

## 50<sup>TH</sup> MEETING OF THE MANAGEMENT BOARD 24-25 SEPTEMBER 2014 IN ROME, ITALY

### List of participants

Mr Ralf GÖBEL - Chairman of the Management Board  
Mr Robert STRONDL (Austria - AT)  
Mr Christiaan MARTENS (Belgium - BE)  
Mr Zaharin PENOV (Bulgaria - BG)  
Mr Gilio TOIĆ SINTIĆ (Croatia - HR)  
Mr Petros ZENIOUS (Cyprus - CY)  
Mr Milan MAJER (Czech Republic - CZ)  
Mr Richard Østerlund LA COUR (Denmark - DK)  
Mr Rando KRUUSMAA (Estonia - EE)  
Mr Ilkka LAITINEN (Finland - FI)  
Mr Benoît BROCARD (France - FR)  
Mr Maik BAUMGAERTNER (Germany - DE)  
Mr Ioannis KARAGEORGOPOULOS (Greece - EL)  
Mr Zsolt HALMOSI (Hungary - HU)  
Mr Jón Pétur JÓNSSON (Iceland - IS)  
Mr John O'DRISCOLL (Ireland - IE)  
Mr Giovanni PINTO (Italy - IT)  
Mr Normunds GARBARS (Latvia - LV)  
Mr Mario BÜCHEL (Liechtenstein - LI)  
Mr Vainius BUTINAS (Lithuania - LT)  
Mr Thierry FEHR (Luxembourg - LU)  
Mr Neville XUEREBA (Malta - MT)  
Mr Hans LEIJTENS (The Netherlands - NL)  
Mr Stein ULRICH (Norway - NO)  
Ms Aleksandra ŚWIĄTECKA (Poland - PL)  
Mr Manuel PALOS (Portugal - PT)  
Mr Liviu GALOS (Romania - RO)  
Mr Ľudovít BÍRÓ (Slovak Republic - SK)  
Mr Marko GAŠPERLIN (Slovenia - SI)  
Mr Emilio BAOS ARRABAL (Spain - ES)  
Mr Sören CLERTON (Sweden - SE)  
Mr Heribert WIDER (Switzerland - CH)  
Mr Paul MORGAN (United Kingdom - UK)

██████████ (European Commission - COM)

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Frontex Executive Director *ad interim* (ED a.i.), Mr Gil ARIAS, participated in the meeting.

## List of items debated and/or approved (agenda)

1. Approval of the Agenda
  2. Approval of the minutes of the 49<sup>th</sup> Management Board meeting
  3. Recent internal developments and procedural issues
  4. Presentation of the latest phenomena at the EU external borders including Frontex operational response
  5. Fundamental Rights issues
    - Report from the Fundamental Rights Officer
    - Follow-up of Consultative Forum recommendations on Poseidon Programme
    - Decision on the amendment of working methods of the Consultative Forum
  6. Information and discussion
    - Programme of Work 2015 draft budget 2015, including the establishment plan
    - Activity Based Budget (ABB), presentation by the ad hoc working group on budgets and accounts
  7. State of play of discussions on the Copernicus programme
  8. Decision on the adoption of the dates planned for Management Board meetings in 2015
  9. Designation of the reporting officers for Executive Management's annual appraisals
  10. Staff issues
    - Decision on granting differential allowance to the ED a.i
    - Decision on the derogation from the Commission implementing rules on working time
  11. Information on bilateral cooperation between MSs and between MSs and 3rd countries
  12. Information from the Commission
    - State of play of the recruitment of the Executive Director
    - Information on the Internal Security Fund
    - Information on the new Schengen evaluation mechanism and the role of Frontex
  13. State of play on the implementation of the Programme of Work 2014
    - Budget implementation
    - Conceptual frame of plan of operations related to return activities
    - Follow-up of the pilot project on Frontex acquisition of own equipment
  14. Any other business
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## Main results of the meeting

### Decisions and endorsements

At the request of the Consultative Forum (CF) for Fundamental Rights, the MB amended its Decision 18/2012 of 26 September 2012 on the working methods of the CF with a view to reflecting practice and improving efficiency of the CF work.

Furthermore, the MB took note of the observations and recommendations from the CF following the visits to the operational area of JO Poseidon Land in Bulgaria and Greece in July 2013. In order to address the recommendations and further discuss the protection of fundamental rights in the field, a focus group composed of representatives of the MB and the CF was established. The MB Members were invited to express their interest in participating in the focus group by 16 October 2014.

The MB agreed on its meeting dates in 2015, namely: 18-19 February 2015 in Riga (Latvia), 25-26 March 2015 in Frontex Headquarters, 19-20 May 2015 in Frontex Headquarters (followed by the European Day for Border Guards), 9-10 September 2015 in Frontex Headquarters and 25-26 November 2015 in Frontex Headquarters.

██████████ (Commission) and Mr Marko GAŠPERLIN (Slovenia) were appointed as reporting officers of the Executive Director and the Deputy Executive Director for the annual appraisal procedure of 2014-2015.

The MB authorised Frontex to request for a derogation from the Commission implementing rules on working time.

### Discussions

Frontex presented an outline of the operational concept for Joint Operation Triton (JO, still under negotiation). The Member States, Schengen Associated Countries and the Commission mainly discussed the calibre and the funding of the planned JO.

An updated version of the Programme of Work 2015 (PoW) including the draft budget 2015 was presented to the MB. The version integrated the comments made by the representatives at the previous MB meetings. It was agreed that a finalised version of the PoW taking into account the views of the Commission - or, if possible, the opinion of the Commission - will be presented at the 51<sup>st</sup> MB meeting in November 2014 for its adoption. Linked with the presentation of the PoW, the *ad hoc* working group of the MB on budget and accounts presented the progress of Frontex in the incorporation of Activity Based Budgeting method in the PoW.

The Commission informed the MB about the Internal Security Fund and the new Schengen evaluation mechanism in which Frontex will play a role.

Moreover, the Commission provided information about the state of play concerning the recruitment of the Executive Director: out of the 17 candidates interviewed by the pre-selection panel on 8-9 September, seven candidates were retained to attend an interview by the Consultative Committee on Appointments (CCA) on 3 October 2014. For this purpose, candidates must have previously performed an all-day assessment at the external management assessment centre. The CCA will recommend some candidates to Commissioner MALMSTRÖM who will interview them on 13 October 2014. She will make, jointly with Commissioner ŠEFČOVIČ, a recommendation to the College of Commissioners who will finally decide on the candidates to be presented to the MB. The MB should be in a position to appoint the Executive Director at the 51<sup>st</sup> MB meeting in November 2014.

Pursuant to Article 8 of the Frontex Financial Regulation, the MB was consulted about the possible delegation of tasks by the Commission to Frontex for the implementation of the Copernicus Programme. With the explanations provided by Frontex and the Commission, the MB took note of the presentation and benefits of this Programme for Frontex provided that the Agency has the necessary financial and human resources. Additionally, the MB acknowledged that it will have no decision-making competence to issues related to the Copernicus Programme (with the Programme falling under the remit of the Commission's responsibilities).

Pursuant to Article 2(2) of the Frontex Regulation, the ED a.i. informed the MB about the bilateral cooperation among the Member States and between the Member States and Third Countries. Such information will be presented at least once a year at the MB meeting in November as well as whenever relevant and necessary. Given the different approaches of the representatives concerning the access to this information, it was instructed that the information and report would not be disclosed to the public but releasable only to Frontex, the Member States, Schengen Associated Countries and the Commission.

With a view to providing the MB with concrete examples of Frontex activities, Frontex presented the conceptual frame of the plan of operations related to return activities which included both co-organising joint return operations and building return capacity in some Third Countries.

In addition, Frontex presented a pilot-project aiming at testing new solutions of aerial surveillance within the framework of Article 7(1) of Frontex Regulation (i.e. acquisition of technical equipment for external border control).

The MB was informed about the developments undertaken by DG Enlargement with regard to the Instrument for Pre-Accession Assistance 2014 funding (IPA II). In this regard, and in accordance with Article 14(5) of Frontex Regulation, Frontex could act as a lead implementing partner in the regional cooperation activities of the IPA II called "regional support to protection-sensitive migration management in the Western Balkans and Turkey".

Lastly, the MB was provided with an update on the external evaluation process of Frontex pursuant to Article 33 of the Frontex Regulation.

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