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Frontex and managing the EU's borders: Frequently Asked Questions

What is Frontex? To whom is it answerable?

The primary responsibility for the control of external borders lies with the EU Member States. Frontex was established to coordinate and facilitate this task bringing a European added value.

The Agency became fully operational on 3 October 2005 and is based in Warsaw (Poland). It is primarily responsible for coordinating operational cooperation between Member States (including joint operations and pilot projects in cooperation with Member States) and for maintaining a centralised record of technical equipment that Member States are ready to place at the disposal of other Member States.

Its other activities include developing a common integrated risk analysis model, establishing the common EU training standards for border guards and following developments in research relevant to control and surveillance of external borders.

In February 2008, the Commission presented the [report on the evaluation and future development of the European Agency for the Management of Operational Cooperation at the External Borders](#) ("Frontex"). This took stock of Frontex activities and proposed measures that could be taken with regard to its activities and future development, such as improving the availability of border guards and technical equipment for Frontex operations, strengthening cooperation with third countries (mainly with those considered problem areas in terms of border control) and improving horizontal operational coordination at Member State and European level.

It has, however, been growing quickly: as an illustration the budget of the Agency has increased much more rapidly than what was foreseen in the financial perspectives and hence the quantity of its activities are clearly beyond what was expected just a few years ago - from €6 million in 2005, €19 million in 2006, €42 million in 2007, €70 million in 2008, to €88 million in 2009.

How does Frontex help EU countries deal with irregular immigration?

The EU is one open area of free movement, which means that some countries control sections of the EU's external borders on behalf of others. For example, the number of border crossings at the air borders of the Netherlands were 27.7 million in 2008 while 2.5 million in Hungary; at the land borders 23.4 million in Poland while obviously 0 in the 15 Member States/associated countries (fully participating in Schengen) without an external land border; at the sea borders 5.8 million in Greece while 110 000 in Sweden. In terms of migratory pressure at the sea borders Spain registered 16 000, Malta 2 000, Italy 35 000, and Greece 32 000 illegal border crossings 2008, while figures for other Member States were negligible.

Frontex is responsible for coordinating the control of external borders of the EU, namely in the form of organising joint operations. A further core task is the development of risk analysis, which on the one hand provides the basis for the operational cooperation organised by the Agency itself and on the other supports Member States in their own efforts in conducting border management for their part of the external border.

Operational coordination has proved itself as the key instrument of the European Union in ensuring operational solidarity and channelling resources to the sections of the external border with the greatest needs i.e.; the Southern maritime borders from the Atlantic Ocean to the Aegean Sea: for example Joint Operation HERA (Canary Islands), Hermes and Nautilus (Central Mediterranean) and Poseidon (Aegean sea).

How has Frontex worked so far?

Evaluations carried out by the Commission and Frontex itself show that if Frontex is to coordinate border control operations, especially in the Mediterranean, and support the increased use of joint return flights it needs clear rules of engagement for the joint patrolling and disembarkation of rescued persons.

No other tool exists that can do what Frontex does. But even though Frontex proved to be very useful in providing a framework for Member States to cooperate with each other subject to particular pressures, the operational cooperation is still inefficient and insufficient. The operational solidarity proved to be insufficient, which is well illustrated by the actual deployment of equipment. Also, Frontex is not using its potential in the best possible way, in terms of coordination of operational cooperation and support to EU countries in carrying out the border management, due to unclear or insufficient existing legal provisions.

One problem is equipment. EU countries are supposed to list equipment they are willing to make available for joint border operations in a Frontex database. By 1 January 2008 this database contained 18 aircraft, 20 helicopters, and a total of 91 vessels (such as sea patrol vessels). However, in 2008 only 8 aircraft, 5 helicopters and 12 vessels were actually used during joint operations coordinated by Frontex. The Agency estimates its future operational equipment at 92 vessels, 14 aircraft and 18 helicopters. In practice, this means that EU countries who do not host operations need to contribute more equipment.

How does the Commission propose to strengthen Frontex?

To clarify the mandate and enhance the role of Frontex, the principal aims of the revision of the Frontex regulation are:

- Ensure the availability of technical equipment for joint operations
- Ensure the availability of qualified border guards for joint operations
- Ensure efficient coordination, implementation and evaluation of joint operations
- Ensure efficient cooperation between Frontex and third countries on border management
- Improve efficiency of joint return operations
- Improve the evaluation of the performance of Member States in the area of border management

What has been done so far regarding the management of EU external borders?

Built around the three pillars of common legislation, common operations and financial solidarity, key steps have been taken with the adoption of the Schengen Borders Code¹, the Practical Handbook for Border Guards (Schengen Handbook)² and the rules for local border traffic³, the establishment of Frontex⁴, the creation of the Rapid Border Intervention Teams⁵ and the creation of the External Borders Fund⁶.

¹ Regulation (EC) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code) (OJ L 105, 13.4.2006, p. 1).

² Commission Recommendation C(2006) 5186 of 6 November 2006 establishing a common "Practical Handbook for Border Guards (Schengen Handbook)" to be used by Member States' competent authorities when carrying out the border control of persons.

³ Regulation (EC) No 1931/2006 of the European Parliament and of the Council of 20 December 2006 laying down rules on local border traffic at the external borders of the Member States and amending the provisions of the Schengen Convention (OJ L 29 of 3.2.2007, p. 3).

⁴ Council Regulation (EC) No 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 (OJ L 349, 25.11.2004, p. 1).

⁵ Regulation (EC) No 863/2007 of the European Parliament and of the Council of 11 July 2007 establishing a mechanism for the creation of Rapid Border Intervention Teams and amending Council Regulation (EC) No 2007/2004 as regards that mechanism and regulating the tasks and powers of guest officers (OJ L 199, 31.7.2007, p. 30).

⁶ Decision No 574/2007/EC of the European Parliament and of the Council of 23 May 2007 establishing the External Borders Fund for the period 2007 to 2013 as part of the General programme "Solidarity and Management of Migration Flows" (OJ L 144, 6.6.2007, p. 22).