

Working Arrangement

establishing operational cooperation

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 Ministry of the Interior of the Republic of Croatia

Having regard to the Council Regulation (EC) No 2007/2004 of 26 October 2004 establishing the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex), and in particular Article 14 thereof,

referring to the decision of the Management Board of Frontex of 21 September 2006 to negotiate a working arrangement with the authorities of the Republic of Croatia competent in matters covered by the objectives and tasks of Frontex in accordance with Council Regulation (EC) No 2007/2004,

based on their ambition to promote the development of their broad cooperation leading to the readiness for unrestricted operational cooperation under Council Regulation 2007/2004 from the date of accession of the Republic of Croatia to the European Union,

Frontex and the Ministry of the Interior of the Republic of Croatia (hereinafter referred to as “the MoI RC”), agree

on establishing operational cooperation based on the following basic principles, objectives, organisation and content of such cooperation:

1. BASIC PRINCIPLES

Frontex and the MoI RC emphasise that the intended cooperation shall be developed gradually. The aim is to work towards a sustainable partnership.

2. OBJECTIVES

To counter irregular migration and related cross-border crime by means of border control as well as strengthen security at the borders between EU Member States¹ and the Republic of Croatia.

To develop good relations and mutual trust between border guard authorities at the borders between EU Member States and the Republic of Croatia

3. ORGANISATION

A structured dialogue on the operational cooperation will be established and maintained between the Executive Director of Frontex and the Head of Border Police Directorate of the General Police Directorate of the MoI RC.

Daily contacts will be maintained via agreed Contact Points. When necessary, expert working groups may be established with a view to considering specific issues and elaborating corresponding recommendations.

The cooperation should facilitate measures taken by Frontex and the Border Police Directorate of the General Police Directorate of the MoI RC (hereinafter referred to as “the Border Police Directorate of the MoI RC”) in their efforts to fulfil their respective objectives and tasks.

4. CONTENTS

Information exchange between Frontex Risk Analysis Unit and the Border Police Directorate of the MoI RC in order to enable Frontex to carry out tasks in regard to Article 4 of Council Regulation (EC) No 2007/2004, will take place with only such restrictions that are justified due to legal or operational reasons.

The Border Police Directorate of the MoI RC will appoint a National Contact in the field of risk analysis to participate in Frontex Risk Analysis Network (FRAN) as an observer.

Frontex will provide the Border Police Directorate of the MoI RC with the Annual Frontex Risk Analysis reports. The access to Frontex tailored Risk Analyses or other Risk Analyses information will be decided on a case by case basis by the Executive Director of Frontex.

Cooperation in the field of training will take place taking into consideration Article 5 of Council Regulation (EC) No 2007/2004.

Technical cooperation in the field of research and development will take place according to Article 6 of Council Regulation (EC) No 2007/2004 and will be decided on a case by case basis by the Executive Director of Frontex.

¹ The term “EU Member States” includes also the Schengen Associated Countries.

Frontex will invite representatives of the Border Police Directorate of the MoI RC to participate in Joint Operations as observers on a case by case basis decided by the Executive Director of Frontex.

Frontex coordinated joint operations at borders between EU Member States and the Republic of Croatia will be conducted in close cooperation and with participation of the Border Police Directorate of the MoI RC with only such restrictions that are justified due to legal or operational reasons.

The Border Police Directorate of the MoI RC can second national Border Police Officers to Focal Point Offices (FPO's) located at the external borders of the Member States of the EU on the basis of a proposal by Frontex and upon an agreement or invitation of the hosting Member State.

Frontex and the Border Police Directorate of the MoI RC will explore possibilities to develop cooperation in the field of joint return operations as well as promote the active participation of Border Police Directorate of the MoI RC in Frontex coordinated joint return operations on case by case basis decided by the Executive Director of Frontex and upon agreement of the organising EU Member States.

The Border Police Directorate of the MoI RC will be likewise invited to participate in Pilot projects launched by Frontex on case by case basis decided by the Executive Director of Frontex.

5. AMENDMENTS

Frontex and the MoI RC may introduce alterations and/or additions into the present document based on their mutual consent.

6. LEGAL STATUS

The present Working Arrangement shall not be considered as an international treaty. Practical implementation of its contents shall not be regarded as fulfilment of international obligations by the European Community and its Institutions as well as the Republic of Croatia.

Done in _____ on _____ 2008 in two copies in English (a courtesy translation in Croatian is provided by MoI RC).

For the European Agency for the Management
of Operational Cooperation at the External
Borders of the Member States of the European
Union



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For the Ministry of the Interior of the
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