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COVER NOTE

From:	General Secretariat of the Council
To:	Political and Security Committee
Subject:	Strengthening Ties between CSDP and FSJ: Road Map Implementation - Fourth annual progress report

Delegations will find attached document EEAS(2015) 1422.

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EUROPEAN EXTERNAL ACTION SERVICE



Crisis Management and Planning Directorate

Working document of the European External Action Service

of 26/10/2015

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"STRENGTHENING TIES BETWEEN CSDP AND FSJ" ROAD MAP¹ IMPLEMENTATION – FOURTH ANNUAL PROGRESS REPORT

I. GENERAL ASSESSMENT²

The Council conclusions on CSDP³ adopted by the Council on 18 May 2015 state: "The Council strongly underlines the need to further strengthen the links between external and internal security".

HRVP / Head of the Agency report ahead of the June 2015 EC mentions that "terrorist and other attacks in several Member States have impacted on the internal security situation and have further highlighted the linkages between external and internal security". This has been identified in various other High Level discussions e.g. the Riga Joint Statement⁴ the statement by the members of the European Council on the fight against terrorism of 12 February 2015 etc.

The Commission's communication The European Agenda on Security adopted on 28 April 2015⁵ identifies the need to ensure coherence between the internal and external dimensions of security as one guiding principle. Stressing the inter-linkage between EU internal security and global security, and the fact that security threats are not confined by the borders of the EU, the Commission underlines the need for a comprehensive approach, based on a coherent set of actions, to further reinforce links between Justice and Home Affairs and Common Security and Defence Policy.

The Council conclusions on the renewed European Union Internal Security Strategy (2015-2020) adopted by the Council on 16 June 2015 state *inter alia* "acknowledging the growing links between the European Union internal and external security as well as following an integrative and complementary approach aimed at reducing overlapping and avoiding duplication [...] welcomes the call of the Foreign Affairs Council of 18 May 2015 to develop synergies between CSDP and relevant actors in the area of freedom, security and justice, and calls on all actors involved to

¹ doc. 18173/11

² Work has been carried out by representatives from various EU bodies - EEAS Directorates, GSC and Commission (DG HOME...) and the informal "CSDP-FSJ Core Team", which, given its inter-institutional nature, carried out the supervision of the road map implementation, with the support of the presidencies.

³ Doc. 8971/15

⁴ 5855/15, page 7

⁵ COM(2015) 185 final

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increase further their efforts and support to the implementation of the principles contained in the road map "Strengthening ties between CSDP and FSJ".

The summary of discussions of the CIVCOM-COSI Support Group meeting which was held on 15 December 2014⁶ has been taken into account for the development of the roadmap and should guide further actions.

Arrangements and Agreements between the EEAS, the SATCEN and EU Agencies are concrete deliverables that have built the foundations of structured permanent cooperation in the operational domain. Similar types of cooperation frameworks should be established with other Agencies (e.g. EUROJUST), as required.

In the same vein, the General Administrative Arrangement between EUROGENDFOR and EEAS on cooperation on CSDP will consolidate EGF's support to crisis management structures and involvement in missions and operations.

Enhanced formal cooperation between the EU and INTERPOL on the CSDP and beyond is to be viewed as part of the EU's comprehensive approach in the fight against terrorism, organized crime and illegal migration. To this end, a concept note is being prepared and will be presented to the Member States in due time.

As for training, the CSDP/FSJ nexus is now being included in various courses organised by CEPOL and the ESDC, among others.

Increasingly frequent involvement of FSJ stakeholders (Commission and relevant EU Agencies) in the design of CSDP missions and operations is a positive trend. However, there is still scope for more structured consultation, awareness and mutual support.

As announced last year, several work strands and initiatives have been taken beyond CSDP. A good example is the assignment by the Commission of specialised staff to EU Delegations in

⁶ 9798/15

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Ankara, Beijing, Delhi, Geneva, Moscow, Vienna and Washington, which is definitely contributing to strengthen the nexus between EU internal and external security policy.

The EEAS has been associated to the preparation of the European Agenda on Security and the development of the EU Internal Security Strategy 2015-2020. It also contributed to the implementation of the EU Policy Cycle for Organised and Serious International Crime.

In the follow up to the PSC-COSI discussions of November 2014 on further enhancing cooperation between CSDP and FSJ in CIVCOM and the COSI Support Group, the EEAS (CMPD) presented the state of play at the meeting of the members of the PSC and the COSI on 04 June 2015.

II. MAIN DELIVERABLES AND PERSPECTIVES

In line with the methodology recommended in the previous reports, the prioritized actions contained across the five areas (“Comprehensive Situational Awareness and Intelligence support to the EU”; “Exchange of information and mutual support”, “Improving mechanisms in the decision making process”; “Improving cooperation in planning EU external action”; “Capabilities: Human Resources and Training” have further been developed by project teams⁷.

The information provided below reflects the outcome of this process.

A) Strengthening ties with EU AGENCIES:

Based upon an inter-institutional consensus that broader arrangements (beyond the scope of CSDP/FSJ) between the EEAS and the EU agencies EUROPOL and FRONTEX are required, exchanges of letters/working arrangements have been signed in order to establish a comprehensive framework of cooperation (See ANNEX I to IV and V for a detailed description)

This represents a significant achievement and it will be completed by the necessary ancillary texts (e.g. Administrative Arrangement for the exchange of EUCI with FRONTEX).

Further work with the agencies has included:

- Providing contributions to the above mentioned agencies work programmes priorities for external activities
- EEAS participation in the consultation on the overview of analytical products, undertaken by the JHA Agencies' network. INTCEN and FRONTEX have started systematically sharing their non-classified analytical products and situation reports, which are subsequently circulated within the EEAS.

Additionally, EEAS representatives are effectively participating in the various events, workshops and meetings (e.g. annual EU Agencies meeting) organised by these agencies (and vice versa).

⁷ See "Annex SET UP OF PROJECT TEAMS AND CLUSTERING OF ACTIONS" of the "Strengthening Ties between CSDP and FSJ: Road Map implementation Second annual progress report doc 16039/13

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The implementation of the cooperation frameworks should contribute to facilitate the EU operational external action, in particular in the field of border and migration management.

This is meant to cover also the information from EU Delegations when EU agencies are deploying personnel in third countries.

During the reporting period, the migration/refugee crisis called for robust actions by all EU actors. The implementation of the cooperation frameworks had a positive impact on the operational momentum. Operation EUNAVFOR Med explicitly brings together the internal and external security agendas and implies closer cooperation between the military operation and FSJ agencies such as EUROPOL, FRONTEX and EUROJUST.

EUROPOL and FRONTEX reports and analyses have been key to support EEAS planning and monitoring.

However, some legal issues on the implementation of external and internal policies (for instance the different legal systems of participating Member States, or the fact that the mandate of a CSDP mission inherently has effects on law enforcement actions in EU territory) have cropped up and should be addressed.

A regular upstream exchange between CSDP structures and EU Agencies, in close association with the EEAS and Commission services, would allow advance information for operational planning implementation and provide at the same time an appropriate and timely involvement of the agencies in the strategic and operational planning.

Whenever relevant, setting up additional modalities to structure the level of inter-actions and mutual support (e.g. new Guidelines for Visiting Experts) should be pursued, in close consultation with the EEAS and Commission services.

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a) EUROPOL

The Road Map envisaged reviewing the existing arrangements between EUROPOL and the EEAS⁸. An assessment on the opportuneness and feasibility for a broader cooperation arrangement was carried out by the EEAS, in liaison with the Commission services.

This new comprehensive framework of cooperation was completed on 19 January 2015 by an administrative arrangement for sharing classified information between the EEAS and EUROPOL (see annex no III).

The EEAS (including CMPD and CPCC) is being consulted throughout EUROPOL's drafting process of its 2016 work programme (October 2014). Also note CPCC's participation in EUROPOL EMPACT meeting on Illegal Immigration (September 2015).

The Commission services will organise on Friday 27 November 2015, the first trilateral Meeting with EUROPOL, DG HOME, and the EEAS to implement the recent exchange of letters.

b) FRONTEX

An exchange of letters on the cooperation between EEAS and FRONTEX" was signed in January 2015 (see annex II), constituting a Working Arrangement (WA) concluded under Art 13 of the FRONTEX Regulation on "Cooperation with Union Agencies and Bodies".

On 9 February 2015, the newly appointed FRONTEX Executive Director, Mr Fabrice LEGGERI met EEAS directors to have an initial exchange of views on the implementation of the Working Arrangement.

Based on the EoL, the first regular staff level consultations were held on 25 March 2015. The aim of the talks was to share information on each other's ongoing and future activities and priorities in

⁸ The previous exchanges of letters between EUROPOL and the General Secretariat of the Council (GSC 14050/05-13311/1/08) have become outdated insofar as they do not take into account post-Lisbon EU structures.

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order to feed them into their respective annual planning (operational and fiscal) including resource allocation, and the Trilateral Meeting with DG HOME.

The discussions were structured under three topics:

- Institutional support and cooperation with EU Delegations;
- Information sharing and
- CSDP cooperation.

c) Cooperation between FRONTEX and the European Satellite Centre (SATCEN)

In the last years SATCEN and FRONTEX have been involved in Copernicus projects for Border Surveillance, where SATCEN provided a focal point for FRONTEX requests, detailed technical requirements for industrial services and the validation of the end-products. FRONTEX tasked SATCEN to support its activities with information regarding the presence of fishing ships (“Cayucos”) along North-African coastal land strips. Both cases clearly demonstrated the usefulness of SatCen products and services to support FRONTEX geo/imint (Image Intelligence) needs.

Following the conclusion of the Copernicus delegation agreement with FRONTEX, approved by the SATCEN Board under the article 18.3 of the SATCEN Council Decision^{III} in March 2015, the cooperation between SATCEN and FRONTEX was formally established through a Service Level Agreement for the provision of Satellite Imagery (see annex IV).

The agreement is fully implemented and so far, SATCEN has delivered 54 products to FRONTEX. Recently FRONTEX requested products related to the current migrant crisis.

d) EUROJUST

EEAS contacted EUROJUST in early 2015 and a first kick-off meeting for a more structured exchange will be held soon. However, the form and content of cooperation have not yet been studied in detail. Once there is the necessary clarification on the necessary procedural issues that would allow cooperation with EUROJUST on CSDP issues, progress can be made swiftly. Identified areas of cooperation are, i.a.:

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- The exchange of information for situational awareness in CSDP missions' host countries;
- Judicial advice and training by EUROJUST staff,
- Liaison and orientation visits to The Hague by mission and host country authorities,
- Setting up of EUROJUST points of contact in host countries,
- Temporary assignment of EUROJUST staff to missions and Crisis Management Structures, and
- Drawing upon EUROJUST expertise in the cycle of mission planning, conduct and review.

From an operational perspective, in compliance with the Commission's communication The European Agenda on Security adopted on 28 April 2015⁹ and in line with one of the recommendations from the EU Action Plan against migrant smuggling covering the period 2015-2020, EUROJUST's capacities to facilitate investigations and prosecutions related to irregular migration, migrant smuggling and other forms of organised crime will be key for EUNAVFOR Med. Several formal consultations have been held with EUROJUST on information-sharing and cooperation in this context. The areas discussed concerned, among others, setting up Joint Investigations Teams with EUROJUST participation, setting up a thematic group on migrant smuggling and considering the feasibility of posting liaison officers and magistrates in third countries. EUROJUST was encouraged to evaluate this cooperation as a matter of urgency.

e) CEPOL

CEPOL has been actively providing training on civilian crisis management.

Besides important subjects such as “*EU CSDP Police Command and Planning Course*”, “*Train the trainers CPCC*” or “*Train the Civilian Crisis Management Mission trainers*” CEPOL has implemented annual residential training activities on the “CSDP-FSJ nexus” which are designed to improve prospective senior CSDP mission officers’ understanding and knowledge of the interconnection between the EU internal and external security and the enhancement of the practical exchange of information between EU Member States, EU Agencies (e.g. EUROPOL, FRONTEX),

⁹ COM(2015) 185 final

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B) European Security and Defence College (ESDC)

On 5 March 2015 a second meeting of FSJ stakeholders in the field of CSDP training was organised in Brussels by the ESDC Secretariat with the participation of the representatives of the main European police and FSJ stakeholders, CMPD, CCPC, DG-HOME, CEPOL, EUROPOL, EUROJUST and EUPST representatives to implement the cooperation in the field of CSDP training. The INTERPOL Special Representative to the EU attended the meeting as well. A link with the JHA Agencies network has been created in order to offer a broad overview on CSDP training (see details in annex VI).

An ESDC Orientation Course with a specific focus on Home Affairs was organised in Brussels in Bucharest by the Romanian College of Home Affairs from 26 to 30 October 2014 and another one has been planned in Bucharest by the Romanian College of Home Affairs from 26 to 30 October 2015.

ESDC supports by means of IDL (eLearning) for the newly designed EU CSDP Police Command and Planning Course (former SPOPCOP) which will take place in Portugal on November 2015. A good example of the consolidation of cooperation between CEPOL and ESDC is that the CEPOL Governing Board has adopted an additional course for the 2016 Work Programme as a joint CEPOL-ESDC course (Strategic Planning process of EU missions and operations).

It has been agreed that EUROJUST and EUROPOL may be invited to the ESDC Executive Academic Board and the ESDC SSR Board and present specific agenda points.

Another ESDC Orientation Course with a specific focus on Home Affairs has been organised in Bucharest by the Romanian College of Home Affairs from 26 to 30 October 2015.

C) EUROGENDFOR

The "General Administrative Arrangement between the European Gendarmerie Force (EUROGENDFOR or 'EGF') and the European External Action Service (EEAS) on the cooperation under the Common Security and Defence Policy entered into force on 6 October 2014.

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Concerning the Exchange of EU Classified Information between EEAS and EGF (including CSDP missions and operations), an Interim Arrangement was signed in December 2014 between the EEAS and the Italian NSA allowing the release of EU Classified Information between EEAS and EGF, and it is now being implemented. Work is well advanced on establishing an Administrative Arrangement between the EEAS and EGF on exchanging classified information. Once in place, this Arrangement will replace the interim sponsorship arrangements with the Italian NSA referred to above.

Contacts between Crisis Management Structures (the CMPD, EUMS and the CPCC) and EGF Permanent Headquarters to facilitate and optimise any EGF's engagement are in progress. From an operational perspective, although the contribution of EGF in EUCAP SAHEL Mali is appreciated and substantial in terms of numbers, the traditional system of Call for Contributions for the force generation process has shown limitations to identify EGF personnel for recruiting individuals.

Lessons from the deployment of the EGF IPU in EUFOR RCA have been presented in a joint meeting of CIVCOM and PMG on 27 May 2015. Support was provided from the planning phase, by the PHQ to the different operation phases, providing expertise on police matters and contributing analytical capability to the Ops Cdr staff.

Exploratory work on the possible use of EGF planning expertise to support EUBAM Rafah is underway.

D) INTERPOL

In February 2015, EEAS Directors met the newly elected Secretary General of INTERPOL, Jurgen Stock, which offered an opportunity to record the solid cooperation over the years established between the CSDP structures and the organisation. This included cooperation on the civilian side, EULEX Kosovo, EUBAM Libya, EUCAP Nestor and the support of EUPOL COPPS, and EUNAVFOR Atalanta on the military side.

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On 15 July 2015, HR/VP Federica Mogherini met with INTERPOL Secretary General Jürgen Stock to discuss security threats the EU is facing, in particular issues of mutual interest such as the fight against terrorism and human trafficking. They agreed to explore ways of strengthening cooperation, building on repeated representations from INTERPOL in favour of enhancing cooperation with the EU. To this end, a mapping exercise was conducted in recent months by EEAS services.

A separate note¹⁰ dated 15 October 2015 takes stock of current cooperation with INTERPOL through the EU's external action. It presents perspectives for further cooperation, together with recommendations for specific actions on a way forward.

The establishment of a partnership framework between the Commission, the EEAS and Interpol would consolidate the structure and further develop the existing cooperation to the benefit of all parties. As a matter of priority, the Commission, the EEAS and Interpol consider it important to formalise this partnership framework through an administrative arrangement under the form of an exchange of letters, a proposal which is currently under preparation (*DG Home*).

This report will be presented to the Committee for Civilian Aspects of Crisis Management (CIVCOM), to the Standing Committee on Operational Cooperation on Internal Security Support Group (COSI SG) and to the Politico-Military Group (PMG) in autumn 2015.

E) Inventory of CSDP and CSDP-related Civilian Conceptual Documents:

The first "Draft Inventory of CSDP and CSDP-related Civilian Conceptual Documents"^[1] aiming at recording main concepts, doctrine, policy documents and other relevant documents such as manuals, guides, handbooks, toolkits etc. in the field of civilian crisis management was produced in 2013.

A revised "Inventory of CSDP and CSDP-related Civilian Conceptual Documents"¹¹ was presented to CIVCOM and agreed on 11 March 2015. This revised inventory simplifies and shortens the presentation and gives a better graphic overview of the concepts and conceptual documents, while

10 "Cooperation with Interpol under CSDP" doc. 13126 /15

[1] Doc. 5131/2/13

11 Doc. 7289/15

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adding the new documents that were agreed since 2013. The document is to be considered as a living document and will be updated as necessary.

F) Revision of the Guidelines on the use of Visiting Experts in the context of civilian CSDP missions:

In April 2012 "Guidelines on the use of Visiting Experts in the context of civilian CSDP missions" were adopted¹², and endorsed by PSC on 2 May 2012. Visiting Experts (VE) contribute on a temporary basis to Missions mandate execution.

At the end of 2013 and beginning of 2014, the CPCC carried out a survey among 11 civilian CSDP missions to evaluate the usefulness of the Visiting Experts concept in enforcing human resources capabilities and to collect information and feedback from the field about the implementation of Visiting Experts tool and proposals for improvement.

As a priority action for the implementation of the "Strengthening Ties between CSDP and FSJ - Road Map"¹³, several proposals and implementation policies have been elaborated to improve the pertinence of the Visiting Experts concept, including broadening their applicability to the EU agencies' staff providing specific expertise in Law Enforcement and Rule of Law and other relevant international non-state entities thus expanding the pool of expertise.

Work is underway and a draft document will be presented to the relevant working groups in autumn 2015.

G) Improving the "Situational Awareness Support to CSDP civilian missions"

¹² Doc 8551/12

¹³ Strengthening Ties between CSDP and FSJ road map implementation -Progress report doc 14130/12
Identify developing involvement of FSJ actors (in particular EU agencies) (such as EUROPOL, FRONTEX and EUROJUST) in CSDP missions):" Organize the conditions for the participation of EU Agencies experts to reinforce a CSDP mission for a limited period of time".

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A document: "Overview on Situational Awareness Support to CSDP civilian missions" is being prepared by an EEAS project team, consisting of representatives from CPCC, CMPD, and EU INTCEN. This paper studies:

- a) how to organise the different steps of the intelligence cycle in the CSDP civilian missions to serve the support of the EU; and
- b) how to disseminate information/intelligence gathered by CSDP missions at the EU HQ level.

The document gives an overview on the different aspects of situational awareness concerning the Missions: the Intelligence Cycle in the EEAS, the Situational awareness within the Mission structures, Information sharing with other EU actors in the field, the state of play of information flow between the EEAS and the CSDP missions and finally the Secure communications with the CSDP missions. Finally some recommendations for enhancing situational awareness for civilian CSDP Missions are elaborated, including the study of a "Country Situational Awareness Platform (CSAP)" which aims at addressing the challenge of coordination in the field.

Following an internal validation process, this document will be presented to Member States in due time.

III. WAY AHEAD

The Context of mobilization of all instruments in addressing the migration crisis as well as the fight against terrorism puts an emphasis on an increased civ-mil interaction in support to the internal/external security nexus.

As indicated by the High Representative¹⁴, "Missions and operations are increasingly becoming more embedded in a wider EU approach. In this regard, and given the linkages between internal and external security, illegal migration and trafficking of all sorts, counter-terrorism aspects as well as hybrid threats might need to be taken up in the planning of any possible new operation/mission or indeed in EU-action more generally".

The principles contained in the road map "Strengthening ties between CSDP and FSJ" remain valid but the implementation of the roadmap has shown the need to start looking beyond the measures identified in 2011.

The current configuration process of the CSDP/FSJ Road Map needs to be eventually reconsidered in perspective of the ongoing strategic reflection process led by the High Representative, aimed at developing a broad European strategy on foreign and security policy issues.

As said, the Summary of discussions of the CIVCOM-COSI Support Group dated 2 February 2015 should guide further actions in the nearest future and new actions may be initiated, within means and capabilities.

To take stock of the achievements and have a more detailed discussion on possible new actions, a workshop gathering also Member States and all other relevant institutional stakeholders, including EU Agencies may be organised in due time by the EEAS and the Commission.

¹⁴ HRVP / Head of the Agency report ahead of the June 2015 EC

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ANNEXES:

- I. Exchange of correspondence on Enhanced Cooperation between EEAS and EUROPOL (letters dated 5 November 2014 & 8 December 2014);
- II. Working Arrangement between EEAS and FRONTEX (exchange of letters dated 27 November 2014 & 26 January 2015);
- III. Administrative Arrangement for sharing classified information between EEAS and EUROPOL (exchange of letters dated 10 December 2014 & 19 January 2015);
- IV. Service Level Agreement between SatCen and FRONTEX
- V. Cooperation with EUROPOL and FRONTEX- Detailed activities
- VI. Cooperation with ESDC- Detailed activities
- VII. Cooperation with EUROGENDFOR- Detailed activities
- VIII. CSDP/FSJ Road-map/ BACKGROUND

EUROPEAN EXTERNAL ACTION SERVICE



DEPUTY SECRETARY GENERAL

Brussels, 5 November 2014
EEAS/K3/FS/zd (2014) 3866265

Dear Mr Wainwright,

Enhancement of cooperation between the EEAS and Europol

Cooperation between Europol and the European External Action Service (EEAS) has been developing positively in many areas of joint interest, such as organised crime, terrorism or CSDP missions. Thank you - and your staff - for the friendly and proactive engagement. Law enforcement and security matters play an increasingly important role in EU external relations. We should therefore clarify any remaining doubts about the intended scope of cooperation¹, and our respective statutes under the current and future legislative framework - without prejudice to the competences of the European Commission as established by the EU Treaties and in full respect of the Treaty provisions on external representation of the Union, I would thus suggest the following areas for further joint work:

1. CSDP missions and operations

The Common Security and Defence Policy (CSDP) enables the Union to engage in peace-keeping operations, conflict prevention and in the strengthening of international security.

¹ The previous exchanges of letters between Europol and the General Secretariat of the Council (GSC 14050/05-13311/1/08) have become outdated insofar as they do not take into account post-Lisbon EU structures.

Mr Rob WAINWRIGHT
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Internal and external security aspects are increasingly inter-linked: CSDP missions can help to improve the EU's own security, to restore the rule of law, to strengthen state institutions and to reduce instability and insecurity in partner countries.

Since 2008, on the basis of the cooperation mechanisms between civilian CSDP missions and Europol as regards the mutual exchange of information, CSDP missions provided a contribution to Europol Serious and Organised Crime Threat Assessments.

Europol is supporting the EULEX mission², including its operational activities in fighting organised crime.

Now there is a need to further enhance and significantly improve work between Europol and EEAS crisis management structures as well as with CSDP missions and operations. Let us therefore pursue the measures envisaged in the 'Strengthening Ties between CSDP and FSJ' Roadmap³.

2. EU Delegations

The Delegations of the European Union represent an important asset for diplomacy, information gathering and public outreach. They can and should help Europol in its engagement with third countries, by providing country-specific information, facilitating contacts and representing the EU as appropriate. Conversely, Delegations could greatly benefit from Europol expertise and guidance in police related matters. An improvement of their cooperation with Europol, in compliance with the respective legal framework, could be envisaged.

3. Training, awareness-raising and lessons learnt

Europol and CEPOL already offer training to EEAS staff in the context of CSDP missions. This is highly appreciated and we thank you very much. I believe we could consider extending appropriate training to all EEAS staff involved in law enforcement matters, including EU Delegation staff and geographic/thematic desks at headquarters. Equally, Europol staff could benefit from appropriate training activities made available by the EEAS. This does not necessarily mean formal training events, but could also include lunchtime conferences or other informal exchanges of expertise and lessons learnt.

4. Staff exchanges

Taking due account of resource constraints and financial rules, secondments, missions and joint project work on matters of common interest (e.g. work related to international crises, Policy Cycle on Organised and Serious Crime) could also be considered, both at headquarters and in EU Delegations. This would contribute to building a shared security culture within the EU.

5. External assistance

As a main international donor, the EU supports numerous assistance programmes in third countries, including projects on security sector reform and law enforcement cooperation.

² European Union Rule of Law Mission in Kosovo "EULEX Kosovo".

³ Doc. 18173/11 dated 5 December 2011.

As resources allow, Europol could provide, where available, expertise and first-hand experience, which are essential for the success of these projects. This could also disseminate best European practices internationally and give Europol officers privileged access to key interlocutors in third countries. Synergies could be actively sought between the Policy Cycle on Organised and Serious Crime and respective EU external actions.

6. Exchange of information

The EEAS is highly interested in Europol reports and strategic assessments, such as the Serious and Organised Crime Threat Assessment (SOCTA) or the EU Terrorism Situation and Trend Report (TE-SAT), including in underlying information and analysis. Conversely, EEAS reports and assessments could be of use for Europol. The sharing of information, including personal data in the framework of the Common Security and Defence Policy (CSDP), is subject to applicable rules and current legislation. Exchanges of classified information may be subject to specific arrangements, in accordance with our respective legal frameworks.

7. Regular consultations

To take stock of progress, as well as assessing new, possible initiatives, I would suggest establishing regular, informal consultations, at least once/twice a year, depending on the practicalities of the moment. These informal consultations would take the form of tripartite meetings together with the European Commission / DG HOME.

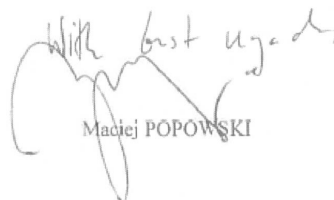
8. Contact points

The EEAS contact point for relations with Europol is our Security Policy Division (K3@eeas.europa.eu; tel. +32-2-584 5435). Could you also nominate a contact point on your side?

My understanding is that this letter together with your answer will constitute our guidance and commitments, without creating any legal obligations. In addition, we will conclude, as needed, specific working arrangements on the different items mentioned above.

Looking forward to further deepening our cooperation.

Yours sincerely,



Maciej POPOWSKI

cc: Dr Matthias Ruete, Director-General Home Affairs / European Commission

Europol Unclassified – Basic Protection Level



The Hague, 8 December 2014

DIRECTOR

Mr Maciej Popowski
Deputy Secretary General
European External Action Service
via e-mail

Subject: Enhancement of cooperation between the EEAS and Europol

Dear Mr Popowski,

I wish to thank you for your letter of 5 November 2014 on the enhancement of our mutual cooperation.

I fully share your views regarding the key areas of common interest listed in the letter. I welcome the idea of regular consultations, in which the European Commission, DG HOME in particular, will also participate.

Europol's External & EU Institutional Affairs Unit (G21@europol.europa.eu) will be the contact point, as foreseen in point B of your letter.

I believe that this exchange of letters will establish an efficient structure for our mutual contacts, give a new momentum to our cooperation and result in even more coherent, coordinated and effective use of unique capabilities offered by our respective services.

Yours sincerely,

Rob Wainwright
Director

cc: Dr Matthias Ruete, Director-General Home Affairs / European Commission

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Mr Maciej Popowski
Deputy Secretary General
European External Action Service

Rue de la Loi
1000 Bruxelles
Belgium

Our ref: 20022 / 27.11.2014
Please quote when replying

Warsaw, 27 November 2014

Subject: Exchange of Letters on cooperation between the European Agency for the Management of the Operational Cooperation at the External Borders of the Member States of the European Union (Frontex) and the European External Action Service (EEAS)

Dear Mr Popowski,

I am writing to seek your formal agreement on the proposal set out below.

Following the letters exchanged by Mr Laitinen on 19 November 2013 and Mr Popowski on 20 January 2014, Frontex and EEAS, hereinafter referred to collectively as "the Partners", discussed the objectives, scope and areas for bilateral cooperation. These technical exchanges have reinforced the initial assumption that there is a need for a framework to structure practical and operational cooperation between the Partners.

It has also been concluded that while a general framework for bilateral cooperation is needed, some concrete areas or the implementation of certain cooperation activities will require additional specific arrangements.

The implementation of cooperation activities shall be in line with the Partners' priorities as established in their respective work programmes depending also on the availability of the necessary human and financial resources.

Subject to our respective mandates and competences, we propose the following elements to constitute our cooperation framework, in accordance with Article 13 of the Frontex Regulation¹ and Article 3 of the EEAS Decision²:

¹ Regulation (EC) 2007/2004 as last amended by Regulation (EU) No 1168/2011

² Council Decision of 26 July 2010 establishing the organisation and functioning of the European External Action Service (2010/427/EU)



A. OBJECTIVES AND POLICIES

The overall objective of this working arrangement is to facilitate more comprehensive, coherent and coordinated EU operational external action in the field of border and migration management vis-à-vis the competent authorities of Third Countries and International Organisations.

The intended cooperation shall contribute in particular to the following objectives and policies:

- The implementation of the European Security Strategy¹ and EU Internal Security Strategy² focusing particularly on the links between External and Internal Security.
- The implementation and further development of the Roadmap for strengthening the ties between CSDP and FSJ Actors³ endorsed by COSI and PSC.
- Improving migration management and the combating of irregular migration in partnership with third countries in line with the Global Approach on Migration and Mobility (GAMM) and in particular, though not exclusively, in assistance of the implementation of Mobility Partnerships with relevant Third Countries.
- The implementation of the EU Integrated Border Management (IBM) Concept⁴ stressing the need for measures in Third Countries and cooperation with Neighbouring Countries for effective border management.
- The implementation of the June 2014 Council conclusions on Terrorism and Border Security.⁵
- The implementation of the European Union Maritime Security Strategy⁶
- The promotion and streamlining of fundamental rights in cooperation with Third Countries' Border Management Authorities as laid down in Article 14 of the Frontex Regulation and Frontex Fundamental Rights Strategy.
- The implementation of the Frontex mandate, in particular Articles 13 and 14 of Frontex Regulation, providing respectively for the cooperation with other EU bodies and Third Countries' Competent Authorities in the framework of Working Arrangements and in particular for the delivery of technical assistance projects to Third Countries.

¹ Adopted by the European Council on 12-13 December 2003

² Endorsed by the European Council on 25-26 March 2010

³ Council Document of 18173/11 of 5 December 2011

⁴ Cf. Council Conclusions of 4-5 December 2006.

⁵ Council doc. 17868/13

⁶ Council doc. 11205/14





- The implementation of Article 18 of the Eurosur Regulation⁹ obliging Frontex to cooperate i.a. with the EEAS which may provide Frontex with information relevant for the maintenance of the European Situational Picture and the Common Pre-frontier Intelligence Picture.
- The implementation of the present arrangement is to be seen and promoted within the context of the strategic guidelines for the area of freedom, security and justice defined by the European Council of 26/27 June 2014¹⁰.

B. SCOPE

Cooperation shall focus primarily on the following geographic and thematic priorities, in full accordance with the Frontex Regulation and in line with the overall external relations policy of the EU.

Geographic

- Third Countries or Regions which are the origin or transit of significant irregular migration to the EU or to Third Countries or Regions which have a significant impact for the security of the External Borders of the EU Member States, as defined notably in the GAMM.
- Third Countries which are strategic partners in the field of security, including border management.

Thematic

- IBM including return, in particular cooperation or technical assistance projects with relevant Third Countries.
- EU Crisis Management Operations (CMOs, i.e. civilian and military crisis management missions/operations) and in particular civilian missions, which require border or migration management components.
- Other fields relevant to IBM affecting the External Borders of the EU Member States such as Human Rights, Asylum, Migration, Visa, forged documents, Terrorism, Smuggling and Trafficking of Human Beings, cross-border crime, CBRN threats or other cross-border security issues.

⁹ Regulation (EU) No 1052/2013

¹⁰ Document of the European Council, EUCO 79/14 (27 June 2014)





C. Areas of cooperation

Cooperation can include Frontex Joint Operations and CMOs, capacity building / technical assistance in Third Countries, situational awareness and analysis, institutional support and other horizontal or flanking measures.

1. Frontex Operations and CMOs

- Cooperation focusing on the exchange of information, in particular analytical or situational reports or provision of expertise during the planning, conducting and review or evaluation of relevant CSDP Missions as well as Joint Operations coordinated by Frontex at the External Borders of the EU Member States.
- Cooperation and communication in particular with the relevant EU Delegation in the context of Frontex coordinated Joint Return Operations or in the development of specific best practices with regard to a certain Third Country and without prejudice to Article 5 of Council Decision 2010/427 establishing the organisation and functioning of the European External Action Service.
- Provision of training by Frontex for the implementation of the CSDP Missions, in particular for Third Country Authorities or CSDP Mission members.
- The cooperation envisaged under missions or operations may involve the participation of Frontex staff and/or experts to an EU Crisis Management Structure or any CMO, which shall be subject to the establishment of the appropriate arrangements and tools addressing the legal, administrative and financial aspects.

2. Situational Awareness Risk Analysis and exchange of information

- Exchange of situational and analytical products such as Frontex Situation Centre and Risk Analysis Reports as well as EEAS reports, in particular from INTCEN, EU Situation Room, EU Delegations and CSDP Missions, Third Country or Early Warning Reports focusing on security or migration related matters, also including Schengen Consular Cooperation.
- Provision of information or expertise for the preparation of the Partners' respective analytical or situational awareness products.
- Arrangements for the provision of satellite based imagery, analysis and training are to be made in a bilateral arrangement in accordance with the new EU Satellite Centre Founding Decision¹¹ and Frontex Regulation.

¹¹ Council Decision 2014/401/CFSP



3. Capacity Building and Technical Assistance

- Exchange of information on envisaged or ongoing capacity building, including training activities and EU funded technical assistance projects in Third Countries and where required, consultation or coordination of the respective activities.
- Support for the identification of needs or opportunities for EU-funded Training and Technical Assistance Projects in Third Countries, including funding possibilities and assistance for the implementation.
- Provision of Frontex technical expertise and guidance for supporting EU funded assistance projects and programmes in Third Countries.
- Mutual training or advice for Frontex or EEAS staff under applicable conditions. This should in principle not impose a financial burden for the hosting Partner. Cooperation may also address specific training needs of Member States Consular Staff.

4. Institutional support

- Possible co-location of Frontex Liaison Officers deployed to third countries in EU Delegations, in accordance with Article 14 of the Frontex Regulation, will be systematically envisaged. It will be subject to specific Memorandum of Understanding with the EEAS.
- EU Delegations' support to Frontex in the negotiation or implementation of Working Arrangements with the competent authorities of the Third Country by facilitating inter alia the relevant contacts and visits.
- Taking due account of resource constraints and financial rules, short-term assignments and joint project work on matters of common interest in particular in crisis situations could also be considered, both at the Partners' headquarters and in EU Delegations.





5. Horizontal areas and flanking measures.

Regular consultations and evaluation

The Partners should hold regular consultations, including an annual meeting to which the Commission (DG HOME) should also be invited in order to take stock of the cooperation and assess new cooperation possibilities. These consultations should seek to support the respective annual planning cycles of the Partners to enable proper and timely decision making including possible prioritisation and resource allocation by each Partner.

The Partners shall keep each other informed of relevant contacts with third countries and also inform, and involve where needed, the competent Commission services (DG HOME) in order to pursue a more comprehensive, coherent and coordinated EU operational external action in the field of border and migration management.

Contact Points

- The Partners' contact points for this cooperation framework are:
 - External Relations/EU and International Organisations Team (relex.io-eu@frontex.europa.eu)
 - Security Policy Division (EEAS – K3@eeas.europa.eu)
- The Partners shall also designate contact points for implementation of the various cooperation areas listed in Annex I which shall be regularly updated.

Exchange of EU Classified Information / Communication Channels

- The Partners shall conclude, as needed, a specific arrangement in accordance with their respective security regulations allowing for the Exchange of EU CI.
- The Partners shall designate, in accordance with general EU rules, the Communication Channels for the Exchange of Information foreseen under the Areas of Cooperation C.1. and C.2, indicating also which information might be shared under Eurosur.

If the foregoing is acceptable to you, I wish to propose that this letter with your reply letter confirming that you share this understanding should constitute a working arrangement between the EEAS and Frontex, to become effective on the date of your reply.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Gil Arias Fernández".

Gil Arias Fernández
Executive Director a.i.





Annex I: Contact Points ¹²

Cooperation Modalities	Areas /	Frontex	EEAS
Operations and Missions		RELEX/TC OPD/RAU XX CBD/PRU or TRU	CMPD
Risk Analysis		OPD/RAU	INTCEN
Situational Awareness		OPD/FSC	EU Situation Room
Implementation of the SLA with SatCen		FSC	CMPD A2
Capacity Building / Technical Assistance		RELEX/TC OPD/RAU CBD/TRU	Security Policy Division
Institutional Support		RELEX/TC RELEX/IO	Security Policy Division
Regular Consultations and Evaluation		RELEX/IO FRO	Security Policy Division
Exchange of EUCI & Communication Channels		LEG and Security Officer FSC and ICT	HQ Security and EEAS Security Policy

¹² The services listed in this annex are only indicative and maybe subject to review following organizational changes in any of the partners.



Ref. Ares(2015)314379 - 27/01/2015

EUROPEAN EXTERNAL ACTION SERVICE



DEPUTY SECRETARY GENERAL

Brussels, 26 January 2015
EEAS/K3/FS/cp(2015) 239612

Dear Mr Leggeri,

Enhancement of cooperation between the EEAS and Frontex¹
(your letter / ref. 20022 / 27.11.2014)

Thank you very much for the letter in reference - I am happy to confirm that we share the understanding reflected in this letter, which thus concludes the working arrangement between Frontex and the EEAS.

Let me take this opportunity to congratulate you warmly on your appointment and to wish you a smooth start in this challenging position. We are looking forward to working closely with you and your colleagues.

We would also like to thank your predecessor - and your staff - for the friendly and proactive engagement which we highly appreciate.

¹ The European Agency for the Management of the Operational Cooperation at the External Borders of the Member States of the European Union (Frontex)

Mr Fabrice LEGGERI
Frontex Executive Director
Frontex
Plac Europejski 6
00-844 WARSAW
Poland

European External Action Service, B-1046 Brussels - Belgium. Telephone: (32-2) 584 11 11.
Office: EEAS, 04/255. Telephone: direct line (32-2) 584 55 18.

Cooperation between Frontex and the European External Action Service (EEAS) has been developing and should develop further in many areas of joint interest, such as Integrated Border Management or CSDP missions. Migration and border security matters play an important role in EU external relations. Do not hesitate to contact our Security Policy Division (K3@eeas.europa.eu) or myself if you have any questions.

Looking forward to further deepening our cooperation.

Yours sincerely,



Maciej POPOWSKI

cc: Dr Mathias Ruete (Director General Home Affairs / European Commission)

EUROPEAN EXTERNAL ACTION SERVICE



Administration and Finance
Managing Director / COO ed Interim

Brussels, 10-12-2014
EEAS.MDR.B 4:150687

Europol
P.O Box 908 50
2509 LW The Hague
The Netherlands

Subject: Administrative arrangements for sharing classified information between the EEAS and Europol

Ref: EEAS.MDR.B/FP/se – Ares (2014) 3675848 of 5 November 2014

Dear Mr Rob Wainwright,

In order to establish a framework for classified information sharing between the European External Action Service (EEAS) and Europol, I would like to propose the following:

Scope

This arrangement covers the sharing of classified information; it does not include sharing personal data within the meaning of Regulation (EC) 45/2001¹. It is without prejudice to broader arrangements between the EEAS and Europol on cooperation.

Security rules applicable

Europol will ensure that classified information provided to it by the EEAS retains the security classification given to it by the EEAS and will safeguard such information and documents by providing an equivalent level of protection applying the security principles and minimum standards set out in the Council security rules for protecting EU classified information². The EEAS will ensure that classified information provided to it by Europol retains the security classification given to it by Europol and will safeguard such information and documents by providing an equivalent level of protection in accordance with the EEAS security rules.³

¹ OJ L 8, 12.1.2001, p.1

² OJ L 274, 15.10.2013, p. 1

³ Decision of the High Representative of the Union for Foreign Affairs and Security Policy of 19 April 2013 on the security rules for the European External Action Service, OJ C 190, 29.6.2013, p 1

Use and transmission of classified information

Without the prior written consent of the originator the EEAS and Europol will not use or permit the use of classified information shared under this arrangement for purposes other than those established by the originator or those for which the information is shared.

Without the prior written consent of the originator the EEAS and Europol will not disclose or permit the disclosure of classified information shared under this arrangement to third parties.

The EEAS and Europol will observe any additional security markings decided by, or on behalf of, the originator.

Compromise of classified information

The EEAS and EUROPOL will notify each other immediately of any breaches effecting classified information or proven or suspected compromise of classified information shared under this arrangement.

The EEAS and EUROPOL will cooperate duly in the investigation and inform each other of the results.

The levels of classified information that may be shared under this arrangement

The EEAS and Europol may share classified information up to, and including, the level of TRES SECRET UE/EU TOP SECRET in hard copy, and CONFIDENTIEL UE/EU CONFIDENTIAL electronically.

However, the level of classified information shared by the EEAS with Europol for the purposes of CSDP missions will generally be limited to CONFIDENTIEL UE/EU CONFIDENTIAL in hard copy and electronically, and in any case only up to the level that the specific system has been accredited to in accordance with the above respective security rules.

The standard mechanism for sharing classified information electronically up to, and including, the level of CONFIDENTIEL UE/EU CONFIDENTIAL, is via the BDL link up. Alternative channels for electronic exchanges up to the level of RESTREINT UE/EU RESTRICTED may be used, but only if jointly agreed and approved by Europol and the EEAS.

Europol will only handle electronically classified information it receives under this arrangement on internal communication and information systems that have been accredited in accordance with the rules on the confidentiality of Europol information⁴.

The EEAS will only handle electronically classified information it receives under this arrangement on internal communication and information systems that have been accredited in accordance with the above EEAS security rules.

⁴ OJ L 332, 17.12.2009, p. 17

Entry points

For the purpose of this administrative arrangement:

- (a) as regards the EEAS, all correspondence shall be sent through the
Chief Registry Officer of the EEAS:
EEAS Central EUCI Registry
Avenue de Cortenbergh 150
CO 150 6/172
B-1046 Brussels
- (b) as regards to Europol, all correspondence shall be sent through the Confidentiality
Desk Officers at Europol:
Europol
Business Area Security
- CONFIDENTIALITY DESK -
Eisenhowerlaan 73
2517KK The Hague/Netherlands

Entry into force, amendment and termination

The participants will notify each other of any changes to their rules that could affect the protection of classified information covered by the present arrangement.

The present arrangement may be reviewed for consideration of possible amendments at the request of either the EEAS or Europol. Any amendment to the present arrangement will be made in writing and will be signed by the relevant authority of Europol and of the EEAS.

If either the EEAS or Europol considers it necessary to terminate the present arrangement, it may do so by notifying the other participant six months in advance of the effective date of termination. In such a case, all classified information shared under the present arrangement will continue to be protected in accordance with the provisions set forth herein.

Should the above meet with your approval, I have the honour to propose that the present letter and your reply constitute an administrative arrangement which will take effect from the date of your reply.

Sincerely yours,



PATRICK CHILD

cc: F Potuyt, A Lajos, V Laker, J-G Hottiaux, E Chaboureau, J Jenny, M Savary, F Schmiedel

Europol Unclassified – Basic Protection Level Ref. Ares(2015)332854 - 28/01/2015



The Hague, 19 January 2015

DIRECTOR

Mr Patrick Child
European External Action Service
Managing Director/COO ad Interim
Administration and Finance
EEAS PARC 07/260
B-1046 Brussels

→ FP
AL ✓
Thanks.
cc: NO REAS
for
M

Administrative Arrangement for sharing classified information between the EEAS and Europol

Dear Mr Child,

Ares(14)4150687

I would like to acknowledge receipt of your letter of 10 December 2014, in which you kindly propose detailed provisions to establish a revised administrative arrangement for sharing classified information between the EEAS and Europol. I am pleased to confirm that I am in agreement with your proposal, and equally agree that your letter and my reply constitute an administrative arrangement for sharing classified information between our two organisations.

This administrative arrangement will allow for the continuance of the fruitful cooperation between the EEAS and Europol in the context of CSDP and INTCEN activities, but also offers new opportunities for other EEAS departments and Europol to draw mutual benefit from the exchange of classified information. Consequently the administrative arrangement for sharing classified information supports our common strategy for the enhancement of cooperation between the EEAS and Europol as agreed with Mr Popowski in November 2014.

Yours sincerely,

Rob Wainwright

Director

EDOC#753888

Eisenhowerlaan 73 2517 KX The Hague The Netherlands	P.O. Box 508 50 2508 LW The Hague The Netherlands	Phone: +31(0)70 352 50 00 Fax: +31(0)70 345 58 96 www.europol.europa.eu
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SERVICE LEVEL AGREEMENT

Between

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

And

The European Union Satellite Centre (EU SatCen)

for

the provision of services for border surveillance

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	File No: 140.04				

Parties

The European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union established by Council Regulation (EC) 2007/2004 of 26 October 2004, as last amended hereinafter referred to as "Frontex", represented by Fabrice Leggeri, Executive Director, on one part,

And

The European Union Satellite Centre whose mandate is defined by Council Decision 2014/401/CFSP of 26 June 2014 on the European Union Satellite Centre and repealing Joint Action 2001/555/CFSP on the establishment of a European Union Satellite Centre, referred to hereinafter as EU SatCen, represented by BG Pascal Legal, Director, on the other part,

Hereinafter referred to individually as "the party" and collectively as "the parties"

Preamble

Having regard to Council Regulation (EC) 2007/2004, of 26 October 2004, establishing a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex), as last amended,

Having regard to COUNCIL DECISION 2014/401/CFSP of 26 June 2014 on the European Union Satellite Centre and repealing Joint Action 2001/555/CFSP on the establishment of a European Union Satellite Centre,

Having regard to Regulation (EU) No 1052/2013 of the European Parliament and of the Council of 22 October 2013 establishing the European Border Surveillance System (Eurosur),

Having regard to Regulation (EU) No 377/2014 of the European Parliament and of the Council of 3 April 2014 establishing the Copernicus Programme (hereinafter "Copernicus Regulation"),

Whereas:

1. Both parties acknowledge that the service provider is delivering the service(s) in compliance with the terms and conditions of the EU SatCen COUNCIL DECISION 2014/401/CFSP of 26 June 2014.
2. EU SatCen may establish working relations and cooperate with the Commission and Union agencies or bodies with a view to maximising synergies and complementarity with other

Union activities that have a bearing on EU SatCen's mission and where EU SatCen's activities are relevant to those Union activities, in particular in the area of space and security.

3. For the delivery of the Border Surveillance security services, Frontex seeks to improve the exchange of information and the cooperation with other Union bodies, offices and agencies, in order to make best use of information, capabilities and systems which are already available at European level.
4. The relationship between the EU SatCen (Service Provider) and Frontex (the User) shall be governed by this Service Level Agreement (SLA).
5. If Copernicus funding is used, both Parties acknowledge that the Service Provider is delivering the Service(s) in compliance with the terms and conditions of the Delegation Agreement signed between Frontex and the European Commission (or "the Commission") under the framework of the Copernicus Regulation.

Have agreed the conditions below and the following annexes:

- Annex I - Task request form
- Annex II - Task request process
- Annex III - Service/Information Product Acceptance Form
- Annex IV - Indicative service specifications
- Annex V - SATCEN Products specifications
- Annex VI - SATCEN working hours and official calendar for 2015
- Annex VII - Generic Task

Article 1

Objective

This Service Level Agreement (SLA) defines the operational, administrative, financial and technical conditions under which the EU SatCen shall deliver to Frontex services and information products enhancing the provision of services for border surveillance.

Article 2

Services provided

1. The EU SatCen shall deliver services and information products based on the analysis of imagery tailored to Frontex's needs for border surveillance. In exceptional circumstances, when the Data Warehouse¹ is not used, and based on a written request, raw data will be provided to Frontex and the corresponding cost will be borne by Frontex. The specific services and information products will be delivered according to the Task Request process (Annex II) and requirements specified in Task Request (Annex I).
2. The services and information products listed in Annex V, are defined as follows:
 - a. A service is information relevant for border surveillance.
 - b. An information product, or "product", is a set of meaningful and interpreted information.
3. The EU SatCen will provide the services and information products via the appropriate platforms, to be agreed between the parties, in compliance with the EU SatCen Council Decision.

Article 3

Obligations of the parties

1. The EU SatCen shall:
 - a. deliver services and information products according to Frontex requirements as specified in the Task request form (Annex I)
 - b. ensure the appropriate performance and quality of the services and information products provided;
 - c. ensure its availability to respond to a service request and to maintain a technical and operational helpdesk service during working hours, as defined in Annex VI; all

¹ Access to imagery data procured from the various Contributing Missions (e.g. PLEIADES, COSMO-SKYMED, etc) and the Sentinels, in response to the Copernicus user's requirements and coordinated by ESA.

- requests outside normal working hours will be subject to acceptance by the EU SatCen and additional costs will be borne by Frontex.
- d. deliver training related to services and information products offered, in accordance with Article 14 of this SLA;
 - e. immediately inform Frontex about downtime of services or inform as soon as possible and at the latest within 10 days' notice of any scheduled downtime;
 - f. provide to Frontex its official yearly calendar as soon as it is made public;
 - g. provide any further upgrade or development required for the services, information products provided based on operational feedback;
 - h. deliver compressed imagery, defined as processed imagery derived from the original image from which the services are performed, using a lossy compression to reduce the bit rate with a factor larger than 4 but keeping the original resolution;
 - i. deliver in exceptional circumstances raw data to Frontex as per Article 2.1..
 - j. ensure that tasks related to the implementation of this SLA are in accordance with the generic task framework, approved by the CMPD, as described in Annex VII
2. Frontex shall:
- a. provide feedback on services and information products delivered under the terms of this Agreement
 - b. pay the costs associated to the services and data, if any, information products and trainings delivered by the EU SatCen as defined in Article 4, 5 and 14.

Article 4

Costs

- 1. Frontex shall pay the services and information products delivered, as follows:
 - a. Fixed costs: correspond to the costs which are detailed in the Specific Agreement for the costs, as described in Art. 4.2. and known at the time of its signature. These costs relate to organizational resources required for the delivery of requested services and for the establishment and on-going maintenance of the services. Fixed costs will be comprehensive of both all direct and indirect costs which are deemed necessary for the execution of the tasks under this SLA.
 - b. Variable costs: correspond to the services, information products provided to Frontex through the task request form, which are not initially included in the category of fixed costs, such as satellite images not contained in the Data warehouse, subcontracting, raw data, multi-licenses related to copyright, etc.
- 2. A Specific Agreement aimed at defining the fixed and estimated variable costs under the framework of this SLA shall be signed by both parties after this SLA's entry to force and shall contain detailed provisions of budget and funds management, including the

provision of supporting documents, for a given calendar year as well as the breakdown of the fixed costs to be incurred in the period and the estimate budget for the variable costs.

3. Evolution of fixed costs: As the demand by Frontex for services and information products may evolve, the EU SatCen may find it necessary to introduce upward or downward modifications on the estimation of fixed costs within the year. In the event that such a modification involves an increase equal to or higher than 30% of the estimated costs, upon proposal by the EU SatCen and subject to the acceptance by Frontex, such changes will be reflected in a written amendment to the Specific Agreement for the fixed costs. If the modification is lower than 30%, the contractual arrangements will not be changed.

Article 5

Budget and Funds Management

1. The estimates of available budget for fixed and variable costs for the services covered by this agreement will be indicated, for information purposes only, by Frontex to the EU SatCen prior the signature of this SLA and thereafter before each new calendar year. This information is indicative. This estimate will be in line with Art. 4.2. and the estimate of variable costs for the period.
2. Funds related to the payment for services and information products that will be delivered under this Agreement shall be transferred to the EU SatCen according to the provisions of:
 - a. the Specific Agreement for the fixed and variable costs;
 - b. the task request form for the variable costs.
3. The pre-financing for the estimation of both the fixed and variable costs amounts to 80% of the total estimated value per each calendar year and shall be executed according to the provisions of the Specific Agreement. Pre-financing payments for each year will be made by Frontex after each of the corresponding Specific Agreements enters into force and not later than 30 days upon reception of a written request for pre-financing from the EU SatCen.
4. After the end of each calendar year, the EU SatCen shall submit to Frontex a request for final payment, accompanied by a statement of the costs actually incurred during the period. The final payment will be made by Frontex not later than 30 days upon reception of such a request, without prejudice to paragraphs herein under. If the total real amount of costs is lower than the pre-financing, EU SatCen and Frontex will jointly agree that either EU SatCen is to reimburse the difference to Frontex within the same term or that an off-setting against future liabilities will be done.

5. The total estimated value of variable costs associated to services as specified in the task request form will be provided by the EU SatCen to Frontex each time a task request is issued and no later than 72 hours after its reception. Upon acceptance of the cost estimate and signature by both parties of the task request form, Frontex will request the EU SatCen to perform the task.

7.6. Frontex reserves the right to adjust, suspend or refuse the payment of costs:

- a. If services have not been accepted and the Service/Information Product Acceptance Form has not been signed (Annex IV).
- b. If the provision of services and information products agreed to by both parties do not meet Frontex' requirements as identified within in the Frontex requests notified to the EU SatCen and the EU SatCen failed to remedy it pursuant to Article 18(3) and 18(4);
- c. If Frontex assesses the services as non-compliant, it will inform EU SatCen about the non-acceptance of the services or information product, specifying the nature of the alleged failure; the EU SatCen shall then the possibility to remedy the failure within a reasonable period agreed with Frontex following receipt of the non-acceptance;
- d. If the assessment defined in Article 19 of the present SLA is not satisfactory.

In case of disputes, Article 17 of this SLA shall apply.

- 8.7. Should Frontex adjust, suspend or refuse payment of costs based on duly substantiated grounds, it shall notify the EU SatCen without delay, aiming at preventing or reducing the occurrence of costs for the EU SatCen; an explanation should be attached to the notification.

- 9.8. In the event of adjustment, suspension or refusal of payment of costs by Frontex, existing contractual engagements that have been entered into by EU SatCen with other parties for the purpose of this Agreement that cannot be terminated, may be honoured, where the costs are borne by the budget allocated for the purpose of this Agreement without prejudice to EU SatCen's obligation to make its best efforts to prevent or minimize the costs. All proceedings or negotiations must be done in close coordination with Frontex. The same shall apply in the event of termination of this SLA pursuant to Art. 18.

Article 6

Bank account

Payments shall be made to EU SatCen bank account denominated in EUR, identified as follows:

Name of Bank: BANCO DE SANTANDER
Address of branch in full: Calle Libreros, 19. Alcalá de Henares (28801 Madrid)
Exact designation of account holder: CENTRO DE SATÉLITES DE LA UNIÓN
Full account number including codes: 0030 1080 75 0000051270
IBAN code: ES21 0030 1080 7500 0005 1270
SWIFT code: BSCHESMM

Article 7

Task request form

1. Frontex shall use the task request form available in Annex I to request a service, making sure the EEAS PoC is in copy of all the requests. The parties will plan the service and information products delivery timetable according to the service type in close coordination. The task request form will be submitted by Frontex to EU SatCen and, after consultation and agreement, will be signed by both parties as accepted.
2. The lead time for ordering information for each service and information products to be provided by EU SATCEN is defined in the task request form.
3. The task request form will include at least the following:
 - a. purpose of the service, information products requested;
 - b. functional and non-functional requirements;
 - c. start/end of service;
 - d. estimated number of man-hours/man-days to carry out the request
 - e. indicative price containing the estimated variable costs of data that need to be purchased.
4. The Task request form will be compliant with the Generic Task defined in Annex VII.

Article 8

Performance requirements

1. The EU SatCen will deliver services and information products to Frontex in a timely manner as laid down in the task request form, according to the monitoring requirements of each service, whether it is ad-hoc or permanent.
2. A service or information product delivery form will be issued after each task request by Frontex provided that Frontex accepts the quality of the service and/or information product.

3. In case of system failures or other incidents, the Parties shall take the actions mentioned in Annex II.

Article 9

Sub-contracting

The EU SatCen may sub-contract part of the work using variable costs in the case that the volume of requests would be greater than the SatCen capacity covered by fixed costs. In this case subcontracting will be applied for outsourcing a priori the baseline products components of the services. The provision of subcontracted services will be awarded on the basis of Invitations to Tender issued by SatCen. Frontex will be informed of sub-contracting activities by the EU SatCen via the regular reporting. The EU SatCen shall remain bound by its obligations to Frontex under this Service Level Agreement.

Article 10

Force Majeure

1. Neither Party shall be liable for any unforeseeable and unavoidable event beyond its reasonable control and not caused by fault or negligence of such Party, which causes such party to be unable to perform its obligations under this Agreement.
2. In the event of a force majeure event, the Party unable to perform its obligations shall notify the other Party without delay by registered letter with acknowledgement of receipt. The nonperforming Party shall suspend performance only for such period of time as is necessary as a result of the force majeure event and shall further use its best endeavours to resume full performance as quickly as possible. The nonperforming party must fulfil all obligations not concerned by the force majeure event.

Article 11

Data protection

1. Any personal data processed on the basis of this SLA, in particular related to the Agreement or its implementation, must be processed in compliance with Regulation (EC) 45/2001 on the protection of individuals with regard to the processing of personal data by the Union institutions and bodies and on the free movement of such data. The data shall be processed solely for the purposes of the performance, management and monitoring of the Agreement without prejudice to possible transmission to the bodies charged with a monitoring or inspection task in application of Union law.
2. The data shall be subject to professional secrecy within the meaning of the Regulation (EC) No 45/2001.

3. In case of sub-contracting, as regards the compliance with Regulation (EC) No 45/2001, the EU SatCen shall answer for its sub-contractors. The EU SatCen shall also limit access to the data to the staff strictly necessary for the performance, management and monitoring of the present Agreement.
4. The provision of EU SatCen products and services to any designated third State or an organization is subject to the approval by the Political and Security Committee.

Article 12

Handling of information

1. The products delivered under this SLA will be "EU Unclassified - For Official Use Only".⁷
2. If in the course of implementing this SLA the Parties deem it necessary to share classified information, appropriate arrangements will have to be made to that end. No EU classified information may be shared between the Parties until such arrangements have been concluded.

Article 13

Proprietary Information

1. For the purposes of this Agreement, "proprietary information" shall mean any information, document or other material communicated to the other Party, in order to perform this Agreement.
2. Without prejudice to the obligations of the parties regarding transparency and protection of information, the Parties will not release proprietary information which might be prejudicial to the other Party, until, or unless, the content legitimately becomes publicly available through other parties or through work or actions lawful performed outside, and not based on activities under this Agreement, or has been made available to the disclosing Party by another Party without any confidentiality restrictions.
3. Proprietary Information exchanged in connection with this Agreement shall be maintained for a period of five years following termination of this Agreement.

⁷ Frontex terminology may also be applied as "NON CLASSIFIED - SENSITIVE"

4. Frontex shall respect the respective access rights and intellectual property rights related to any data set that is subject to specific legislation or commercial agreement provided by the EU SatCen under this Agreement.
5. Information Ownership and Originator's Consent Information exchanged under this agreement shall not be downgraded or declassified nor shall any of the markings be modified or removed without the prior written consent of the originator. Further distribution and release to third parties shall require the prior written consent of the originator.

Article 14

Training

1. The EU SatCen will provide training for staff appointed by Frontex in order to enable them to use of the services and information products and carry out analyses of the data delivered.
2. The terms and financial conditions for the provision of training, materials and facilities by the EU SatCen will be determined each year in a specific task request referred to in Article 7.

Article 15

Human Resources

Each Party remains responsible for its own personnel or sub-contractors in relation to the activities undertaken pursuant to the present Agreement.

Article 16

Communications

1. The points of contact, coordinators and addresses of both parties for communications are detailed below:

For Frontex:
Sabine Kloss-Tullius
Head of Finance and Procurement
Administration Division
T: 0048 22 205 9527
Email: sabine.kloss-tullius@frontex.europa.eu

Address for invoicing:
Frontex

Plac Europejski 6
00-844 Warsaw
Poland
Email: frontex@frontex.europa.eu

Contact for operational communications:

For Frontex:
Frontex Fusion Service (FFS) desk
Email: FFS@frontex.europa.eu

Contact for technical communications:

Email: helpdesk@frontex.europa.eu

For EU SatCen:

Service Coordinator:
Denis Bruckert
Projects Manager
European Union Satellite Centre
Capability Development Division
E: denis.bruckert@satcen.europa.eu

Contact for operational communications:

Patricia Romeyro Mascarenhas
Project Administrator
Capability Development Division
European Union Satellite Centre
T: +34916786067; F: +34916786006

Contact for technical communications:

E: helpdesk@satcen.europa.eu
E: helpdesk@frontex.europa.eu

Address for invoicing:

Base Aérea de Torrejón
E-28850 Torrejón de Ardoz / Madrid, Spain

All communications relating to daily operations or reporting shall be sent to the contact points for operational communications.

2. The Parties shall communicate in writing to each other any change with regard to the above-mentioned coordinators or contacts.
3. Unless otherwise specified, the communications/notifications mentioned in this Service Level Agreement shall be made by electronic mail.

Article 17

Settlement of disputes

1. In case of dispute between the Parties arising out of or in connection with this Service Level Agreement the Parties hereto shall settle it by mutual agreement at coordinators level, or if this is not possible, at signatories level.
2. Should the dispute not be settled through the procedure mentioned above it may be submitted to the Court of Justice of the European Union.

Article 18

Duration and termination

1. This agreement is concluded for a period of three years from the date of entry into force.
2. Each Party shall have the right to terminate this Agreement. Any termination under this paragraph shall be valid only if made in writing and shall become effective within one month after notification to the other Party.
3. In the event of termination of this Agreement by Frontex, the Parties make their best endeavours to settle variable costs already incurred in an equitable way. The settlement of the fixed costs should be done proportionately in line with Specific Agreement for the fixed costs under this SLA.
4. In the event of termination of this Agreement by the EU SatCen, Frontex will not finance any costs incurred by the EU SatCen after the date of termination and all pre-financing and interests, regardless of their nature (pre-financing for fixed costs or for variable costs) after the deduction of borne costs before termination, shall be reimbursed to Frontex.

Article 19

Evaluation and performance assessment

1. Nine months after the entry into force of this Agreement and then once per year, the parties conduct an assessment which includes an evaluation of the quality of services and product delivered to Frontex, and possible recommendations for improvements.
2. Criteria used for evaluating the EU SatCen performance will include at least the following:
 - a. Monthly status reports submitted by the EU SatCen highlighting work performed and performance issues;
 - b. Ongoing monitoring by Frontex.
3. Any performance issues on the part of the EU SatCen will be addressed in form of an ad hoc report drafted by Frontex, covering service acceptance issues and other performance related aspects.
4. If the EU SatCen accepts the report, it will have three working days to remedy the issue. If the report is rejected, the performance shall be discussed between the parties in the most effective and efficient way. All proceedings will be recorded in minutes, which will be mutually agreed.

Article 20
Reporting

1. During the period of execution of this SLA, the EU SatCen shall submit to Frontex at the latest by 1 February of the year N+1 an Annual Implementation Report, indicating:
 - a. a summary description of the performance of the entrusted tasks and the use of the funds allocated to it, covering technical, schedule and financial aspects;
 - b. its accounts drawn up for the expenditure incurred in the implementation of the entrusted tasks including: a detailed breakdown of the costs of year N with a clear distinction between costs per contract, advance payments and clearing of advance payments during the year;
 - c. a summary of the controls carried out and their main findings;
 - d. an overview of the content of the risk registry including the results of the effectiveness of any risk analysis and mitigation actions, as well as, if appropriate, the recommendations for possible improvements of the overall risk management approach;
 - e. the estimated amount of commitments and payments aggregated for the year N+1.
2. During the period of execution of this SLA, EU SatCen shall submit to Frontex not later than 31 July of the year N, N+1 and N+2 semestrial reports which aim at appropriate monitoring of the implementation of this SLA. These semestrial implementation reports

shall describe the progress made in the implementation of the tasks and shall consist of three parts:

- a. a section on the performance of the tasks under the SLA detailing programmatic, technical and contractual aspects;
- b. a section on the use of funds transferred to EU SatCen under the Agreement providing a breakdown of the fixed and variable costs.
- c. a section on controls, audits and risk management detailing:
 - i) where appropriate, a summary of ex-post controls on contractors and of the regular controls carried by the Agency and their main findings;
 - ii) an overview of the risks, including the results of the effectiveness of any risk analysis and mitigations actions, as well as, if appropriate, the recommendations for possible improvements of the overall risk management approach.

Frontex shall have 30 calendar days from receipt of the annual and/or semestral report to approve or reject it or to request any supporting documentation or additional information.

Whenever it is well justified, Frontex may ask for information and ad-hoc reports. EU SatCen shall supply additional information within 15 calendar days of the request and ad-hoc reports within 30 calendar days of the request.

3. Frontex will provide the reporting template for the reporting.

Article 21

Suspension

Any failure to fulfil any of the obligations pursuant to this agreement by one Party gives the other Party the right to suspend its responsibilities for as long as the first Party is in breach of the agreement. Suspension shall take effect on the day the Party in breach receives the notification on the suspension or at a later date specified in the notification.

Article 22

Liability

Any loss, damage or injury by one Party in connection with the performance of this agreement shall be borne exclusively by it. Each Party shall be exclusively liable for any loss, damage or injury caused by its own and by sub contracted personnel to third parties in their facilities, arising out of the performance of the Agreement.

Article 23

Amendments

Any amendment to the Agreement shall be subject to a written agreement concluded by the parties.

Article 24

Entry into effect

This Agreement shall come into effect upon its signature by both Parties.

IN WITNESS WHEREOF, this Agreement in English is made out in duplicate and duly signed by the authorized representatives on the date as denoted below, and both copies are to be considered as the original of this SLA.

SIGNATURES 24.03.2015

For EU SatCen
Pascal Legal
Director Executive



For Frontex
Fabrice Leggeri
Executive Director



Cooperation with EUROPOL and FRONTEX- Detailed activities

1) Cooperation with EUROPOL:

The beginning of the reporting period concentrated on the preparatory work leading to the exchange of letters between EEAS and EUROPOL in January 2015¹⁵ : "Enhancement of cooperation between the EEAS and EUROPOL".

Without creating any legal obligations, the later constitutes a common guidance and commitments. The scope of cooperation has been clarified and following areas for joint work delineated: CSDP missions and operations; EU Delegations; Training, awareness-raising and lessons learnt; Staff exchanges; External assistance; Exchange of information; Regular consultations.

From an operational perspective:

The EULEX Kosovo mission shares on a regular basis Calls for Contributions concerning vacancies in its Witness Security Department with EUROPOL for recruitment purposes.

EULEX Kosovo aimed to facilitating Kosovo Police participation in Pan-European operation Falko targeting migrant smuggling networks, an operation with EUROPOL and EUROJUST in supporting and coordinating roles (March 2015).

In July 2015 a delegation from EUROPOL visited EULEX Kosovo. Consequently, information has been exchanged on the basis of a technical assessment on Kosovo's readiness to engage with EUROPOL

EUPOL COPPS, on 29 September 2015 requested to the Cybercrime Unit of EUROPOL, for a study trip together with the PA Palestinian Civil Police Counterpart. (Awaiting response).

In the course of 2015, EUAM Ukraine mission has provided inputs and advice to EUROPOL related training activities in Ukraine planned to take place within the framework of Eastern partnership. CPCC and EUAM Ukraine participated in EUROPOL – UA meeting on improved cooperation between EUROPOL and Ukrainian Law Enforcement Authorities (September 2015)

¹⁵ EEAS/k3/FS/zd (2014) 3866265dated 5 November 2014 and 8 December 2014

Concerning military CSDP, Council Decision of EUNAVFOR Atalanta was amended on 21 November 2014¹⁶, to provide an appropriate legal framework to cooperate with EUROPOL.

For **EUNAVFOR Med**, the Council Decision introduced the legal conditions for any transfer of personal data towards this Agency¹⁷. Crisis management structures have played an active role in facilitating the means of cooperation between EUROPOL and the mission's HQ in Roma Italy.

As the operation is now entering a second operational phase, aimed at boarding and seizing on the high seas vessels suspected of being used for human smuggling and trafficking, work is going ahead to establish the implementation modalities for close cooperation with EUROPOL capabilities in terms of communication, analysis of criminal intelligence, handling of personal data and forensics (Rear-Admiral Enrico Credendino met EUROPOL Director in June 2015). A draft Memorandum of Understanding (MoU) prepared by EUROPOL HQ and the OPCDR will be presented to EUROPOL Management Board in October 2015.

The forthcoming new Regulation on EUROPOL will represent a step forward in establishing the foundation for enhanced contribution and cooperation with CSDP.

2) Cooperation with FRONTEX

The reporting period was concentrated initially on the preparatory work and the mutual consultations leading to the exchange of letters between EEAS and FRONTEX.

The following actions took place:

Institutional support and cooperation with EU Delegations

Information sharing: EEAS INTCEN and FRONTEX have started to systematically share their non-classified analytical products and situation reports, which are then distributed within the EEAS.

16 COUNCIL DECISION 2014/827/CFSP amending Joint Action 2008/851/CFSP on a European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast

17 EUNAVFOR MED may collect, in accordance with applicable law, personal data concerning persons taken on board ships participating in EUNAVFOR MED... It may transmit such data and data related to the vessels and equipment used by such persons to the relevant law enforcement authorities of Member States and/or to competent Union bodies.

As an example, the FRONTEX monthly analysis providing an accurate picture of the illegal border-crossings at the EU's external borders is received timely by Crisis management structures desks.

Additionally, the "Intel. Working group" proposed creating a "mission platform" portal for sharing non-CI information with the missions, similar to the one in place for documents.

The EEAS Situation Room and FRONTEX already have an agreement and started sharing their daily and weekly situational awareness and media monitoring products. FRONTEX also granted the SitRoom access to some of their information systems (FOSS, FRONTEX Media Monitor).

However, we need to underline that the absence of "a specific Administrative Arrangement to sharing EUCI", is hampering some essential parts to implement in the overall working arrangement.

From a CSDP cooperation perspective, EUCAP SAHEL Niger, EUBAM Rafah, EUAM Ukraine, EUBAM Libya and EULEX Kosovo have been identified as priority missions for cooperation. However, the migration crisis brought the opportunity to intensify immediate cooperation with CSDP missions and operations in the Mediterranean.

Close support and cooperation have taken place from the beginning of the crisis management planning of EUNAVFOR Med, including planning meetings between OHQ and FX HQ (incl. the visits of FRONTEX Head of Operations Klaus Roesler). The field of cooperation included EUNAVFOR transferring rescued/intercepted migrants to FX Triton for processing and intel collection, the exchange of Liaison Officers (hotspot Catania and ICC), as well as the issue of on-board in EUNAVFOR vessels FRONTEX /law enforcement staff.

As a result, standard operating procedures (SOPs)¹⁸ were recently established between their own operation JO EPN Triton off the Italian coast and EUNAVFOR Med, which advantageously set up the coordination mechanisms between the two operations.

¹⁸ In the format of an exchange of letters from OPCDR on 22 September 2015 and FRONTEX reply on 30 September 2015.

The formal exchange of FRONTEX liaison officers has recently commenced following induction training provided at the OHQ on 9 October. Consequently FRONTEX Liaison Officers are now deployed on board EUNAVFOR Med vessels since 11 October.

Additionally, when CMPD was to prepare CSDP considerations to the Western Balkans (as requested at the informal MOD) FRONTEX (via its Western Balkan risk analysis network) contributed greatly to the document by describing the situation in the region.

Furthermore, a liaison mechanism was set up with FRONTEX to enhance cooperation between FRONTEX and EUAM Ukraine. Cooperation perspectives and support to EUAM by FRONTEX should be of strategic nature. The set-up of joint or shared events could also be envisaged, in the framework of the Eastern Partnership IBM project, where one Regional Anti-corruption training for Border Guards and Customs is envisaged for the end of 2015 (HOR2 activity).

In addition to this, the following new developments should be highlighted:

FRONTEX is in the process of creating a mechanism to “pool external experts” that can also be of interest for the CSDP Missions. There will be a pool of experts and trainers on different specialities, such as second line officers, specialists on forged documents, on IBM, etc. However, that pool will not have specialists on the external dimension of the EU and/or CSDP Missions.

Temporary participation of FRONTEX experts in CSPP civilian missions will be framed on occasion of the review of CPCC's Visiting Expert Guidelines scheduled to be finalised by the end of the year.

In February 2015, FRONTEX services have been consulted by the CPCC upon the over surge in migration from Kosovo to EU MS for the two first months of 2015.

On 21 May 2015, an EEAS delegation from the crisis management structures (CMPD, CPCC) attended the European Day for Border Guards, an annual conference held in Warsaw by FRONTEX, promoting European "border guardianship" and contacts with civil society. This was the first time they participate –as one of the exhibitors.

Two missions, EULEX Kosovo and EUAM Ukraine, presented their missions and daily work. (basically border guards and police services of all MS) We trust that it will further facilitate the

understanding of CSDP, and in particular the recruitment process for CSDP missions within this particular target audience.

Following its contribution to the launch of Africa-FRONTEX Intelligence Community (AFIC) Joint Report in December 2014, EEAS representatives (CPCC staff) and CSDP mission members (from EUCAP SAHEL Niger and EUCAP SAHEL Mali) participated in the Africa FRONTEX Intelligence Community (AFIC) annual conference on 8 and 9 September 2015 in Warsaw. In parallel, a staff-to-staff meeting (CPCC-FRONTEX) took place, providing an update on respective current activities and focusing on the cooperation and potential implementation perspectives as far as civilian CSDP missions are concerned. CPCC plans to establish a simple matrix for FRONTEX co-operation with each mission area of mutual interest, either from a thematic perspective (border issues in the mandate) or from a geographic one. This proposal would also be of mutual benefit for more routine interactions.

On 29 September 2015, FRONTEX Executive Director Fabrice Leggery briefed PSC Ambassadors, raising awareness on FRONTEX joint operations TRITON & POSEIDON.

Next steps are:

Concerning the issue of sharing EU Classified Information (EUCI) between the EEAS and FRONTEX, the EEAS Security Directorate preliminary is holding inter-institutional discussions and a draft will be proposed in the near future. A similar comprehensive discussion is foreseen with other Agencies.

FRONTEX new premises are meant to be accredited to handle EUCI up to "EU secret". GSC services are preparing a framework applicable to all EU institutions and bodies. Depending on the timeline of adoption of this framework, an interim solution to release documents up to "EU restricted" may be processed.

The development of the matrix to materializing systematic cooperation will be pursued. "Exchange visits" to achieve better understanding in relation to EUBAM Rafah and EUCAP SAHEL Niger as pilot missions should be set up.

Strategic support of FRONTEX towards EUAM Ukraine to be improved and continued.

Cooperation with ESDC- Detailed activities

These are the results of the second meeting of FSJ stakeholders in the field of CSDP training that was organised on 5 March 2015 in Brussels by the ESDC Secretariat.

Exchanges of views have highlighted the progress made:

- An ESDC Orientation Course with a specific focus on Home Affairs was organised in Brussels by the Romanian College of Home Affairs from 27 to 31 October 2014;
- A course on Strategic Planning of Missions and Operations was co-organised by CEPOL and the ESDC in Vienna from 1 to 4 December 2014;
- A link was established between the ESDC and CEPOL with reference to the SPOPCOP course (a presentation on the ESDC was delivered in the last course held in Lisbon in June 2014, an offer to make use of the ESDC eLearning was made as well as of the ESDC Handbooks in SPOPCOP);
- A SPOPCOP group of experts (DG HOME, CMPD, CPCC and ESDC) was set up by CEPOL to update the curricula and to improve the course implementation. The ESDC secretariat has made available its IDL (eLearning). Speakers from EUROPOL, FRONTEX, DG HOME and COSI participated in ESDC activities as lecturers on specific topics, European police and FSJ stakeholders were invited on regular basis as speakers at ESDC training activities to deliver presentations on FSJ/police/home affairs related topics;
- A list of training activities has been mapped under CEPOL guidance;
- A link with the JHA Agencies network has been created in order to offer a broad overview on CSDP training.

Discussions led to the identification of specific areas for cooperation and coordination among FSJ stakeholders in the field of CSDP training, namely:

- Contribute to reinforce the existing links between EU institutions and the JHA Agencies;

- EUROJUST and EUROPOL may be invited to the ESDC Executive Academic Board and the ESDC SSR Board and present specific agenda points.
- Cross-checking areas in the field of CSDP and FSJ training and INTERPOL training activities, to avoid overlap and stimulate synergies;
- Establishment of a close cooperation with EUPST II, in the field of training activities similar to ESDC CEPOL cooperation on Mission leader courses;
- Improving European police and FSJ stakeholders networks in support of CSDP different activities (lecturers, available expertise, point of contacts, etc.);
- Improving visibility between institutional stakeholders and JHA agencies within their respective activities (e.g. decision-makers courses, boards, organisation of events, etc.);
- The ESDC has reminded all the stakeholders about the availability of its training material (CSDP Handbook and Handbook for Decision Makers) and its eLearning AKUs (Autonomous Knowledge Units);
- It was agreed that informal meetings of this kind serve as "think tank" sessions where possible initiatives related to the CSDP training are explored and channelled through respective chains of command;
- Based upon the ESDC initiative, similar meetings may be convened in the future on regular basis (e.g. once a year) and organised by other training stakeholders with an agreed agenda, specific topics and objectives as well as clear goals and planned outcomes.

Other points of synergies in the field of strengthening the ties between CSDP and FSJ actors:

- A good example of the consolidation of cooperation between CEPOL and ESDC is that the CEPOL Governing Board will adopt an additional course for the 2016 Work Programme as a joint CEPOL-ESDC course (Strategic Planning process of EU missions and operations), where CEPOL will finance its upcoming activity to cover the police costs, whilst the remaining places for Senior Military Staff (ESDC) will follow the administrative and financial conditions under the ESDC regime (costs lie where they fall).

- The Head of the ESDC attended, as a panellist, the FRONTEX Annual Training Conference on "Sectorial Qualification Framework and educational standards" which was held in Warsaw from 6 to 8 October 2015.
-

Cooperation with EUROGENDFOR- Detailed activities

The "General Administrative Arrangement between the European Gendarmerie Force (EUROGENDFOR or 'EGF') and the European External Action Service (EEAS) on the cooperation under the Common Security and Defence Policy entered into force on 6 October 2014. On the occasion of preparations for the Foreign Affairs Council in May 2015 and the European Council in June 2015, a statement from 22 European countries positively noted the signing of the framework agreement.

On 5 December 2014, Deputy Secretary General Macej Popowski participated in the EGF "High level Inter Ministerial committee" for the "European sequence", where he underlined the need to strengthen links with the European Gendarmerie Force, as previously highlighted by the Council, and expressed his satisfaction in the engagement of EGF countries in CSDP.

Concerning the Exchange of EU Classified Information between EEAS and EGF (including CSDP missions and operations), an Interim Arrangement was signed in December 2014 between the EEAS and the Italian NSA allowing the release of EU Classified Information between EEAS and EGF, and it is now being implemented. Work is well advanced on establishing an Administrative Arrangement between the EEAS and EGF on exchanging classified information. Once in place, this Arrangement will replace the interim sponsorship arrangements with the Italian NSA referred to above.

Contacts between Crisis Management Structures (the CMPD, EUMS and the CPCC) and EGF Permanent Headquarters to facilitate and optimise any EUROGENDFOR's engagement are underway.

The area of intervention of the EGF covers the wide field of CSDP missions, in accordance with Article 43 of the TEU, with flexible implementation scenarios. EGF rapid deployment and robustness capabilities enable them to provide:

- EU civilian missions with faster initial deployment and/or reinforcement including in non-permissive environments;

- EU military operations with a stability policing capability, including the protection of civilians and the fight against impunity, inter alia by providing a police component to EU battle groups,
- A bridging capacity to fill the gap between military and civilian missions.

From an operational perspective, although the contribution of EGF in EUCAP SAHEL Mali is appreciated and substantial in terms of numbers, the traditional system of Call for Contributions for the force generation process has shown limitations to identify EGF personnel for recruiting individuals. A cohesive EGF asset or to deploy a EGF contingent may contribute to overcome this challenge.

Lessons from the deployment of the EGF IPU in EUFOR RCA have been presented in a joint meeting of CIVCOM and PMG on 27 May 2015. Support was provided from the planning phase by the PHQ to the different operation phases, providing expertise on police matters and contributing analytical capability to the Ops Cdr staff. In spite of their police tasks, the military nature of the EGF IPU members ensured a perfect level of interoperability in a military context. The relevance of a police component within a given military operation of this type was underlined by Member States.

Furthermore, one EGF officer is now deployed in EUMAM RCA as a gendarmerie, police and justice strategic advisor; and an EGF Liaison Officer from the PHQ was posted to the recently established EU/UNSMIL (UN Support Mission in Libya) liaison cell.

EEAS/ CSDP and Crisis Response representatives participated as members of the External Evaluation Team (EET) in the first international field exercise "RoGendIntEx" organized by the Romanian Gendarmerie between 7 and 11 September in Romania. This event gathered roughly 500 participants from 19 EU¹⁹ and Third Countries²⁰ and took place during the Romanian Presidency of the High Level Interdepartmental Committee of the European Gendarmerie Force (EGF). The scenario foresaw an EU CSDP Police Mission with a complex executive mandate as well as strengthening tasks (MMA, training embracing a large range of functions in the field of SSR, DDR). The EGF PHQ sent its deputy commander to play the role of Head of Mission.

¹⁹ Czech Republic, France, Germany, Lithuania, Italy, the Netherlands, Portugal, Spain and Romania.

²⁰ United States of America, China, Jordan, Morocco, Republic of Moldova, Qatar, Serbia, Tunisia, Turkey and Ukraine.

Taking advantage of the experience gained in the EU Police Services Training (EUPST), this exercise reached the initial goals, i.e. to contribute to improve preparedness, cooperation and coordination among the participants.

On 1 October 2015, Colonel Philippe Rio, Commander of the European Gendarmerie Force accompanied by the EGF presidency, presented “The European Gendarmerie Force at the service of the CSDP” to the Subcommittee on Security and Defence, raising awareness on EGF engagement in CSDP, and exchanged views with members of the European Parliament.

An EGF Workshop on Operational Planning for Crisis Management Operations" will be held in Vicenza (Italy) from 26 October to 6 November 2015. The main objective is to enhance common understanding and interoperability for police mission planning between the EGF PHQ, the EGF contributing services and their external EU and UN partners. Representatives from EUMS, CMPD and CPCC are invited.

Exploratory work on the possible use of EGF planning expertise to support EUBAM Rafah is underway.

CSDP/FSJ Road-map/ BACKGROUND

The Road Map, "Strengthening Ties between CSDP and FSJ"²¹ was established in December 2011, based on Member States' written contributions, advice from CIVCOM²² and the Opinion of the COSI Support Group²³. The Road Map contains 27 lines of action in the 5 key areas identified in the Joint Staff Working Paper on "Strengthening Ties between CSDP and FSJ Actors - Proposals for a Way ahead".²⁴

Among these 27 lines of action, CIVCOM and the COSI Support Group selected 12 priority lines of action.

On 27 May 2011, the PSC tasked the CMPD, working with the Commission and all other relevant EU actors, to coordinate the development of the Draft Road Map, to strengthen ties between CSDP and FSJ, while respecting their respective competences, and to take work forward along the lines contained in the draft Road Map.

On 14 December 2011 a joint meeting of the PSC and COSI meeting focused on methodology for implementing the Road Map, as well as the need for contributions from Member States to carry this work forward.

A first progress report²⁵ and the outcomes of the 8 Joint Expert Panels were presented to Member States at the CIVCOM/COSI Support Group meeting of 26 September 2012.

PSC and COSI took note of the Progress Report on 2 October 2012.

Member States stressed the need to streamline the current working method whilst keeping the process as transparent and inclusive as possible. Various delegations underlined the need to further elaborate on the findings so as to provide Member States with more concrete, prioritised and clustered proposals. It was agreed that work should be taken forward by CMPD and the "Informal CSDP/FSJ Core Team".

²¹ doc. 18173/11

²² doc. 17487/11

²³ doc. 17884/11

²⁴ doc. 9878/11 (ARES (2011) 549943)

²⁵ doc. 14130/12

The CMPD presented the second annual progress report setting out the state-of-play in implementing the Road Map²⁶, and highlighted successes and problematic areas at the CIVCOM/COSI Support Group meeting of 20 November 2013.

On 21 November 2013, COSI and PSC took note of progress made, encouraged Member States and EU Agencies involved to increase efforts and support to make more progress and identified the need to keep Member States closely involved and informed regularly, including by oral reports at CIVCOM, COSI Support Group and PSC, as required.

On 11 November 2014, CMPD Director presented the Third progress report on the implementation of the Road Map for Strengthening Ties between CSDP and FSJ, as set out in doc. 14854/14.

CIVCOM and COSI SG, in cooperation with relevant EEAS and Commission services and relevant JHA Agencies' representatives, were invited to take into consideration the debate held in the meeting of the PSC and the COSI held on 11 November 2014 and to discuss this issue further and elaborate possible concrete proposals on how to strengthen the cooperation between the CSDP missions/operations and the FSJ actors in view of the next PSC/COSI meeting.

Consequently, the CIVCOM Chair and the COSI Support Group Chair organized a joint meeting on 15 December 2014 focused on CSDP missions and the possible synergies with FSJ. A summary of discussions is set out in the document 5691/1/15.

A meeting of members of the Political and Security Committee (PSC) and the Standing Committee on operational cooperation on internal security (COSI) took place on 4 June 2015. As a follow up to the PSC-COSI discussions of November 2014 on further enhancing cooperation between CSDP missions/operations and FSJ, the EEAS presented the state of play.

The PSC Chair concluded that the services are expected to produce a report on the state of play on further strengthening ties between CSDP and FSJ actors, to be presented in the second half of the year 2015 to the next joint meeting of the PSC and the COSI.

²⁶ doc. 16039/13