out parts contain detailed information related to means of communication used by law enforcement officials. Their disclosure would lead to possible abusive usage and harm the course of future and ongoing operations, and thus facilitate irregular migration. Therefore, public security will be affected. In light of the above the text is not disclosed pursuant to the exception laid down in the first indent of Article 4(1)(a) of Regulation No 1049/2001 relating to the protection of the public interest as regards public security.
>
> The blanked out parts contain the names and contact details of actors participating in Frontex activities. The disclosure of such information would undermine the protection of the privacy and the integrity of the individuals, in particular in accordance with EU laws regarding the protection of personal data. In this regard those parts are not disclosed pursuant to the exception laid down in Article 4(1)(b) of Regulation (EC) 1049/2001.

LOCAL COORDINATION CENTRE

➢ (Operational area Mauritania): Nouadhibou

➢ (Operational area Senegal): Dakar

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ANNEX 30 A

The GIS application, together with the necessary information in a suitable format, would allow better analyses to be conducted and would also allow us to better understand the situation, such as the correlation between different factors related to illegal migration flows. In addition, it would also provide better data understanding corresponding to the main aims of the JO.

The identified required data are:

- **Weather and sea condition data**: to be provided on a daily basis in a structured and agreed format (excel files generated from the prepared form, see Annex 31). Weather and sea conditions could contain the following data:
  - General information on weather conditions and the location to which the weather is related:
    - Name of the region effected by the weather (possible options: Alpha, Bravo, Charlie)
    - Date of weather conditions (in format: yyyymmdd)
    - Weather remarks – general information on weather conditions
    - Sunrise – in format: hhmm (24 hours)
    - Sunset – in format: hhmm (24 hours)
  - Wind and sea conditions – an outline description of weather and sea conditions should be given **covering 4 periods of the day** (i.e., the main changes in weather conditions during the day should be noted in Weather Remarks). The weather conditions should be provided as an average for each period. The periods are **00:00-05:59, 06:00-11:59, 12:00-17:59, 18:00-23:59.**
    - Wind direction (There is a dropdown list with possible choices: E,W,N,S,WN,WS,EN,ES)
    - Wind speed (in m/s)
    - Wind strength (in dropdown list there are possible choices: calm, light breeze, gentle breeze, moderate breeze, fresh breeze, strong breeze, near gale, gale, strong gale, storm, violent storm, hurricane etc)
    - Wave height – (in meters)
    - Temperature (in Celsius)
    - Warnings; wind, waves, pending storms – description
  - Data source(s)
    - Source of information on wind conditions
    - Source of information on sea conditions

- **Track Log(s): track of patrolling assets** using their identification code (identification could be the IdAsset taken from: Table 2, see Annex).The tracking log might be kept in the following formats:

GPX, SHP or excel (xls – Excel 97-2003). In the event that excel files are used to provide the tracking log of patrols, the format shall be the following (see Table 1. Patrol Tracking Table):

Table 1. Patrol Tracking Table

IdAsset	Long	Lat	Speed	Time	Date

Description of the Patrol Tracking Table (the names of columns may be changed to make them more user friendly, however they should not contain spaces or forbidden signs):

- **IdAsset** – *place in each row the id of the asset (see: Table 2). The Id (column IdAsset of: Table 2) shall refer to the asset whose tracking is described in Table 1. Patrol Tracking Table)*

- **Long** – *please put longitude in WGS84 using decimal place (dd.xxxxxx) (do not use degrees minutes seconds but degree.decimals of degree).*

- **Lat** - *please put latitude in WGS84 using decimal place (dd.xxxxx) (do not use degrees minutes seconds but degree.decimals of degree).*

- **Speed** – *put the speed of the asset at every waypoint. Units of speed are in knots.*

- **Time** – *put the precise time when an asset was at a particular point described by the coordinates (if possible provide it in the following format: "hh:mm" or "hhmm" preferably – 24 hour clock)*

- **Date** – *put the date when the asset was at a particular point described by the coordinates (if possible provide it in the following format: "yyyy / mm / dd")*

The tracking log(s) of patrolling assets should be recorded at the frequency rate of waypoints of at least 1 waypoint per 10 minutes but not more frequent than 1 waypoint per minute. However, taking into account reported difficulties in providing such frequent data, it is suggested that the tracking waypoint intervals for air means could be up to 1 hour.

- **Incident reports** – for better real data representation, it is necessary to include more fields for intercepted irregular immigrants.

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- **Annex: Table 2 (Examples)**

Country	Authority	AssetClass	AssetType	PlaceDeployment	IdAsset
Spanish	Guardia Civil	Helicopter	BK-177	Almeria	1
Spanish	Guardia Civil	FW Airplane	CN235	Almeria	2
Spanish	Guardia Civil	Coastal Patrol Boat		Almeria	3
Spanish	Guardia Civil	Coastal Patrol Boat		Cartagena	4
Spanish	Guardia Civil	Coastal Patrol Boat		Motril	5
Spanish	Guardia Civil	Open Patrol Vessel			6
Slovakia		FW Airplane	Cessna 182	Almeria	7
Portugal	Air Force	FW Airplane	Casa	Almeria	8
Portugal	GNR	Coastal Patrol Boat	Ribamar		9
Portugal	GNR	Coastal Patrol Boat	Ribamar		10
Netherlands	Navy	Open Patrol Vessel			11
Netherlands	Navy	Open Patrol Vessel			12
Italy	Guardia di Finanza	FW Airplane	ATR42	Almeria	13
Luxemburg	Ministry of Justice	FW Airplane	SW3 Merlin	Almeria	14
Italy	Guardia di Finanza	Coastal Patrol Vessel			15
Italy	Coast Guard	Coastal Patrol Vessel			16
Iceland	Coast Guard	Open Patrol Vessel			17
France	Navy	Open Patrol Vessel	BBPD Acheron		18
France	Custom	FW Airplane	F406	Almeria	19
France	Custom	Coastal Patrol Boat	DF45 SIROCCO		20

Commented [A34]: The blanked out parts contain detailed information regarding the operational area. Its disclosure would expose law enforcement officials' patrolling the area and harm the course of future and ongoing operations, and thus facilitate irregular migration. Therefore, public security will be affected. In light of the above, the text is not disclosed pursuant to the exception laid down in the first indent of Article 4(1)(a) of Regulation No 1049/2001 relating to the protection of the public interest as regards public security.

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Finland	Coast Guard	FW Airplane	Dornier	Almeria	21

Warsaw, 02-02-2012
Reg No
Ref I&T-5481
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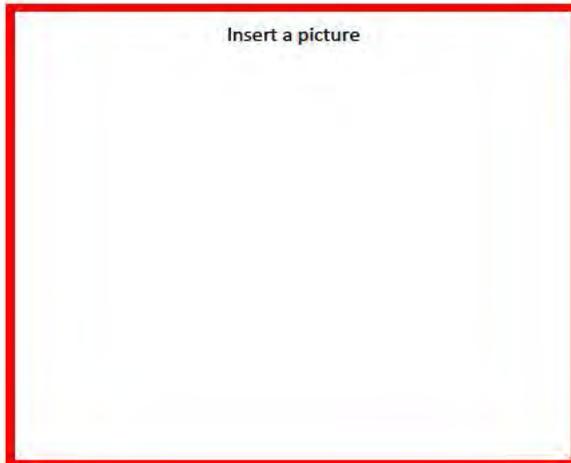**Immigration Authority Name**   Country flag   Country flag
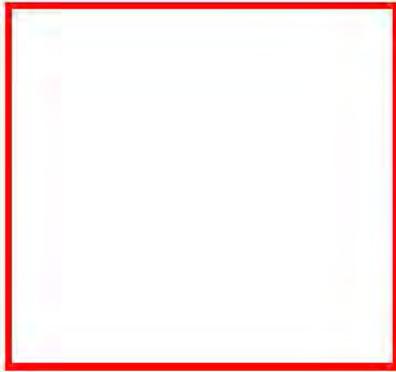
Annex 31

DOCUMENT ALERT

Title

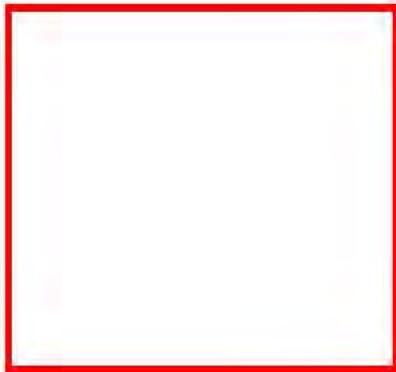| cument Type:		Fraud Type:	
Case Ref.		BCP	

Insert a picture

(Brief description of the bogus document detection including the citizen status route and local
of detection.)

DETECTION POINT #1

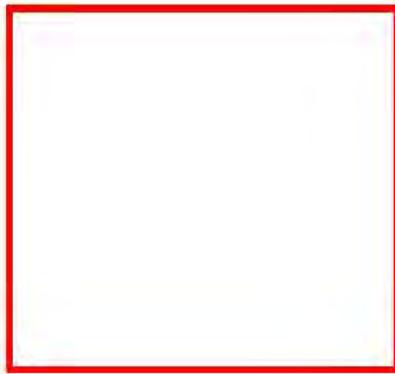(Description of the detection point)

DETECTION POINT #2

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Title   want to appear here.

(Description of the detection point)

DETECTION POINT #3

(Description of the detection point)

Other Pictures and Descriptions: