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**NOTE**

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From:	General Secretariat of the Council
To:	Delegations
Subject:	Policy document developing a multiannual strategic policy for European integrated border management - EIBM - Compilation of comments

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Delegations will find attached a compilation of replies from Member States on the policy document developing a multiannual strategic policy for European integrated border management (9528/22) on the basis of the following questions :

- *Question 1: The policy document and its priorities and guidelines are based on both the challenges identified by strategic risk analysis for EIBM and the recommendation formulated by the thematic Schengen evaluation on IBM. Do you think it covers all the relevant challenges or would you, if relevant, suggest covering any other? If yes, which one?*
- *Question 2: The guidelines refer to various documents including regulations, implementing acts, recommendations, guidelines, handbooks etc. Can you think of any other important document (on a specific topic or a more strategic one) that should be mentioned?*
- *Question 3: Based on your previous experience, do you consider the policy document to be a clear basis for establishing national strategies as well as an operational and a technical strategy for EIBM? If not, what changes would you consider useful or necessary?*

**WRITTEN COMMENTS SUBMITTED BY THE MEMBER STATES**  
**Policy document developing a multiannual strategic policy for**  
**European integrated border management**

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## **AUSTRIA**

You will find Austria's written comments on the strategy paper on the development of a multiannual strategic policy for European integrated border management (9528/22) enclosed:

**@ Question 1:** The policy document and its priorities and guidelines are based on both the challenges identified by strategic risk analysis for EIBM and the recommendation formulated by the thematic Schengen evaluation on IBM. *Do you think it covers all the relevant challenges or would you, if relevant, suggest covering any other? If yes, which one?*

→ The policy document and its priorities and guidelines covers all the relevant challenges.

**@ Question 2:** The guidelines refer to various documents including regulations, implementing acts, recommendations, guidelines, handbooks etc. *Can you think of any other important document (on a specific topic or a more strategic one) that should be mentioned?*

→ The guidelines refer to all necessary documents.

**@ Question 3:** Based on your previous experience, *do you consider the policy document to be a clear basis for establishing national strategies as well as an operational and a technical strategy for EIBM? If not, what changes would you consider useful or necessary?*

→ It seems, that the policy document can be a sufficient basis for establishing national strategies.

Austria would like to take this opportunity to express its great gratitude to the French Presidency for the work done in the past six months and to wish the new Czech Presidency all the best for this task.

## CROATIA

- **In general** – the introductory part says that the multiannual strategic policy cycle will guide the operations of the European Border and Coast Guard (EBCG) over the next five years and implement the European integrated border management. We are aware that this is in compliance with the existing legal framework. However, we believe that it would be more efficient if in terms of legal framework this cycle is aligned with the Multiannual financial framework and if, like MFF, it is adopted for the period of seven years so that the policy cycle and financing are aligned.

### **5. POLICY PRIORITIES AND STRATEGIC GUIDELINES FOR THE COMPONENTS OF EUROPEAN INTEGRATED BORDER MANAGEMENT**

- **Component 1: Border control** – the following is stated within the policy priorities: “Frontex and the Member States' border management authorities, together forming the European Border and Coast Guard, should have the legal, institutional, administrative and operational capacity and the necessary resources to conduct effective and efficient border control **in all circumstances.**”

**In this regard, we would like to receive clarification whether this means that Frontex and MS together should have the said capacities and resources for all circumstances, considering that they all together form the EBCG.** More precisely, this would mean that the standing corps could supplement certain deficiencies that might arise as a result of various circumstances (during the tourist season, increased migratory risks, etc.). Otherwise, if each individual Member State should have sufficient capacities **in all circumstances, this would mean that those capacities which would be programmed, for example, for the increased number of border crossings during the tourist season, would not be used for the greater part of the year and would thus represent a disproportionate financial burden.** However, **if the Commission's intent is to measure the capacities and resources in all circumstances by looking at the available capacities of the EBCG as a whole, then we welcome the idea to engage the Agency forces which could provide assistance in such cases which do not necessarily have to be part of a crisis.**

With regard to strategic guidelines under this component (1), item 3 states that “The advance collection of information for the border check function (pre-arrival information as a core element of the border check function) should be further developed by effective use of the Advance Passenger Information (API) system and Passenger Name Record (PNR) data.” **Considering the imminent application of EES, we would like to know whether any consideration has been given to introducing a possibility for passengers who do not yet have EES files to pre-register and provide all the necessary information, including biometrics, even before arriving at border crossing points.** Likewise, given the fact that opening of EES files on border crossing points will slow down the flow of traffic on external borders even further, and the explanation for component 1 indicates that border control includes measures to facilitate legitimate border crossings, we believe that the increase in human capacities and new entry/exit booths on land border crossing points alone are not the only solution. **One of the solutions could certainly be to provide an opportunity that such files are opened and biometrics provided even before the arrival at border crossing points, for example, at diplomatic and consular posts.**

- **Component 3: Analysis of the risks** - with regard to strategic guidelines under this component (3), item 5 states that challenges such as “pandemics and the resulting health threats” should be identified. **We believe that such challenges cannot be identified without the cooperation with ECDC and the relevant national authorities (even WHO), which are however not mentioned in item 4 (cooperation between relevant EU and national bodies).**
- **Component 4: Information exchange and cooperation between Member States**, item 1 states that “Member states should establish an effective national coordination mechanism and should have a responsible single national contact point (24/7) for all matters pertaining to the activities of the Agency”, and item 2 emphasises that the role of the NCC should be further strengthened. **It is not clear from the present wording whether this should be two separate mechanisms or whether the NCC can at the same time serve as a national contact point 24/7. We would therefore like to receive clarification in this regard.**

As regards item 8, we propose that it be moved to component 5: Inter-agency cooperation. This guideline refers to the establishment of efficient coordination between national authorities, which would then also serve as the centralised mechanism for cooperation with counterparts in other Member States. As such, it builds on the strategic guideline under component 5: Inter-agency cooperation.

Item 18 states that Member States should have a tested hosting capacity where the deployment of the EBCG standing corps is needed. It is not fully understandable how this strategic guideline would be accomplished. More precisely, when identifying the closest hotel or private accommodation capacities, what happens if those capacities are full when needed? Construction of one’s own capacities “if needed” is certainly not the most rational option.

Item 22 states the further development of focal points as a strategic guideline. **We believe that it is more appropriate to develop the concept of focal points in third countries than in Member States.**

- **Component 6: Cooperation among the relevant Union institutions, bodies, offices and agencies** – same as in the last comment, with regard to strategic guidelines in item 5, we are of the opinion that **the hotspot concept should be developed for third countries**.
- **Component 7: Cooperation with third countries** – in the strategic guideline in item 11, we support the development of cooperation between civilian Common Security and Defence Policy missions which have a border management component and Frontex, but it is also necessary to point out that, in doing so, these activities should not overlap.
- **Component 8: Technical and operational measures within the Schengen area** - it is stated in the strategic guideline in item 1 that EUROSUR should be used as a main platform for a European situational picture on irregular arrivals and secondary movements of third-country nationals within the EU. This raises the issue of the legal basis, since Article 19 of the EBCG Regulation defines the scope of EUROSUR to be used for border checks at authorised border crossing points and for external land, sea, and air border surveillance. More precisely, it is pointed out in paragraph 2 that: “EUROSUR shall not be used for any legal or administrative measure taken once the competent authorities of a Member State have intercepted cross-border criminal activities or unauthorised crossings by persons of the external borders.”
- **Component 9: Return** - even though the matter of return is one of the areas of IBM which continuously lacks efficiency, we believe that this document does not sufficiently cover this issue. For example, we are of the opinion that the strategic guideline in item 1 **defines this activity too generally and that in the wording: “by making full use of all available Union and national instruments” it should be extensively clarified which instruments could be further strengthened.**
- **Component 10: Use of state-of-the-art technology** - item 4 of the strategic guidelines mentions “the potential of the new smart technical solutions (e.g. automated border check/ABC gates)”, which is so far a possibility that is mostly applicable in air, sea, and river ports, whereas it is not applicable for land border crossing points and border checks in trains. Accordingly, we propose that this or another added item states that **it is necessary to enhance cooperation with stakeholders who develop technical solutions, with regard to new technology that could easily be applied on land and railway border crossing points.** This cooperation would be aimed at finding new technical solutions which would make it possible for border checks and EES files on these border crossing points to be carried out and opened without an increase in waiting times for border checks, and without the continuous need for employing a large number of new border police officers or to expand the area of the busiest land border crossing points on the external border. This should also be an additional guideline in this one and in component 15: “*Research and Innovation*”.

- **Component 12: Solidarity mechanism** - the proposed strategic guidelines are primarily aimed at the use of EU funds, which is understandable, but we find it insufficient. The strategic guidelines in this component should be **amended by also developing the mechanism of solidarity in the part related to efficient burden sharing in situations of large influx of migrants when the MS on the first line (meaning those whose borders are most threatened) need to be able to count on assistance with reception and accommodation of all migrants who arrive in large numbers at their borders. This should not refer only to SAR operations, but also to mass influx of migrants on the external land borders.**
- **Component 13: “Fundamental rights”** - as regards the strategic guidelines listed in the first and second subparagraph (“...strictly observed...”, “...act in full compliance with fundamental rights...”), this is something that each MS is already obligated to do, whereas strategic guidelines should guide future actions. We are of the opinion that **it would be better to mention this within the framework of the text under “policy priorities”**, and to state, instead of the wording “strictly observed”, that these are guidelines listed in the following three subparagraphs

## **CYPRUS**

As a team of Frontiers / police / Immigration Dep. we found the policy document developing a multiannual strategic policy for European integrated border management as a good one for the beginning of the discussion.

1. The strategy paper should be directly linked to what was agreed in the Schengen border code.
2. To place special emphasis on the prevention and treatment of irregular migration.
3. To give special emphasis to the instrumentalization of migration flows as agreed in point 27 of article 2 of European regulation 2016/399, where in the morning (recital) reference is made to Cyprus (green line).
4. It is important that international law is applied at maritime borders, especially in matters of search and rescue.



## **DENMARK**

Please find below Denmark's comments :

Q1.

Efforts to address instrumentalisation of migrants should be an important element of the policy cycle, including through explicit references to the establishment of the necessary physical barriers at the external borders, where appropriate, as an important element of integrated border management.

Q.2

The policy document should clearly mention that effective integrated border management at the external borders is also key to addressing secondary movements.

Q3.

The fact that the policy document is so comprehensive makes it difficult to identify key strategic priorities. The policy document should include a list of key priorities in the area of external border management that could feed into the discussions in the Schengen Council.

## FINLAND

Please find below the preliminary written comments of the FI delegation. Due to the comprehensiveness of the issue and the ongoing deliberations in the working party and the informing of our political leadership we would like to reserve the possibility to complement these comments with some additions in a later stage.

As a general note, the draft policy document provides a good overall guidance on the development of the EIBM and includes the most relevant parts.

### **Chapter 4. THE PRINCIPLES UNDERPINNING THE EUROPEAN INTEGRATED BORDER MANAGEMENT**

This chapter outlines key concepts that lies at the core of the EIBM. The four-tier access control model is mentioned mainly in relation to risk analysis. Although, this is a key component of the access control model we feel that the scope of the concept could be further emphasized first of all **under chapter 4 as one of the key principles** and further along **as a policy priority under Component 1 (Border Control)** in addition to what is mentioned under Component 3 (Analysis of the risks).

Threats related to our external borders usually originate in third countries where a certain incentive to cross the external border illegally or with criminal intent exists. The **failure to tackle these threats at their origin is directly reflected at the external borders**. The external border is a convenient point where the final checks are made before a third country national, or an EU national for that matter, enters the area of free movement. For a law enforcement authority an ideal situation would be to mitigate any threat for security or public policy where it originates. To this end, we have agreed to set up the ETIAS system develop VIS and the visa application process as some of the components combined with visa policy. In addition to these, there are different things Member States could do to mitigate the threats before they arrive to the external borders. Even before a possible threat is present at the external border a **component of cooperation with the third countries of origin and transit and neighboring third country authorities gives added value in terms of prevention, detection and subsequent criminal investigation** after an illegal border crossing. Partnerships and operational co-operation with third countries of origin and transit for the purpose of information gathering and cooperation is therefore vital.

**Therefore, we suggest to add the four-tier access control model as one of the key principles and emphasize the meaning of the access control model under component 1 (border control) as a strategic guideline.**

### **Component 4 (in particular the support coordinated by the European Border and Coast Guard Agency)**

The Agency has had to adjust its approach to emerging threats and operational requirements posed by the realities on the ground. This has also affected the requirements of the composition and profiles of the standing corps. In order to develop the Agencies capabilities to render operational support to the Member States a comprehensive operative concept should be developed. This concept could include but not be limited to the concept of deployment of the standing corps, its operative performance/capability requirements vis-à-vis different threats and operational environments, clear command/management structures, logistical support and internal quality control mechanism as per article 62(10) of the EBCG Regulation. This would give additional input to the Agency's Technical and operational strategy and the development of the Standing Corps.

**Therefore, we suggest that the development of a comprehensive operational concept would be included in the strategic guidelines under Component 4.**

### **Component 11: Quality Control Mechanism**

The policy document clearly outlines the architecture and the notion of shared responsibility within the European Border and Coast Guard (page 5). In order to have a comprehensive picture of the level of implementation within this architecture a more robust approach should be adopted in terms of controlling the quality of all the elements of the European Border and Coast Guard. This would mean that quality control should cover the whole of the EBCG including Frontex. With roll-out of the ETIAS system the Agency will become even more integral part of the management of the external border not to mention its role in operational actions taken every day in especially in third countries. These actions do not directly fall under the remit of the Schengen monitoring and evaluation regulation and should therefore be more closely monitored under the overall quality control.

**Therefore, we suggest that the component of quality control would clearly outline the need to expand the scope to cover the whole EBCG and in particular the Agency so as to have a comprehensive picture of its actions as part of the management of the external borders and in third countries.**

### **Component 1 (border control)**

In addition to elaborating the four-tier access control model as a policy priority under component 1 there seems to be a need to also take into account actions that are taken under the four-tier access control model and in particular at the final tier being the area of free movement. In addition to the actions done by national law enforcement agencies there should be an element of preparedness in terms of the capacity to temporarily reintroduce internal border controls as a last resort.

**Therefore, we suggest to add under Component 1 the capacity to temporarily reinstate internal controls as a last resort in order to safeguard the Schengen area if needed.**

### **Component 14 (education and training)**

Training and education are an essential part of a functional and professional border management force. A bulk of the professional know-how and competence lies within the Member States services and their training systems. In order to facilitate mammoth task of training the standing corps a sustainable and comprehensive EBCG training concept should be developed. This concept would take into account the needs of the standing corps and the resources of the Member States to provide support to the overall training. As one of the components to this comprehensive training concept could be the establishment of a dedicated training center.

**Therefore, we suggest that instead of formulating a strategic guideline for the establishment of a training centre within Frontex there should be a guideline to develop a sustainable and comprehensive training concept that could include the establishment of a Frontex training centre.**

## **FRANCE**

Question 1: Le document d'orientation politique, ses priorités et lignes directrices sont fondés à la fois sur les points identifiés par l'analyse stratégique des risques pour l'IBM et sur la recommandation formulée par l'évaluation thématique de Schengen sur l'IBM. Pensez-vous qu'il couvre tous les questions pertinentes ou suggérez-vous, le cas échéant, d'en couvrir d'autres ? Si oui, lesquelles ?

- **La France estime que le document d'orientation proposé par la Commission européenne couvre toutes les questions pertinentes. Le document tel que proposé est en effet très complet car il porte sur l'ensemble des composantes de l'EIBM qui sont chacune assorties de priorités politiques et d'orientations stratégiques très développées.**

Question 2: Les lignes directrices font référence à divers documents, notamment des règlements, des actes d'exécution, des recommandations, des lignes directrices, des manuels, etc. Considérez-vous qu'un autre document important (sur un sujet spécifique ou un sujet plus stratégique) devrait être mentionné ?

- **La France considère que tous les documents pertinents pour l'élaboration du document politique ont été pris en compte par la Commission européenne.**

Question 3: Sur la base de votre expérience antérieure, considérez-vous que le document d'orientation politique constitue une base claire pour établir des stratégies nationales ainsi qu'une stratégie opérationnelle et technique pour l'IBM ? Si non, quelles modifications considérez-vous utiles ou nécessaires ?

- **La France salue le travail réalisé par la Commission dans le cadre de ce nouveau cycle politique pour l'EIBM et estime que le document présenté constitue une bonne base pour établir les stratégies nationales IBM, tout en conservant une marge de manœuvre suffisante pour les Etats membres, ainsi que la stratégie opérationnelle et technique de Frontex sur ce sujet.**
- **Néanmoins, la France est d'avis que ce document nécessite des améliorations sur plusieurs aspects, afin de répondre clairement aux interrogations des différents acteurs et être pleinement exploitable pour la mise en œuvre de l'EIBM :**

- En effet, si dans son document d’orientation la Commission décline une à une les composantes de l’EIBM, elle ne fournit toutefois pas de hiérarchisation entre les priorités politiques qu’elle énonce. Au regard de l’analyse de risques et des résultats de l’évaluation Schengen, il est essentiel que le document indique clairement quelles sont les priorités les plus importantes ou que celles-ci soient classées. L’absence de précision à ce sujet aurait une mauvaise influence sur la définition des priorités stratégiques nationales des Etats membres mais également de celles de la stratégie opérationnelle et technique qui doit être préparée par Frontex. Le niveau de détail des objectifs stratégiques est, quant à lui, très à propos.
- Par ailleurs, la France souhaite que le point sur l’évaluation de la stratégie politique au bout de quatre ans soit plus détaillée (point 2), notamment en ce qui concerne la méthode envisagée. Les Etats membres pourront ainsi s’en inspirer pour évaluer leurs propres stratégies nationales.
- De plus, la partie 6 sur la gouvernance mériterait quelques ajustements. La France suggère que les orientations politiques soient données au niveau du Conseil Schengen et non pas lors des Forums Schengen qui sont davantage des enceintes de discussion que des enceintes politiques. La France souhaite également que la Commission clarifie ce que recouvrent les réunions de haut niveau du conseil d’administration de Frontex visées dans la partie 6.
- Enfin, il ressort du document que le domaine maritime et les spécificités du cadre juridique encadrant l’action de l’État en mer restent imparfaitement prises en compte.

## GERMANY

Please find the German comments:

### General remarks:

- We thank the Commission for its draft policy document for a multi-annual strategic policy cycle.
- We are pleased that it gives Member States the necessary implementing leeway as regards risk analysis. This will make implementation by the Member States much easier. However, it should be made clear that risk analyses need to be drawn up using the uniform CIRAM methodology.
- The draft (no. 2b) requires the Agency's technical and operational EIBM strategy to take into account the specific situation of the Member States. This should not, however, be restricted to the geographic but should include other factors such as varying responsibilities of border authorities and principles of state structures (federal states).
- We welcome the intention to fully use EUROSUR's potential. What we should do next, however, is make sure that data are collected only once and then re-used, so that all players, including the Agency, make data and information available in EUROSUR almost in real time.
- As regards the use of state-of-the-art technology we suggest to take into account not only the Agency's systems, but also the opportunities and developments provided by other EU institutions, specifically the maritime agencies EMSA and EFCA, which already have systems in place which can be used for EIBM (border surveillance).

The systems are as follows:

- 1) Common Information Sharing Environment (CISE)
- 2) Integrated Maritime Services (IMS) in connection with the SafeSeaNet Ecosystem GUI (SEG) and Automated Behaviour Monitoring (ABM).

Both systems include incident reports for SAR cases and the registration of stowaways.

Questions raised by the chair:

Question 1: The policy document and its priorities and guidelines are based on both the challenges identified by strategic risk analysis for EIBM and the recommendation formulated by the thematic Schengen evaluation on IBM. Do you think it covers all the relevant challenges or would you, if relevant, suggest covering any other? If yes, which one?

Standardised border management and coordinated measures are vital for dealing with the migration situation. The most accurate information and reliable information management are essential for the ongoing assessment, monitoring and analysis of the migration situation and for early awareness of crises. The desired improvement of information management and information-sharing therefore has been and continues to be a key element. We are pleased that the policy paper addresses the instrumentalisation of migration.

Question 2: The guidelines refer to various documents including regulations, implementing acts, recommendations, guidelines, handbooks etc. Can you think of any other important document (on a specific topic or a more strategic one) that should be mentioned?

No. However, we would like draw your attention to our reference to the CISE and IMS systems in the general remarks above.

Question 3: Based on your previous experience, do you consider the policy document to be a clear basis for establishing national strategies as well as an operational and a technical strategy for EIBM? If not, what changes would you consider useful or necessary?

Yes.

## **ITALY**

Delegation preliminary express a high level of satisfaction about the Policy document, being very comprehensive, coherent and cross cutting, covering all the aspects of the strategic policy for EIBM.

Hence for questions 1 and 2 nothing to adjust on the contents of the document.

About question 3, we notice that the Policy document establishes a precise agenda step by step. In the previous experience national strategies were adopted in an unordered way and, following the last thematic evaluation in 2019, having a different period of expiry. Therefore we consider necessary that the new cycle shall follow the same progress and advancements in all the MS, also in the light of the integrated planning (especially capability development planning).



## LITHUANIA

Lithuanian Comments on Policy document developing a multiannual strategic policy for European integrated border management in accordance with Article 8(4) of Regulation (EU) 2019/1896

Question 1: The policy document and its priorities and guidelines are based on both the challenges identified by strategic risk analysis for EIBM and the recommendation formulated by the thematic Schengen evaluation on IBM. Do you think it covers all the relevant challenges or would you, if relevant, suggest covering any other? If yes, which one?

We basically agreed with the structure of the document, its content, the proposed priorities, the management and duration of the cycle. It is very important that the instrumentalisation of migrants and the aspect of hybrid attack are included in the document. It is also important that it also includes common standards and practices in border security, as responsibility for the external border control is shared, and without this border security becomes fragmented creating potential vulnerabilities in border security.

We would like to point out that the document does not focus on the push and pull factors behind irregular migration, its analysis and possible measures. There is no reference to the elements of border surveillance, such as stationary infrastructure (physical barriers) which actually exist at the external land borders and therefore, this fact cannot be ignored.

We believe that following the outbreak of military hostilities at the external borders the role of Frontex seconded staff should also be addressed in this document. With regard to solidarity mechanisms, we do not welcome the restrictive nature of the provisions, especially when it comes to the implementation of the IBM, by distinguishing between measures governed by national law and European measures. So, we do not support the inclusion of such provisions in this document like: “Components of European integrated border management regulated by national law should, in principle, be covered by national resources”.

Question 2: The guidelines refer to various documents including regulations, implementing acts, recommendations, guidelines, handbooks etc. Can you think of any other important document (on a specific topic or a more strategic one) that should be mentioned?

We would like to mention that the extension of Frontex's mandate in the field of reintegration, which is also mentioned in this document, is questionable. We understand that this relates to the EU's voluntary return and reintegration strategy but we are of the opinion that the main tasks of Frontex should be directly related to the control of external borders and should not include social service functions. Moreover, this function is not provided for the Agency in the EBCG Regulation. The issue of the mandate of Frontex is relevant in the context of recent events and it must be the agency responsible for border protection capable of reinforcing the action of MS when national capacities are insufficient. It is also necessary to avoid duplication with other agencies (Fundamental Rights Agency). Moreover, we think that the Schengen Evaluation Mechanism Regulation is a document that is important to mention. Its provisions contributes to ensuring synergies between the main quality control mechanisms, i.e. Scheval and Frontex vulnerability assessments.

Question 3: Based on your previous experience, do you consider the policy document to be a clear basis for establishing national strategies as well as an operational and a technical strategy for EIBM? If not, what changes would you consider useful or necessary?

We believe that the policy document provides a clear basis for the development of national strategies, as well as the EIBM's operational and technical strategy.

## **POLAND**

Please find PL answers:

Q1.

The policy document (and its priorities and guidelines) should be adapted to the latest Strategic Risk Analysis (SRA), which should reflect the current situation. The communication establishing the multiannual strategic policy for European integrated border management adopted by European Commission should therefore be based on the conclusions of the latest SRA.

Q2.

In PL opinion, Regulation 2019/1896 clearly defines the multiannual strategic policy cycle for EIBM, one of the elements of which is a political document (guidelines).

Q3.

In our opinion, the political guidelines provide a sufficient basis for the development of national strategies. The political document (guidelines) should constitute the basis for the development of the Technical and Operational Strategy of the European Integrated Border Management in the first place, as well as at a later stage of the National Strategies of Integrated State Border Management by the assumptions of the Multiannual Strategic Policy Cycle.

## **ROMANIA**

Romania's authorities responsible for IBM are still analysing *the policy document developing a multiannual strategic policy for European integrated border management (9528/22)* discussed during the WP FRONT on 21.06.2022 and we will send our detailed written comments by the end of July.

**As a preliminary general remark, Romania welcomes the comprehensiveness of the document that provides the grounds for a cohesive, unitary approach while developing the Technical and Operational Strategy and the national strategies on IBM.**

In our opinion it is essential that political priorities and strategic guidelines set at EU level provide sufficient flexibility, taking into account the particularities of each Member State.

At the same time, we believe that it is very important for the policy document to provide Member States and relevant European agencies with the necessary guidance in order to have a well-adjusted planning of actions and resources, based on the challenges and risks we have to cope with, and to strike the right balance between protecting fundamental rights and implementing EIBM.

## **SWITZERLAND**

*Question 1: The policy document and its priorities and guidelines are based on both the challenges identified by strategic risk analysis for EIBM and the recommendation formulated by the thematic Schengen evaluation on IBM. Do you think it covers all the relevant challenges or would you, if relevant, suggest covering any other? If yes, which one?*

Switzerland believes that the strategy paper covers all challenges. An extension to other challenges would serve the already very extensive document rather poorly.

*Question 2: The guidelines refer to various documents including regulations, implementing acts, recommendations, guidelines, handbooks etc. Can you think of any other important document (on a specific topic or a more strategic one) that should be mentioned?*

No. Switzerland considers that all important reference documents are addressed.

*Question 3: Based on your previous experience, do you consider the policy document to be a clear basis for establishing national strategies as well as an operational and a technical strategy for EIBM? If not, what changes would you consider useful or necessary?*

Switzerland considers the document to be very comprehensive, with a total of 116 strategic guidelines. It reads more like a strategic compendium than a document that sets clear priorities within this inventory of strategic guidelines.

Given the limited financial and human resources of the Schengen states and the European institutions, it will not be possible to pursue all 116 strategic guidelines simultaneously and with the same priority. In this respect, we would have liked to see a certain reconciliation of the strategic guidelines, which are undisputed in terms of content, with the practical realities. However, since this comparison and the resulting prioritisation will most likely be somewhat different for all actors, Switzerland also assumes that prioritisation and thus the focus on the central strategic guidelines must take place within the framework of the national strategies.

This will have to be taken into account accordingly within the framework of the planned thematic evaluation. In particular, it is important to prevent a national IBM strategy from being considered EIBM-compliant only if it addresses all 116 strategic guidelines.

## THE NETHERLANDS

- *Question 1: The policy document and its priorities and guidelines are based on both the challenges identified by strategic risk analysis for EIBM and the recommendation formulated by the thematic Schengen evaluation on IBM. Do you think it covers all the relevant challenges or would you, if relevant, suggest covering any other? If yes, which one?*

The policy document does cover pretty much all the challenges (Chapter 3) it needs to cover. Perhaps a bit more focus for external borders can be put on point (c), the digitalization of IBM, which will truly change the nature of work for border guards in the (near) future and requires border authorities to work with increasing amounts of data. As the Commission rightly states at the start of the policy priorities, **border control driven by risk analysis is at the core** of European IBM. This will mean that our organizations will have to be able to translate enormous amounts of data into risk analysis.

- *Question 2: The guidelines refer to various documents including regulations, implementing acts, recommendations, guidelines, handbooks etc. Can you think of any other important document (on a specific topic or a more strategic one) that should be mentioned?*

None

- *Question 3: Based on your previous experience, do you consider the policy document to be a clear basis for establishing national strategies as well as an operational and a technical strategy for EIBM? If not, what changes would you consider useful or necessary?*

As highlighted in the answer to Question 1, the Policy Document reflects pretty much all the challenges EIBM is facing in the coming years. However, some vision and direction on future border management and perhaps prioritization of those challenges would truly improve the effectiveness of the document as a basis for national priorities. In this light, the Netherlands would like to join in with the Danish plea in the most recent Working Party on Frontiers, asking for some specific focal points from the Commission.

With regard to this for NL, the following points would be relevant for EIBM:

1. The focus should entangle the challenge and request for vision stated above (question 1), namely the combination of large scale data collection through new European IT systems and the translation to more risk analysis based border management (external borders). What does **risk analysis based border management** look like in the future? What should border checks look like if we have a better picture of travelers and if we can better distinguish between bonafide and malafide travelers?
2. Get a better picture of and reaction capabilities to respond to **secondary migration flows** without instating internal border controls, including scrutiny of European and national legal frameworks and concept of operations of MS (internal borders).
3. Focus on targeting Human smuggling; how can Member States and European institutions/Agencies cooperate better to have synergies/share best practices on legal frameworks, strategical focus, information/risk analysis exchange and integration, and reactions capabilities.