

## 51<sup>ST</sup> MEETING OF THE MANAGEMENT BOARD 26-27 NOVEMBER 2014 IN WARSAW, POLAND

### List of participants

Mr Ralf GÖBEL - Chairman of the Management Board  
Mr Robert STRONDL (Austria - AT)  
Mr Herbert VEYT (Belgium - BE)  
Mr Zaharin PENOV (Bulgaria - BG)  
Mr Zlatko SOKOLAR (Croatia - HR)  
Mr Glykerios LEONTIOU (Cyprus - CY)  
Mr Martin VONDRASEK (Czech Republic - CZ)  
Mr Richard ØSTERLUND LA COUR (Denmark - DK)  
Mr Helen NEIDER-VEERME (Estonia - EE)  
Mr Ilkka LAITINEN (Finland - FI)  
Mr Benoît BROCARD (France - FR)  
Mr Maik BAUMGAERTNER (Germany - DE)  
Mr Aleksandros SOUKOULIS (Greece - EL)  
Mr Zsolt HALMOSI (Hungary - HU)  
Mr Ólafur Helgi KJARTANSSON (Iceland - IS)  
Mr John O'DRISCOLL (Ireland - IE)  
Mr Giovanni PINTO (Italy - IT)  
Mr Vladimirs ZAGUZOUS (Latvia - LV)  
Mr Uwe LANGENBAHN (Liechtenstein - LI)  
Mr Vygintas KAZIUKONIS (Lithuania - LT)  
Mr Thierry FEHR (Luxembourg - LU)  
Mr Neville XUEREB (Malta - MT)  
Mr Ronald HARMSMA (The Netherlands - NL)  
Mr Jan Eirik THOMASSEN (Norway - NO)  
Ms Aleksandra ŚWIĄTECKA (Poland - PL)  
Mr Luís GOUVEIA (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 50th Management Board meeting
  3. Decision of the Management Board on the appointment of the new Executive Director
  4. Recent internal developments and procedural issues
  5. Presentation of the latest phenomena at the EU external borders including Frontex operational response and including information on the JO Triton
  6. Fundamental Rights issues:
    - 6.1 Report from the Fundamental Rights Officer
    - 6.2 Report on the outcome of the Consultative Forum meeting
    - 6.3 Focus Group on follow-up of the Consultative Forum recommendations on Poseidon
  7. Decision of the Management Board on the review and possible extension of the mandate of the working group of the Management Board on budget and accounts
  8. Decision of the Management Board on the draft Programme of Work 2015 and the draft budget 2015, including the establishment plan
    - Presentation of the further development of the gap analysis for Frontex operations pursuant to Article 7 of the Frontex Regulation
  9. Programme of Work 2016 - Single Programming Document
    - 9.1 Presentation of the key elements - Strategic Action Areas for 2016
    - 9.2 Decision of the Management Board on the adoption of provisional draft estimate of revenue and expenditures
  10. Decision of the Management Board on the adoption of the Working Arrangement with the EEAS
  11. State of play on the implementation of the Programme of Work 2014
    - Budget implementation
  12. Summary of the activities by the acting EU Council Presidency Italy and incoming EU Council Presidency Latvia
  13. Any other business
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## Main results of the meeting

At its 51<sup>st</sup> meeting, the Management Board (MB) appointed in secret ballot the new Executive Director of Frontex according to Article 26 of Frontex Regulation: Mr Fabrice LEGGERI from France. He will take up his duties as soon as possible, in January 2015. The Media Team of Frontex took certain footages of the opening of this agenda item and the announcement of the result of the voting procedure. They will be made available to journalists and the public.

The Internal Audit Service performed an audit in May 2014. The overall conclusions are positive. The IAS issued three recommendations, namely: on recording and validation of documents supporting the management of Frontex stakeholders (recommendation 1), on securing sensitive communication and information with stakeholders in order to avoid leaking of sensitive data (recommendation 2), on consistency and reliability of the objectives and key performance indicators (KPIs) in the cooperation with the Member States (MS; recommendation 3).

Frontex updated the MB on the state of play of Frontex cooperation with Europol: a new bilateral working arrangement for the transmission of personal data from Frontex to Europol and for the exchange of information in the framework of Eurosur is currently being drafted.

In parallel, the PeDRA Project of Frontex (Personal Data for Risk Analysis) is on-going. After the European Data Protection Supervisor (EDPS) is notified, the project will be submitted to the MB for adoption.

As from 1 January 2015, Frontex will be located at European Square 6, 00-844 Warsaw.

In the presentation of the latest phenomena at the EU external borders, Frontex concentrated mainly on presenting the different trends of illegal border crossings, the recent involvement of private shipmasters in rescuing migrants and the likelihood of smugglers triggering accidents to test JO Triton. Regarding Ebola, a low number of appearance of Ebola cases was reported at the border.

Among others, the phase-out of Mare Nostrum Operation, the cooperation with Western Balkans countries as well as the issue of secondary movements were discussed during the discussion.

The MB member representing Hungary presented the situation at the border between Hungary and Serbia.

The Fundamental Rights Officer of Frontex (FRO) presented her two latest reports of activities during the period of 28 April 2014 to 17 October 2014.

The Deputy Chair of the MB reported on his participation in the 5<sup>th</sup> meeting of the Consultation Forum (CF) held on 22-23 October 2014. He explained further the own-initiative inquiry of the European Ombudsman of 20 October 2014 related to the joint return operations of MS coordinated by Frontex. This inquiry, which was not triggered by any complaint, offers an opportunity to demonstrate once more the Agency's engagement in ensuring the respect and the promotion of fundamental rights in its coordinated activities.

In order to discuss the recommendations issued by the CF following its visit to the Poseidon joint operation in Greece and Bulgaria in July 2013, the MB mandated the representatives of Bulgaria, Greece, Slovenia, Switzerland, Italy, Sweden, Austria and the Netherlands to take part in the focus group with the representatives of the European Union Agency for Fundamental Rights (FRA), the United Nations High Commissioner for Refugees (UNHCR), the Council of Europe, the European Council on Refugees and Exiles (ECRE) and Churches' Commission for Migrants in Europe (CCME).

The MB decided to establish a permanent working group (WG) on budget and accounts which succeeds the *ad-hoc* working group on budget and accounts created at the 44<sup>th</sup> MB meeting in May 2013. It is composed of representatives from Estonia, France, Spain, the Netherlands, Germany, Greece and the Commission. The mandate of the WG was defined during the open discussions. The responsibility of the management of the Agency's budget lies with the MB.

As far as the programming documents are concerned, Frontex will prepare an amended version of the Programme of Work 2015, taking into account concerns and suggestions voiced by the MB. The document will be submitted, along with the draft budget, for approval by written procedure in December 2014.

The MB discussed the utilisation of technical equipment provided by the Member States for joint operations (according to Article 7 of the Frontex Regulation, the Agency should report on the development of the technical equipment pool which specifically involves any identified shortcomings). The MB took note of the gap analysis report prepared and presented by the Agency and intends to return to the topic in more detail during its future sessions.

The working arrangement with the European External Action Service (EEAS) was endorsed by the MB. Subsequently, it will be signed by the ED a.i. and his counterpart in EEAS. The cooperation document will formalise and further strengthen the cooperation between Frontex and EEAS.

The MB granted the permission for Frontex to launch non-automatic carry forwards of funds from 2014 to 2015 in the written procedure.

The MB was updated on the activities undertaken by the Italian Presidency in the Council of the European Union and informed about the priorities of the upcoming Latvian Presidency.

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