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**Policy document**

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

## **1. INTRODUCTION**

The Schengen Strategy of 2 June 2021 identified two important prerequisites for a fully functioning and resilient Schengen area. These were an integrated approach to external border management and a successful implementation of the new mandate of the European Border and Coast Guard Agency, commonly referred to as Frontex. In particular, it stressed the need *‘to provide both the strategic framework and the operational components needed to better connect our policies and therefore eliminate loopholes between border protection, security, return, migration, while always ensuring the protection of fundamental rights’*.

To achieve this objective, the European Union and its Member States need to work together, especially in the framework of the European Border and Coast Guard (EBCG), towards achieving a fully effective **European integrated border management** (EIBM), bringing together all relevant players at both European and national levels. In this context, European integrated border management should be also fully integrated into the Schengen cycle.

As announced in the Schengen Strategy, the implementation of European integrated border management will be guided by the **multiannual strategic policy cycle** (EIBM policy cycle), to be prepared in accordance with Article 8 of Regulation (EU) 2019/1896<sup>1</sup> (the EBCG Regulation). The Multiannual Strategic Policy cycle will guide how the European Border and Coast Guard should effectively operate as a structure over the next five years and implement the European integrated border management. At **operational level**, this cycle should give a common framework, steering the daily work of more than 120 000 European Border and Coast Guard officers from national authorities and Frontex.

In accordance with Article 8(4) of the EBCG Regulation, with the present **policy document**, the Commission is starting a consultation of the European Parliament and of the Council on the development of the multiannual strategic policy. The consultation will focus in particular on Chapter 5 of this policy document, which sets out **policy priorities** and **strategic guidelines** for a period of **five years** in relation to the 15 EIBM components set out in Article 3 of the EBCG Regulation.

In addition, it will seek the views of the institutions on how to set out an **integrated, unified and continuous process** for providing strategic guidelines to all the relevant EBCG and other European and national actors to ensure a coherent EIBM implementation. This to ensure that newly upcoming challenges are appropriately taken into account and priorities can be adapted to changing needs. Also this governance mechanism should become part of the multiannual strategic policy cycle.

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<sup>1</sup> Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624.

The outcome of this consultation process should lead to a **Commission Communication establishing the Multiannual Strategic Policy for European integrated border management** that, by the end of 2022, will establish a political steering for the European integrated border management covering a period of five years. The cycle will be further implemented through the technical and operational strategy to be adopted by the Frontex Management Board and through national strategies of Member States.

## **2. OUTLINE OF THE MULTIANNUAL STRATEGIC POLICY CYCLE FOR EUROPEAN INTEGRATED BORDER MANAGEMENT**

In accordance with the Treaty on the Functioning of the European Union (Article 77(1)(c)), the European Union is to develop a policy with a view to ensuring ‘*the gradual introduction of an integrated management system for external borders*’. The components, principles and main stakeholders for European integrated border management were established for the very first time in 2016 in the EBCG Regulation and further developed in its 2019 amendment<sup>2</sup>, which also sets out the EIBM policy cycle as the strategic governance framework for the effective implementation of EIBM. The EIBM policy cycle has as a **strategic objective** to determine how the European Border and Coast Guard should address the challenges in the area of border management and return in a coherent, integrated and systematic manner.

### *The structure of the multiannual strategic policy cycle*

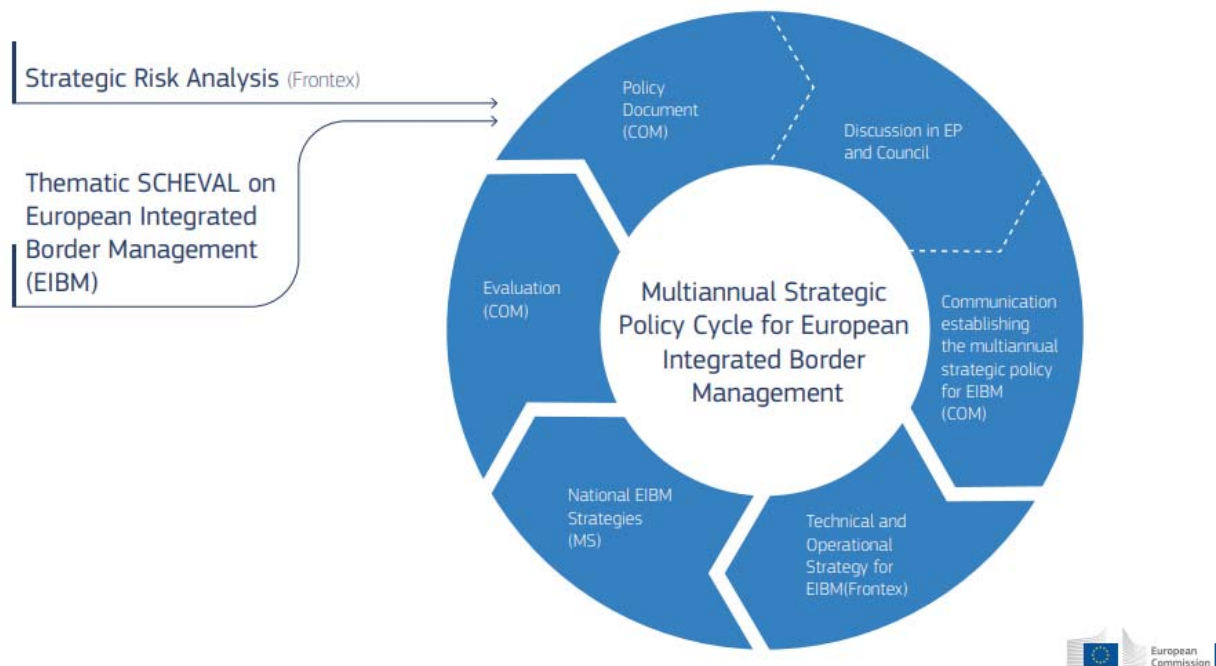
The structure for the five-year multiannual strategic policy cycle for EIBM is composed of four main stages:

1. political direction by the EU institutions;
2. technical and operational strategy for EIBM by the Frontex Management Board;
3. national EIBM strategies by Member States;
4. evaluation by the Commission with a view to relaunching the cycle.

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<sup>2</sup> Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624, OJ L 295, 14.11.2019.

Figure 1: The multiannual strategic policy cycle for EIBM



a) *Political direction*

The Commission has developed the present policy document based on the **strategic risk analysis for EIBM** submitted by Frontex to the Commission, the European Parliament and the Council in July 2020, which identify the EIBM challenges for the next 10 years. The Commission also took into account the recommendations stemming from the thematic Schengen evaluation, carried out in the period 2019-2020, of Member States' national strategies for integrated border management.

The **development of a European integrated border management strategy is a responsibility of the Union institutions**. Consequently, it is essential that there is effective cooperation between the Commission, the European Parliament and the Council in establishing a political framework to direct European integrated border management. This framework should be adopted in the form of a Communication setting out the multiannual strategic policy for EIBM.

b) *The Frontex technical and operational strategy on EIBM*

In accordance with Article 8(5) of the EBCG Regulation, Frontex is tasked with establishing a **technical and operational strategy for European integrated border management**, by decision of its Management Board and based on a proposal from the Frontex executive director. That strategy is to be prepared in close cooperation with Member States and the Commission. The strategy must be in line with Article 3 of the EBCG Regulation and the Agency must take into account, where justified, the specific situation of the Member States, in particular their geographical location. It should build on the Commission's Communication

on a multiannual strategic policy on EIBM, but also take into account the relevant requirements of existing Schengen legislation in force.

<b>Requirements for the technical and operational strategy on EIBM</b>
<ul style="list-style-type: none"> <li>• The Frontex Management Board and its dedicated working group on EIBM to guide and oversee the development of the strategy and the implementation process;</li> <li>• Structured around the 15 components of Article 3 of the EBCG Regulation;</li> <li>• In line with the political direction provided by EU institutions;</li> <li>• A unified strategy for the EBCG, addressing both Frontex and the national border management authorities of Member States;</li> <li>• Covering actions not only at EU level, but also at national level, including actions aimed at harmonising practices, the standardisation of technical means and operational interoperability;</li> <li>• Five-year coverage, ideally taking into account the programming cycle of the multiannual financial framework;</li> <li>• Accompanied by an action plan setting out key measures, timeframe, milestones, resources needed and monitoring arrangements.</li> </ul>

*c) National strategies for integrated border management*

Member States retain **primary responsibility for the management of their external borders** in their interest and in the interest of all Member States. Given this, effective implementation of European integrated border management requires that strategies established at EU level be translated to the national level. For that reason, Article 8(6) of the EBCG Regulation requires that Member States establish their **national strategies for integrated border management**.

<b>Requirements for national IBM strategies</b>
<ul style="list-style-type: none"> <li>• One IBM strategy for each Member State;</li> <li>• Establish a national centralised governance structure for EIBM, coordinating all the relevant authorities involved in border management and return, and taking into account the implication of other EU policies implemented at Member State external borders by the competent national authorities within their respective mandates, such as customs and sanitary control authorities;</li> <li>• Developed in line with the political strategy decided by EU institutions, the technical and operational strategy of the Agency and the Schengen requirements;</li> <li>• Based on the 15 components of Article 3 of the EBCG Regulation; however, also covering areas of national competence if considered appropriate;</li> <li>• Setting out national border management arrangements and participation in relevant EU mechanisms coordinated by Frontex and other relevant EU actors;</li> <li>• Establishing clearly the current and planned allocation of human and financial resources, and the main stages for the development of necessary infrastructure;</li> <li>• Establishing a review and monitoring mechanism;</li> <li>• Multiannual coverage, ideally complying with the programming cycle of the multiannual financial framework;</li> <li>• Accompanied by an action plan outlining key measures, timeframe, milestones, resources needed and monitoring arrangements.</li> </ul>

#### d) *Evaluation of the IBM cycle*

Four years after the adoption of the Communication setting out the multiannual strategic policy for European integrated border management, the Commission will carry out a thorough evaluation of the policy's implementation by all stakeholders at EU and national levels, with a view to preparing the next multiannual strategic policy cycle.

#### *The European Border and Coast Guard architecture*

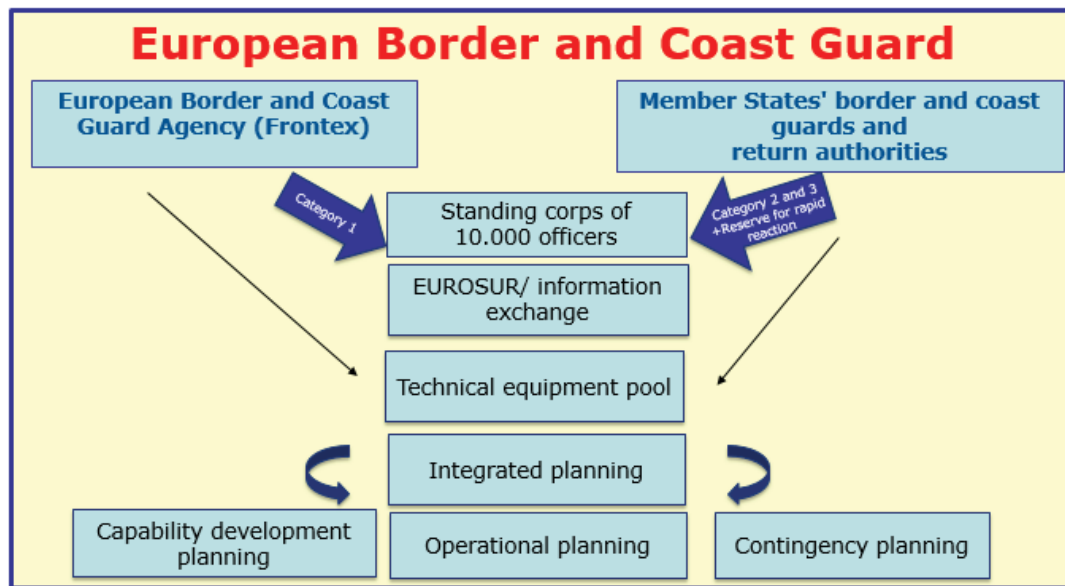
The EBCG Regulation creates a comprehensive architecture for the **European Border and Coast Guard**, bringing together Frontex and approximately 50 to 60 Member State authorities competent for border management (including coast guards when performing border surveillance tasks) and return. The Regulation also tasks the EBCG with ensuring the effective implementation of EIBM in the spirit of **shared responsibility**. Realising the full potential of the European Border and Coast Guard would lead to a real and necessary change on the ground. To that end, the EU and Member States should collectively make use of this new architecture and strengthen the EBCG governance structures, while enhancing its new operational capabilities through better and faster coordination at EU level.

The governance structure of the European Border and Coast Guard must guarantee that the activities of Frontex and national border and coast guard authorities are fully aligned with the EU's political objectives in border and migration management, and that they follow the policy line related to internal security.

Member States retain primary responsibility and competence for management of their borders. Thanks to its new mandate, Frontex is now playing a central role within the European Border and Coast Guard by reinforcing, assessing and coordinating the actions of Member States and by establishing European capabilities.

From its inception, the EBCG has provided a framework for information exchange and operational cooperation not only between Frontex and Member States but also between the various Member State authorities acting as national components. Since 2019, these tools have now been complemented by the possibility to support Member States more effectively through the Agency's own operational force, the EBCG standing corps. The standing corps is deployed under the command and control of the hosting Member State. On the technological side, the EBCG Regulation brought further reinforcements for the proper functioning of the EBCG, i.e. the full integration of the European Border Surveillance System (EUROSUR), to ensure situational awareness and effective information exchange and integrated planning, covering operational, contingency and capability development, all of which is centrally coordinated and supported by Frontex. The Agency is also initiating, coordinating and supporting many other processes (e.g. standardisation for technical equipment and exchange of information), with the objective to further reinforce the European Border and Coast Guard and facilitate the daily work of border guards in the EU.

Figure 2: The European Border and Coast Guard



The Commission also has an operational role as regards some aspects of EIBM implementation, in particular when it comes to EU funding, the Schengen evaluation mechanism and the coordination of inter-agency cooperation in the hotspots. The EBCG Regulation also stresses the importance of other **European stakeholders**, in particular EU decentralised agencies (eu-LISA, Europol, the EU Agency for Asylum (EUAA), and the European Union Agency for Fundamental Rights (FRA). The close cooperation of these stakeholders with Frontex and Member States' competent authorities is essential to ensure a successful implementation of EIBM. At **national level**, a wide array of authorities (customs, law enforcement, public health authorities) cooperate with national components of the European Border and Coast Guard to ensure an effective implementation of EIBM in their respective areas of competence.

### **3. STRATEGIC CHALLENGES FOR EUROPEAN INTEGRATED BORDER MANAGEMENT**

In line with Article 8 of the EBCG Regulation, the starting point for the strategic cycle is the identification of the **challenges in the area of border management and return that are to be addressed in a coherent, integrated and systematic manner**. In this context, Frontex, in close consultation with Member States, developed a very first **strategic risk analysis for European integrated border management**, which covers a period of 10 years<sup>3</sup>.

The key challenges identified in the 2020 Strategic Risk Analysis are:

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[https://frontex.europa.eu/assets/Publications/Risk\\_Analysis/Risk\\_Analysis/Strategic\\_Risk\\_Analysis\\_2020.pdf](https://frontex.europa.eu/assets/Publications/Risk_Analysis/Risk_Analysis/Strategic_Risk_Analysis_2020.pdf).

### **For the external borders:**

- a) an increase in pressure through cross-border crime<sup>4</sup>, terrorism and threats of a hybrid nature;
- b) the need to address the increase in passenger and cargo flows by improving data collection, risk management and interoperability;
- c) digitalisation of IBM, by rolling out the Entry/Exit System, the European Travel Information and Authorisation System, the renewed Schengen Information System, and the renewed Visa Information System;
- d) challenges regarding maritime, land and air transport, including:
  - i. sophisticated cyber and terrorist attacks against international/domestic passengers, vessels, dangerous cargo and critical maritime infrastructure;
  - ii. increased international migration, secondary (intra-EU) migratory movements and cross-border smuggling activities, and
  - iii. the impact of low-cost flight intensity on the ability of some EU airports to cope with related IBM issues;
- e) an intensification of illicit smuggling flows affecting the internal and external security of the EU;
- f) cybercriminals will continuously demonstrate their flexibility and resilience, but they will also rely on existing *modi operandi* targeting known vulnerabilities and new victims. They will try to benefit from the massive shift of previously offline activities to the online environment, as experienced with the COVID-19 pandemic;
- g) to facilitate legal crossing, including for the benefit of tourism and trade, border control authorities have to make best use of non-intrusive identification technologies (e.g. fingerprints, facial recognition), while fully respecting fundamental rights in particular on the protection of personal data in this respect. Access to such information will need to be through handheld equipment to enable necessary database consultations and security checks;
- h) on terrorism and hybrid threats, various challenges are related to the timely sharing of information to improve the checks and rapid response, and the EBCG can contribute through the border guards' access to the Schengen Information System (SIS), to the Entry/Exit System (EES), the European Travel Information and Authorisation System (ETIAS), and the interoperability between EU information systems including the European search portal;

### **For migration and return:**

- a) to avoid a situation where individual Member States or border sections are overwhelmed by considerable pressure, a well-coordinated response is needed with adequate measures in the pre-frontier area and, if needed, corresponding increases in the operational capacities at the affected border sections;

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<sup>4</sup> The Frontex Strategic Risk Analysis has also identified cybercrime as one of the future challenges for EIBM. However, the policy cycle on organised crime is considered more relevant to address this issue at the European level.



- b) security measures at the external border and within the Schengen area need to be balanced with the need to ensure unimpeded passenger flows;
- c) the importance of EBCG return activities is increasing, with Frontex potentially becoming the operational arm of the EU return system, facilitating a large majority of returns;
- d) EBCG return activities are to be strengthened through digitalisation, namely by using the Frontex Application for Return and national return management IT systems, based on the model for return case management systems developed by the Agency.

**Pandemics:**

- e) Identified in the 2020 Frontex analysis as a key challenge for EIBM, as their potential to transform from a latent threat to a manifest one can unfold quickly, as demonstrated by the COVID-19 pandemic;
- f) frontline border guards interact with travellers and handle luggage and cargo, which could lead to exposure to toxins, pathogens and more. To mitigate this, a safe environment for border guards has to be ensured, and the health risk in border management activities needs to be taken into account by the authorities.

These challenges identified in the 2020 Risk Analysis of Frontex have been confirmed and complemented by events that have taken place ever since. In particular, the situation at the EU-Belarus border in 2021 demonstrated how instrumentalisation of **migration** can create a hybrid threat to EU borders, which may be increasingly affected by hybrid operations aimed to advance the foreign and security policy agendas of certain third countries in the EU's neighbourhood and beyond. Threats of a hybrid nature entail the need to engage in cooperation and information exchange (inter-agency, with Member States and with EU institutions and bodies) in order to identify early on hybrid threats in several domains – and their strategic intent.

Equally, the **Russian invasion of Ukraine**, as a result of which over 5.9 million people had fled to the EU by now, has illustrated the challenges for EIBM. A significant escalation of the military aggression by Russian forces could prompt additional large-scale movements of people out of Ukraine. In this perspective, Frontex provides support to the Member States concerned and to affected third countries. It is also preparing for new deployments to ensure a sufficient capacity to carry out border checks in line with the Union law requirements on all people crossing the Ukraine-EU borders.

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

The multiannual strategic policy needs to be guided by the main principles and concepts of European integrated border management which stem directly from the EBCG Regulation and have as an objective to allow the European Border and Coast Guard to operate effectively and in full compliance with the legal framework.

##### *Shared responsibility, duty to cooperate in good faith and obligation to exchange information*

According to the EBCG Regulation, implementing EIBM is a shared responsibility of Member State authorities responsible for border management and return, and of Frontex, together forming the European Board and Coast Guard. This is the cornerstone of the EBCG architecture and an operational translation of the shared competence of the EU and Member States for the implementation of integrated management of the EU's external borders, as provided for in the Treaty. The shared responsibility is complemented by the underlying duty of all EBCG actors (Frontex and national authorities) to cooperate in good faith and by the overarching obligation to exchange information within the EBCG community.

##### *Constant readiness to respond to emerging threats*

EIBM implementation should give the necessary tools to respond to and manage all possible emerging threats at the external borders. There must be a **constant readiness** at EU and national levels to manage any mass influx of irregular migrants crossing the external borders illegally. To that end, comprehensive, tested and constantly updated **contingency plans**, including the use of EU and national capacities and instruments, e.g. rapid border interventions, migration management support teams, return intervention teams, and full use of the **hotspot approach** should be part of this integrated approach. Contingency plans should facilitate the effective practical execution of measures in any situation requiring urgent action at the external borders and, if need be, in conducting interventions to support returns.

Frontex needs to perform annual **rapid reaction exercises** that will enable regular testing of relevant procedures and mechanisms to ensure full readiness for the rapid reaction capacity to support Member States in an upcoming crisis.

##### *Greater coordination and integrated planning*

The successful functioning of a **European Border and Coast Guard** is based on a well-established coordination, communication and planning system between the European (Frontex) and national components (national authorities responsible for or involved in integrated border management). A key aim is to develop a flexible and integrated use of information, combined capabilities, and interoperable systems and tools at EU and national level. A key requirement to make this new European structure function is **clear national coordination, communication, and planning systems** to guarantee functional cooperation with the Agency and between national authorities involved in IBM. There should be **one leading national authority at national level in charge of coordinating integrated border**

**management and a single national contact point for all matters pertaining to the activities of the Agency.** A national IBM concept will contribute to ensuring efficient coordination between the leading national authority and all national authorities with responsibilities in border management. In order to ensure constant readiness at EU and national levels, EIBM requires **integrated planning** between Member States and the Agency. This is necessary for preparing responses to challenges at external borders, for contingency planning and for coordinating long-term development of capabilities, in terms of both recruitment and training, and acquisition and development of equipment. Therefore, capability development at national and Agency levels needs to be continuous in nature, taking into consideration short, medium and long-term planning, and be in line with contingency planning.

#### *Comprehensive situational awareness*

Comprehensive and near-to-real-time awareness of prevailing and foreseeable situations, covering almost all functions of IBM and all tiers of the four-tier access control model<sup>5</sup>, is a cornerstone for the correct and timely response to different situations. A comprehensive **European situational picture** should be maintained, by the Agency at EU level and by Member States at national level, to guarantee effective and fast reaction by the European Border and Coast Guard to emerging threats. This should also contribute to improving the timeliness and effectiveness of operational activities by other national authorities and EU agencies carrying out their respective tasks at borders and within the Schengen area. As the main base for the IBM situational picture, EUROSUR should be effectively implemented and further developed. This is particularly important because new EUROSUR features have been introduced by the EBCG Regulation that should result in improving the EBCG's situational awareness and reaction capabilities and improving operational cooperation among Member States and Frontex.

#### *EIBM technical standards*

To ensure the effectiveness of actions taken by Member States and Frontex at the external borders, technical standards for information exchange and for the required equipment should be developed jointly by Frontex, Member States and the Commission, as provided for in Articles 16 and 64 respectively of the EBCG Regulation. Once in place, the EBCG has an obligation to acquire and use the equipment and to provide required information in accordance with the technical standards.

Technical standards for information exchange are necessary so that information and data provided by Member States and Frontex can be easily compared and analysed. This is crucial to improve situational awareness, notably to complement the EUROSUR situational picture and increase the ability to react to the situations at the external borders.

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<sup>5</sup> Recital (11) of the EBCG Regulation stipulates that *European integrated border management, based on the four-tier access control model, comprises measures in third countries, such as under the common visa policy, measures with neighbouring third countries, border control measures at the external borders, risk analysis and measures within the Schengen area and return.*

Similar principles apply to the technical standards for the technical equipment pool composed of equipment owned by Member States or Frontex on the one hand, and to equipment co-owned by Member States and Frontex for its operational activities on the other hand. Therefore, it is necessary to ensure interoperability and compatibility of equipment in the technical equipment pool so that it can work in the same operational environment with other equipment in the performance of their tasks, in line with specific requirements and across different operational scenarios. Replacing one piece of equipment with another should happen quickly and smoothly, in order not to hamper the outcome of the operational activities.

These standards will equally contribute to facilitating a European technological and industrial base for IBM, which may reduce unwanted non-European dependencies.

#### *Common border guards culture and high level of professionalism*

European integrated border management is a concept that requires a high degree of specialisation and professionalism. Through its various activities, including training, the European Border and Coast Guard should foster mutual understanding and a common culture for border guards based on the European values enshrined in the Treaties.

Generally, people performing European border guard and return duties should be specially trained professionals in the field of border control, with high ethical values and adhering to the strictest integrity. They should belong to competent border control or law enforcement authorities that have a strong code of conduct. No exception is allowed in respect of duties that require any use of personal data, consultation of confidential registers or in case of acts requiring the use of executive powers, in accordance with the EU or national law. Competent authorities should be fully in charge of all border control actions in all circumstances. It is not possible to outsource responsibility for border control tasks - border control is by nature a law enforcement task. In line with national legislation, military capabilities and assets can be used when called upon to assist competent border guard authorities, provided that all the necessary preconditions mentioned above are met.

#### *Functional integrity*

As stipulated in the EBCG Regulation, national border management authorities in Member States are to retain primary responsibility for managing their sections of the external borders. The same principle should apply to implementing the EU return policy. European IBM is an instrument where some responsibilities exist at national level, while those of the Agency are limited compared to those of the national authorities. These areas subject to national policies concern, for example, measures within the Schengen area (e.g. police controls, migration management, and reintroduction of border controls at internal borders) and combating organised cross-border crime at external borders. Therefore, these topics and functions should be covered in more detail and in a unified manner by the national IBM strategies.

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

The EBCG Regulation lists **15 components** for establishing European integrated border management. Of these, **12 thematic components** encompass border control, search and rescue in situations that may arise during maritime border surveillance operations, risk analysis, inter-agency cooperation at national and EU level, cooperation between Member States and with the Agency, cooperation with third countries, returns and other measures within the Schengen area, a Schengen quality control mechanism and solidarity mechanisms, in particular EU funding instruments. In addition, **three overarching components** are identified: fundamental rights; research and innovation; and education and training. Among these, the **protection of fundamental rights** is of a particular importance, to ensure that effective border control and return policy are in line with EU and Member States' international obligations and values.

Article 8(2) of the EBCG Regulation specifies that the objective of the multiannual strategic policy for EIBM is to 'set out **the policy priorities and provide strategic guidelines for a period of five years in relation to the components [of the EIBM] set out in Article 3 [of the EBCG Regulation].**' In this context, the Commission is herewith proposing, for consideration by the European Parliament and the Council, the following guidance for developing the multiannual strategic policy in relation to the 15 components of the European integrated border management.

**Component 1:** "Border control, including measures to facilitate legitimate border crossings and, where appropriate: measures related to the prevention and detection of cross-border crime at the external borders, in particular migrant smuggling, trafficking in human beings, and terrorism; and mechanisms and procedures for the identification of vulnerable persons and unaccompanied minors, and for the identification of persons who are in need of international protection or wish to apply for such protection, the provision of information to such persons, and the referral of such persons<sup>6</sup>."

### Policy priorities

Border control driven by risk analysis (border checks at border crossing points and border surveillance in between border crossing points) **is at the core** of European IBM. 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**. To strengthen the internal security of the EU and its citizens, border control prevents unauthorised crossing of external borders by irregular migrants. It also facilitates **legitimate border crossings of people** and cross-border traffic. At the same time, border control contributes to the prevention and combating of various forms of cross-border crime. Border control should be carried out in a manner that respects the rights of all people, regardless whether they seek protection or not. Individuals who seek protection must be granted access to the procedures, while those who do not, must also be protected against non-

<sup>6</sup> Article 3(1)(a) of the EBCG Regulation.

refoulement. Border control also encompasses measures in the border area with regard to people who have crossed external borders outside the border crossing points (ie screening measures under national law or screening phase under EU rules once adopted).

#### Strategic guidelines

1. Member States should have the legal, structural, administrative and technical capacity to conduct **border checks** in line with the Schengen Borders Code<sup>7</sup> and to facilitate legitimate border crossings of people and vehicles. The number of border crossing points at the external borders should reflect the needs pertaining to relations with third countries to ensure that border control is not a barrier to trade, social and cultural interexchange or cross-border cooperation. However, it should also take into account available capacities (resources and infrastructure) and trends in challenges (such as instrumentalisation of migrants).
2. Member States should guarantee secure and free-flowing border crossings of passengers and vehicles at border crossing points.
3. 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.
4. **The border check procedure** should be improved and optimised by comprehensive implementation of the new and renewed EU large-scale IT systems (EES, ETIAS, VIS, Eurodac and SIS), and their interoperability. This will increase the amount and quality of information available for border check purposes. Furthermore, with a possible future digitalisation of travel documents, border crossing can be improved even further.
5. Reliable and comprehensive **situational awareness** of the border situation should be maintained at all levels to guarantee a high capability to take necessary measures at EU and national levels. A comprehensive near-to-real-time **European situational picture** should be maintained, shared and further developed at EU and national levels, in line with the legislative framework and the operational needs.
6. Continuous (24/7) situational awareness should be the base for an appropriate **reaction capability** to properly respond to all border incidents, to unpredictable changes at external borders and to large-scale illegal immigration situations; this capability should be ensured in all circumstances at EU and national level. National and EU capacity should be developed to quickly strengthen border control, where there is a need, at any border crossing point and section of the external borders. Reaction capability and **contingency plans** should be regularly tested and further developed, in particular if there is instrumentalisation of migrants.
7. An integrated **border surveillance system** driven by risk analysis should have a stable capacity (organisational, administrative and technical) and continuous readiness. This is to prevent and detect unauthorised border crossings, to apprehend individuals and intercept transportation means such as vessels that have crossed the border illegally, to counter

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<sup>7</sup> Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code).

cross-border crime, such as smuggling, trafficking in human beings and terrorism, and to respond to threats of a hybrid nature.

8. Surveillance activities at each external border section should correspond to the impact level allocated to it, using integrated surveillance systems, mobile equipment and mobile patrols (units) and the results of risk analysis. Impact levels should be identified in a harmonised manner throughout the EU.
9. The external border should be constantly monitored (24/7). Surveillance activities at borders and in pre-frontier areas should be conducted, making use of various tools, with the aim of establishing an early-warning mechanism, sharing actionable information and improving reaction capability.
10. **National integrated surveillance systems should be supported by common and interoperable European surveillance capabilities.** Border surveillance (including in pre-frontier areas) should be organised in line with the EBCG Regulation and the Schengen Borders Code. Where more than one service is involved in border surveillance at national level, the Member States concerned should identify the competent national authority in charge of the general oversight and the necessary commanding, cooperation and coordination mechanisms, and ensure that the responsibilities of the different bodies and agencies are regulated by legislation or cooperation agreements. National surveillance capabilities owned by different authorities should be operating in line with the EBCG Regulation and the updated EUROSUR Handbook.
11. At EU and national levels, data collected by different authorities if necessary for authorities of other Member States should be shared through the corresponding national coordination centre.
12. **The sea border surveillance** system must be able to detect, identify and, if necessary, trace and intercept all vessels coming into territorial waters and contribute to ensuring the protection and saving of lives at sea in all weather conditions. Member States should make best use of surveillance capabilities offered by the Agency to boost and upgrade national capacities and overall situational awareness.
13. **The land border surveillance** system must be able to reveal all unauthorised border crossings and intercept persons crossing the border illegally in high-risk areas under any circumstances. Land border surveillance systems could include drones and motion sensors, and mobile units. The use of such technical means, in particular any technologies capable of collecting personal data, needs to be based on, and exercised in accordance with, clearly defined provisions of EU and national law including on the protection of personal data.
14. Border surveillance should be complemented by **the screening** of those who have crossed the external border without having been subject to border checks. Screening has as an objective to identify persons, carry out security and health checks and refer screened persons to the appropriate procedures.
15. The capacity to **combat cross-border crime and terrorism** at external borders should be strengthened at EU and national level. Through this, the competent border control authorities, in cooperation with other relevant law enforcement authorities, can contribute to detecting and preventing cross-border crime at external borders, in particular to

detecting foreign terrorist fighters or perpetrators of cross-border crime, such as smugglers.

16. Border guards should be also prepared to identify and provide first assistance to victims of crime, in particular victims of human trafficking, and refer them to appropriate services.
17. Border guards should have sufficient capacity, mechanisms and procedures in place for the identification of vulnerable persons and unaccompanied minors, and for the identification of persons who are in need of international protection or wish to apply for such protection, so that these persons can be referred to the relevant procedures and authorities.

**Component 2:** *“Search and rescue operations for persons in distress at sea launched and carried out in accordance with Regulation (EU) No 656/2014 and with international law, taking place in situations which may arise during border surveillance operations at sea<sup>8</sup>.”*

### Policy priorities

The protection and saving of lives at external borders is a key priority in European IBM. The capacity and operational readiness to conduct search and rescue operations, and cooperation among all those involved, should be an important and integral part of sea border surveillance operations at external sea borders.

### Strategic guidelines

1. Cooperation among Member State search and rescue authorities, and with other authorities possibly involved in search and rescue operations, should be increased, also through the European Contact Group on Search and Rescue. This is with a view to reducing fatalities at sea, maintaining safety of navigation and ensuring effective migration management, in compliance with relevant legal obligations and in accordance with Commission Recommendation (EU) 2020/1365<sup>9</sup>.
2. The search and rescue responsibility of Member States should be fully taken into account in all phases of operational planning and implementation of sea border surveillance operations by the Agency and Member States. Standardised arrangements and standard operating procedures with Member State search and rescue authorities (Maritime Rescue Coordination Centre), the National Coordination Centre (NCC) and the International Coordination Centre should be established and regularly tested. All patrols and technical assets participating in maritime border surveillance, including joint operations or rapid border interventions at sea coordinated by Frontex, should be properly trained and properly equipped for possible search and rescue interventions, including the capacity to act as on-scene coordinators if necessary.
3. Capacity to support search and rescue interventions should be further enhanced by providing the necessary training for personnel participating in sea border surveillance operations at EU and national levels. The Agency should provide increased operational

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<sup>8</sup> Article 3(1)(b) of the EBCG Regulation.

<sup>9</sup> Commission Recommendation (EU) 2020/1365 on cooperation among Member States concerning operations carried out by vessels owned or operated by private entities for the purpose of search and rescue activities.



and technical support in line with EU competence, and deploy maritime assets to Member States, to improve their capabilities and thus contribute to saving lives at sea.

4. The capacity of EUROSUR to support search and rescue operations and the saving of lives at sea in situations that may arise during border surveillance operations at sea should be fully implemented and applied in accordance with the EBCG Regulation and with Commission Implementing Regulation (EU) 2021/581<sup>10</sup>.

**Component 3:** “*Analysis of the risks for internal security and analysis of the threats that may affect the functioning or security of the external borders*”<sup>11</sup>.”

### Policy priorities

European integrated border management should be driven by risk analysis. Reliable, comprehensive and integrated risk analyses should be available at EU and national levels to be used for political, strategic and operational planning and decision-making. Risk analysis should provide analytical findings and recommendations for concrete concepts and actions (legal, technical, operational) to mitigate in good time current and potential risks and vulnerabilities covering the whole scope of IBM at EU and national levels.

### Strategic guidelines

1. The European **common integrated risk analysis model**, as adopted by the Frontex Management Board<sup>12</sup>, must be regularly updated and applied at EU and national levels.
2. To support EU concerted actions to improve the management of external borders and maintain internal security, Member States should set up the required national capacity (organisational, administrative and technical) to conduct unified risk analyses and vulnerability assessments. The risk analysis products and procedures provided by Frontex should be integrated in the national process to compile risk analysis for integrated border management, covering all tiers of the four-tier access control model.
3. Specialised risk analysis structures, empowered to collect and compile relevant data from all national institutions involved in integrated border management, should be set up and operated by a sufficient number of specialised and trained staff.
4. Cooperation between relevant EU and national bodies, especially between Frontex, Europol, eu-LISA, the EU Agency for Asylum, customs authorities and the Commission (including OLAF where appropriate), should be further strengthened in the field of risk analysis. This is to guarantee a more comprehensive analysis related to risks for the integrity of the external borders, and for internal security, including the proper functioning of the Schengen area. Closer cooperation between Europol and Frontex should be put in place when preparing updates of the European Union Serious and Organised Crime Threat Assessment.
5. In a more strategic context, the biannual **strategic risk analysis** is an essential tool that

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<sup>10</sup> Commission Implementing Regulation (EU) 2021/581 of 9 April 2021 on the situational pictures of the European Border Surveillance System (EUROSUR).

<sup>11</sup> Article 3(1)(c) of the EBCG Regulation.

<sup>12</sup> Frontex Management Board Decision 50/2021 of 21 September 2021 adopting the Common Integrated Risk Analysis Model.

should allow the Agency to develop a long-term understanding of migratory flows towards and within the EU in terms of migratory trends, volume and routes. It will also help to identify challenges at the external borders and within the Schengen area, and on returns, and therefore support political decision-making and the development of long-term capabilities. The identified challenges should also focus on low-probability, but high-impact phenomena, such as pandemics and the resulting health threats. The latest available analysis should be reflected in the implementation of the multiannual strategic policy cycle for European integrated border management.

6. While risk assessments should always be conducted before and during joint operational activities coordinated by Frontex, the Agency should further develop its capacity for issuing ad hoc risk analysis products, covering emerging threats and supporting crisis management processes.
7. The Agency should further strengthen its forecasting capability by using the widest possible sources of necessary reliable and relevant information.
8. A formal mechanism for exchanging information and intelligence with third countries, in particular potential countries of origin and relevant countries of transit, should be established in accordance with the EBCG Regulation and in full respect of the requirements of the EU data protection legislation. It should be maintained and further developed by Member States and Frontex to improve risk analysis and more targeted operational actions.

**Component 4** *“Information exchange and cooperation between Member States in the areas covered by this Regulation, as well as information exchange and cooperation between Member States and the European Border and Coast Guard Agency, including the support coordinated by the European Border and Coast Guard Agency<sup>13</sup>.”*

#### Policy priorities

European and national capabilities should be established, used and developed in a coordinated and integrated way to guarantee the effective and unified implementation of all aspects of European IBM in all circumstances and on all tiers of the four-tier access control model. The European Border and Coast Guard, composed of the Agency and Member State border guard and return authorities, should have constant and tested readiness to respond to all possible incidents at the external border and to new phenomena that affect the functioning of border control and return. There should be a rapid reaction capacity and necessary capabilities to effectively conduct various types of joint operations at all parts of the external borders.

#### Strategic guidelines

1. Member States should establish an effective **national coordination mechanism** and working processes for all functions and activities of the European Border and Coast Guard. Member States should have a responsible **single national contact point** (24/7) for all matters pertaining to the activities of the Agency. The national contact point should represent all national authorities involved in border management and return.

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<sup>13</sup> Article 3(1)(d) of the EBCG Regulation.

2. Situational awareness, reaction capability and the role of the **national coordination centre** (NCC) should be further strengthened and integrated in line with the EBCG Regulation and Commission Implementing Regulation (EU) 2021/581. Each Member State must have a fully functioning NCC in place.
3. The information collected by surveillance tools, fused together and further distributed by the NCCs, should be used both to bolster real-time reaction capability (e.g. interceptions) and for risk analysis purposes.
4. Member States should allocate the necessary human and financial resources and have continuous operational readiness to fulfil their obligations to provide the mandatory and voluntary contributions to the **collective European capabilities** coordinated by Frontex, in particular the European Border and Coast Guard standing corps and the technical equipment pool.
5. Member States and the Agency should ensure a gradual growth of the standing corps to reach its full capacity of 10 000 officers by 2027.
6. To ensure the Agency's greater efficiency, the Frontex Management Board should adopt and regularly review the **operational concept for the standing corps**. This is to better direct the implementation of the Agency's operational and technical tasks, in particular for the launch of rapid border interventions in specific crises, including cases of instrumentalisation. This is to ensure that deployments of the standing corps and equipment occur in good time whenever any such crisis occurs.
7. Frontex should further improve the integration of **vulnerability assessment** results in the preparedness, contingency planning and needs assessment. This will ensure that Member States have the capacity not only to secure their external borders but also to contribute their share to the standing corps, including contributions for rapid interventions and the technical equipment pool. In this process, the Agency also builds on the synergies between the Schengen evaluation mechanism and vulnerability assessment.
8. Each national IBM strategy should put in place the **centralised mechanism** to ensure an efficient coordination between the national authority in charge of general oversight of integrated border management and all national authorities with responsibilities in border management and their counterparts in other Member States.
9. Bilateral and multilateral operational cooperation between Member States should be further developed where such cooperation is compatible with the tasks of the Agency. The support of the Agency and European common capabilities and instruments (e.g. EUROSUR) should be fully used.
10. Exchange of information is one of the key components of operational cooperation among Member States and between Member States and Frontex. It must be carried out in a secure manner via **the dedicated communication network**, in particular when this exchange covers classified information up to CONFIDENTIEL UE/EU CONFIDENTIAL level. Member States and Frontex must ensure personal data protection and information security at all times in accordance with EU data protection legislation and the security rules set by the Agency.
11. The Agency must ensure constant **monitoring and situational awareness** and share that information with NCCS using EUROSUR, in particular to provide real-time reporting on the border area and the corresponding pre-frontier area related to the crisis situation.

When handling EUROSUR data and information, Member States and Frontex must ensure that security controls, processes and plans are in place, ensuring an appropriate degree of protection.

18. Member States should have a tested **hosting capacity** to receive support through the deployment of the European Border and Coast Guard standing corps if needed.
19. The **multiannual strategy for the development and acquisition of the Agency's technical capabilities** and the associated implementation plan must serve as a flexible tool to provide long-term solutions for equipping the standing corps with technical assets, including a possibility of activating alternative options for the most critical needs (i.e. aerial surveillance).
20. Member States and the Agency should have effective planning, coordination and implementation capacity to organise operations, driven by risk analysis, at the external borders and/or in third countries, in accordance with the conditions laid down in the EBCG Regulation. The intelligence-based planning process should be coordinated and synchronised between the Agency and Member States, ensuring an effective use of resources.
21. The Agency should further develop the concept of joint operations, ensuring sufficient flexibility and the capacity to apply different models, depending on the specific operational scenario.
22. The concept of focal points should be further developed by focusing on ensuring an effective operational response, especially in hotspot areas at the external borders and border crossing points, including a capacity-building element.
23. The Agency's developed **technical standards** for equipment and for information exchange, including for interconnection of systems and networks, should be applied by all the EBCG community in a unified way. The EBCG should work together on a **standardisation process** to ensure interoperability and compatibility of the equipment used with the relevant information and communication systems, and EUROSUR.

**Component 5:** *“Inter-agency cooperation among the national authorities in each Member State which are responsible for border control or for other tasks carried out at the border, as well as between authorities responsible for return in each Member State, including the regular exchange of information through existing information exchange tools, including, where appropriate, cooperation with national bodies in charge of protecting fundamental rights<sup>14</sup>.”*

### Policy priorities

European integrated border management should be cooperation-driven. Inter-agency cooperation should be well-established at national level to guarantee a comprehensive, cross-sectoral, joined-up and cost-effective implementation of IBM, including among national bodies in charge of protecting fundamental rights. Division of work, cooperation structures, shared use of capabilities, communication channels and synchronised working procedures should be well-defined and consolidated.

### Strategic guidelines

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<sup>14</sup> Article 3(1)(e) of the EBCG Regulation.

1. Inter-agency cooperation at EU and national levels among the constituent elements of the European Border and Coast Guard and other national authorities carrying out other tasks at the border should be based on a clear legal basis, including national legislation. This legal basis should reflect the division of powers and specificities of the respective Member State public administration and institutional settings, and put into effect by cooperation agreements and concrete actions. Key areas of cooperation are effective exchange of information, joint risk analysis, joint operations and shared use of European and national capabilities in line with given powers.
2. The full potential of existing and future information exchange tools, especially EUROSUR, should be in operational use at EU and national levels. In this context, effective cooperation and coordination should be ensured within and among the national authorities participating in the activities of the EBCG and in Frontex itself. Such cooperation and coordination should be provided for in the framework of EUROSUR, in particular in each NCC.
3. Customs control is not part of the Schengen acquis and not all Schengen states are members of the Customs Union. Therefore, customs control is not directly part of the EIBM concept. However, customs and other authorities working at the external borders are involved in the EIBM implementation through the inter-agency cooperation component. Cooperation between **border guards and customs** as strategic partners should be further developed at all levels to deliver a better integration of the control of persons and goods, to guarantee fluid and secure border crossings. In concrete terms, this means that there should be a clearly established legal framework for cooperation between border guards and customs authorities involving a well-defined division of work, functional cooperation structures and an interoperable technical environment, ensuring close and practical cooperation at all levels. The *Recommendations for the cooperation between Customs Administration and Border Guards*<sup>15</sup>, prepared by the Commission, should be used as a basis when developing this cooperation further. Additionally, with regard to the above-mentioned cooperation, the Wise Persons Group on Challenges faced by Customs concluded that an option could be to involve customs in a more integrated manner<sup>16</sup>.
4. **Law enforcement and military cooperation** related to supporting border management and combating cross-border crime should be further developed at national level. This will guarantee better coordination, and effective and cost-efficient use of information, capabilities and systems. This is necessary when preventing cross-border crime, terrorism and illegal immigration and when contributing to saving migrants' lives. This cooperation should have a clear legal basis, agreements and standard operating procedures. The responsible law enforcement authorities should always be in charge of border control functions.

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<sup>15</sup> Ares (2018)6193959 – 3.12.2018.

<sup>16</sup> Minutes of the 4<sup>th</sup> meeting (16 and 17 December 2021) of the Wise Persons Group on Challenges faced by Customs, [https://ec.europa.eu/taxation\\_customs/system/files/2022-01/Minutes%20of%20fourth%20meeting.pdf](https://ec.europa.eu/taxation_customs/system/files/2022-01/Minutes%20of%20fourth%20meeting.pdf).

**Component 6:** “*Cooperation among the relevant Union institutions, bodies, offices and agencies in the areas covered by the EBCG Regulation, including through regular exchange of information*<sup>17</sup>.”

### Policy priorities

European integrated border management should be cooperation-driven. Inter-agency cooperation of the European Border and Coast Guard with other European stakeholders should be well-established to guarantee a comprehensive, cross-sectoral, joined-up and cost-effective implementation of EIBM.

### Strategic guidelines

1. Inter-agency cooperation at EU level should be operationalised by **cooperation agreements**, notably working arrangements concluded by Frontex with the relevant EU institutions, bodies, offices and agencies referred to in Article 68 of the EBCG Regulation. Key areas of cooperation are related to an effective exchange of information, joint risk analysis, joint operations and shared use of European capabilities in line with given powers. The concept of **multipurpose operations**, based on risk analysis, at EU level should be further developed, while fully respecting core tasks and responsibilities of EU-level actors involved in such operations.
2. The full potential of existing and future information exchange tools, especially EUROSUR, should be in operational use at EU level. The collection of information by the EUROSUR fusion services should be further developed by means of applying working arrangements concluded between Frontex and the respective EU institutions, bodies, offices and agencies, in order to provide Member States and Frontex with value-added information services related to EIBM.
3. **European cooperation on coast guard functions** should be further developed to increase maritime situational awareness and reaction capability, and to support coherent and cost-efficient action at EU and national levels. A practical handbook on European cooperation on coast guard functions should be widely applied to promote a harmonised implementation of this cooperation at EU and national levels<sup>18</sup>.
4. **Interoperability** between relevant EU-wide information systems (EES, ETIAS, SIS, VIS), should be further implemented and, if needed, further developed to guarantee a more effective use of various instruments.
5. **The hotspot concept** including standard operating procedures should be applied when relevant. All relevant agencies (Frontex, the EU Agency for Asylum, Europol and FRA) should have constant readiness to support hotspots in line with the adopted concept. **Member States** should have legal and operational readiness to host or to support European hotspots.
6. Coordination and cooperation between Europol and Frontex and competent national authorities, in the framework of the **EU policy cycle** on combating organised crime, should be enhanced in all phases of the process. The main focus of active participation by

<sup>17</sup> Article 3(1)(f) of the EBCG Regulation.

<sup>18</sup> Commission Recommendation establishing a ‘Practical Handbook’ on European cooperation on coast guard functions, C(2021) 5310 final.

Frontex and national border guard authorities should be in those strategic priority areas that are directly linked to external borders and connected to border control tasks.

7. Frontex should also engage in cooperation with the Commission (including OLAF), in particular to advise on the development of border management actions in third countries and, where relevant, with Member States and the European External Action Service in activities relating to **the customs area**, including risk management and combating fraud, where those activities complement each other.

**Component 7:** “*Cooperation with third countries in the areas covered by the EBCG Regulation, focusing in particular on neighbouring third countries and on those third countries which have been identified through risk analysis as being countries of origin or transit for illegal immigration*<sup>19</sup>.”

### Policy priorities

Member States and the Agency are to cooperate with third countries for the purpose of European integrated border management and migration policy. The practical cooperation in the field of EIBM with third countries at EU and national levels should be in line with the common foreign and security policy and in full compliance with EU law, including fundamental rights and the principle of non-refoulement, to prevent illegal immigration, enhance effective returns, prevent cross-border crime, and facilitate legitimate travel.

Cooperation with third countries in advancing EIBM serves in particular the purpose of building third countries’ operational and cooperation capacities in the areas of border control, risk analysis, and return and readmission. In this perspective, the promotion of European values and standards in third countries is key. Priority should be given to EU candidate countries, EU neighbourhood countries, and countries of origin and transit for irregular immigration.

### Strategic guidelines

1. Cooperation with third countries in the field of EIBM should be based on **agreements** in line with Union legislation, including on the protection of personal data. These agreements (including status agreements and working arrangements) should identify responsible organisations, cooperation structures and the scope of cooperation, and establish rules on the allocation of responsibilities.
2. Operational cooperation between Member States and third countries is encouraged wherever such cooperation is compatible with the tasks of Frontex. Member States are to refrain from any activity that could jeopardise the functioning of the Agency or the attainment of its objectives.
3. Information exchange, in particular on EUROSUR, between Member States and third countries should be provided in the framework of bilateral or multilateral agreements. For this purpose, Member States should follow the Commission Recommendation on the model provisions for the exchange of information in the framework of EUROSUR in accordance with Article 76(2) of the EBCG Regulation<sup>20</sup>.

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<sup>19</sup> Article 3(1)(g) of the EBCG Regulation.

<sup>20</sup> C(2022) 300 final.

4. Frontex should draw up an EU-level overview on existing operational cooperation with third countries in the field of border management and return. This should be based on information obtained from Member States, the Commission and other European bodies.
5. When establishing specific situational pictures with third parties to EUROSUR, Member States and Frontex should comply with and promote the technical and operational standards for information exchange developed by Frontex.
6. Operational activities in third countries coordinated by Frontex should be planned and implemented in accordance with **status agreements** between the EU and the relevant third country and/or in line with **working arrangements** concluded by Frontex and competent third-country authorities (where available). Both status agreements and working arrangements should be based on the respective models adopted by the Commission<sup>21</sup>.
7. Cooperation with third countries must comply with EU law, including norms and standards that form part of EU legislation in force, even when cooperation with third countries takes place on the territory of those countries. Exchanges of personal data with third countries must comply with the requirements of EU data protection legislation.
8. **Multilateral and regional cooperation** with third countries should be strengthened. The national coordination centres of Member States should be used as contact points for the exchange of information with neighbouring countries and other relevant countries.
9. Where **networks of liaison officers (LOs)** have an identifiable potential for contributing to different IBM-related functions at EU and national levels, they should be coordinated effectively and receive good support in order to maximise operational capabilities and effectiveness. Cooperation and reporting channels and forms should be clear at all levels. There should be a constant and flexible capacity to deploy liaison officers with relevant skills or expert teams to different places if there are operational needs. Frontex should have a complete situational picture of different types of European liaison officers (Frontex LOs, European Migration LOs, European Return LOs, LOs of other agencies) and national Immigration LOs based on information provided by Member States and other relevant European bodies. Collected information should enrich risk analysis and situational awareness at EU and national level including the pre-frontier intelligence picture. Frontex Liaison Officers should also exchange all relevant information with the EU Delegation in their country of deployment, in the framework of the overall coordination of EU policy in that country.
10. **IBM-related capacity-building** working visits to third countries, including direct funding, technical advice, training or support with technical equipment, should be well coordinated and monitored by the EU. Frontex should continue implementing **EU-funded capacity-building projects and programmes related to IBM** in EU candidate countries and other priority third countries, in particular for the purpose of building third countries' capacities in the areas of border control, risk analysis, and return and readmission. Frontex should also closely cooperate with other Commission implementing partners in advising throughout the implementation of border management actions in the neighbourhood and other priority third countries. Projects led by Member States should be implemented in

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<sup>21</sup> COM(2021) 829 final and COM(2021) 830 final.



close cooperation with Frontex; the Agency's expertise should be used to its full potential in all phases of the projects. The Agency should also develop a comprehensive overview of ongoing and planned IBM-related capacity-building projects and working visits in third countries.

11. Cooperation between civilian **Common Security and Defence Policy missions** having a border management component and Frontex should be further developed to ensure situational awareness and to support risk analysis and the promotion of EIBM standards.

**Component 8:** *“Technical and operational measures within the Schengen area which are related to border control and designed to address irregular migration and to counter cross-border crime better<sup>22</sup>.”*

### Policy priorities

Operational continuity and interoperability between external border control and technical and operational measures within the Schengen area should be well established to guarantee effective countering of unauthorised secondary movements, irregular migration and cross-border crime related to external borders.

National capacity (readiness) is put in place to intensify irregular migration-related police checks inside the territory, including in inland border areas, supported by other alternative measures that Member States have at their disposal, therefore limiting the need for reintroducing internal border controls.

### Strategic guidelines

1. At both EU and national level, there should be a **comprehensive situational picture** and risk analysis on irregular **arrivals and secondary movements** of third-country nationals within the EU, as a basis for targeted and proportional measures to be taken. A European situational picture should be prepared by Frontex with the full support of Member States and in cooperation with other relevant EU agencies. EUROSUR should be used as a main platform for this function, together with other effective and unified data collection systems. Member States should ensure that the events related to unauthorised secondary movements are reported by national authorities to the NCC.
2. Enhanced cooperation and coordination should be further developed, including joint risk analysis, operational practices and fluent exchange of information between border guards and other authorities working at the external border. These include the NCCs, authorities working within the Schengen area and **police and customs cooperation centres (PCCCs)** and other relevant centres. Different EU-wide information systems should be in effective use for all responsible authorities.
3. Operational cooperation between joint operations coordinated by Frontex and relevant PCCCs should be further developed and consolidated.
4. There should be a sufficient capacity at national level to intensify police checks related to illegal immigration across the entire territory and to carry out police checks and migration control on main transport roads, including border areas based on risk analysis.

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<sup>22</sup> Article 3(1)(h) of the EBCG Regulation.

**Component 9: “Return of third-country nationals who are the subject of return decisions issued by a Member State<sup>23</sup>.”**

Policy priorities

Third-country nationals who are the subject of a return decision issued by a Member State should be effectively returned, in full respect of fundamental rights. There should be a capacity (administrative, technical and operational) to implement return processes, including voluntary returns, at EU and national levels effectively and in a unified manner, as an integral part of the chain of migration management and the functioning of European IBM.

Effectively implemented returns of third-country nationals who are the subject of a return decision should ensure that all those who do not have the right to remain in the EU actually do leave the EU. EIBM should also ensure that the return procedure is carried out in a humane, dignified and sustainable manner, in full compliance with the fundamental rights of returnees and in line with international and EU law, by properly trained experts.

Strategic guidelines

1. The capacity and role of Frontex to support Member States in all phases of the return process should be further strengthened, by making full use of all available Union and national instruments.
2. The capacity of Member States to carry out unilaterally or jointly the return of illegally staying third-country nationals should be increased by developing an integrated and coordinated national return system, which is based on the return case management system model developed by the Agency and compatible with the European return policy. Member States should fully ensure their capacity to contribute to European return operations coordinated or organised by Frontex.
3. The Integrated Return Management Application (IRMA) should be further developed to improve situational awareness on return, collection of data on return operations and readmission. This will facilitate the planning, exchange of relevant operational information, organisation and implementation of return, readmission and reintegration activities by Member States. It will also allow Frontex to assume a fully proactive role in planning and organising return operations, including pre-return assistance and reintegration.
4. A comprehensive situational picture, including Member State capacities and needs on return, should be prepared by Frontex, based on information gathered from Member States, different types of Immigration LOs (European and national) and third countries.
5. The European Border and Coasts Guard, in particular Frontex, should implement *the 2021 EU strategy on voluntary return and reintegration*<sup>24</sup>.

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<sup>23</sup> Article 3(1)(i) of the EBCG Regulation.

<sup>24</sup> COM(2021) 120 final, 27.4.2021.

**Component 10:** “Use of *state-of-the-art technology including large-scale information systems*”<sup>25</sup>.

Policy priorities

European IBM, especially border checks and border surveillance, should be supported by **advanced, mobile and interoperable European technical systems and solutions**, applicable to large-scale EU IT systems. This is to guarantee more efficient and reliable border control. The European Border and Coast Guard should have the capacity to make **best use of state-of-the-art technologies**, including mechanisms to secure the data.

Strategic guidelines

1. **The quality of information** used for border checks in existing systems should be increased by taking practical measures to ensure data accuracy, by taking the opportunity of their periodic evaluation, including by implementing state-of-the-art technology.
2. The **interoperability of existing and new large-scale IT systems (EES, VIS, ETIAS, renewed SIS)** should be ensured, especially the full and comprehensive implementation of the recently renewed systems.
3. Developing, maintaining and operating the central components of large-scale information systems is **the main objective of eu-LISA**, the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice.
4. The potential of the **new smart technical solutions** (e.g. automated border check/ABC-gates) and the interoperability of different border and security-related information systems should be maximised to improve the security of citizens, facilitate border checks and crossings of external borders, and combat cross-border crime and terrorism.
5. The full potential of **modern technology** should be used to heighten European surveillance and reaction capabilities at the external borders. The use of European surveillance capacities (e.g. satellite services) should be further developed to create a comprehensive situational picture.
6. The **surveillance capacity** of integrated, interoperable and adaptable technical surveillance systems (stationary and mobile) used at sea and land borders should be further developed. This should include technical solutions and working processes used in different operational centres (NCC, Rescue Coordination Centres and Local Coordination Centres) and mobile units.
7. In its contribution to a **European critical technology autonomy**<sup>26</sup>, the European Border and Coast Guard is to ensure that its capability development planning takes into account the objective of reducing dependencies in critical technologies from third countries.
8. The use of state-of-the-art technology must comply with the requirements of the EU data protection framework.

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<sup>25</sup> Article 3(1)(j) of the EBCG Regulation.

<sup>26</sup> Statement of the Members of the [European Council of 25-26 February 2021](#).

**Component 11:** “A *quality control mechanism, in particular the Schengen evaluation mechanism, the vulnerability assessment and possible national mechanisms, to ensure the implementation of Union legislation in the area of border management*”<sup>27</sup>.

#### Policy priorities

A comprehensive **European quality control system** should be in place to guarantee constant awareness of the implementation and quality of European integrated border management at the strategic and operational levels. Results of the quality control should be used as a basis when further developing European and national IBM systems and functions.

#### Strategic guidelines

- A European quality control mechanism, consisting of the **Schengen evaluation mechanism** and the **vulnerability assessments carried out by Frontex**, should be fully operationalised.
- Based on the regular exchange of information, **synergies between the vulnerability assessment and the Schengen evaluation mechanism** should be maximised with a view to establishing an improved picture of the functioning of the Schengen area. This should avoid, to the extent possible, a duplication of efforts on the part of Member States, and ensure better-coordinated use of the relevant EU financial instruments supporting the management of external borders.
- Results of the quality control mechanism should be used when developing the national border management system and when prioritising the use of relevant EU funding instruments (e.g. national programmes and thematic facilities under the Border Management and Visa Instrument (BMVI) of the Integrated Border Management Fund), especially when assessing other funding proposals by the Commission.
- **Member States** should establish a **national quality control mechanism** (national ‘Schengen evaluation’), covering all parts and functions of the national IBM system and including all authorities involved in integrated border management.
- Member States should actively participate in the Schengen evaluation visits coordinated by the Commission and provide timely and quality contributions to the Frontex-led vulnerability assessments.

**Component 12:** “*Solidarity mechanisms, in particular Union funding instruments*”<sup>28</sup>.

#### Policy priorities

The effective implementation of the European IBM strategy should be supported by **specific EU funds**, especially the BMVI and the Asylum, Migration and Integration Fund (AMIF). **EU funds** should support European integrated border management actions at EU and national levels, falling **under EU jurisdiction and defined by EU law**, with a view to delivering maximum EU added value. **Components of European integrated border management regulated by national law** should, in principle, be covered by **national resources**.

<sup>27</sup> Article 3(1)(k) of the EBCG Regulation.

<sup>28</sup> Article 3(1)(l) of the EBCG Regulation.

**Frontex activities** are supported by the Agency's dedicated budget from the EU overall budget. The Agency can also benefit from EU funding for technical assistance projects in third countries, in accordance with the provisions of relevant instruments supporting the implementation of EU external migration policy.

#### Strategic guidelines

- The use of EU funding instruments (e.g. national programmes under the BMVI) should be aligned with national IBM strategies, action plans and capability planning. There should be clear and well-detailed national priorities (e.g. EUROSUR, capability development), based on EU priorities.
- Results of the Schengen evaluation mechanism and the vulnerability assessment should be taken into account to prioritise the use of EU funds at national level.
- Close cooperation between the Commission and Frontex should ensure synergies between Frontex activities and actions funded by other EU funding instruments and avoid double financing.
- Dedicated EU funding under Internal Security Fund (Borders) and BMVI specific actions should support Member States in acquiring required equipment in view of putting it at the disposal of Frontex in accordance with Article 64(14) of the EBCG Regulation. This will consolidate the Agency's capacity to support those Member States in need of assistance.

**Component 13: “Fundamental rights<sup>29</sup>”.**

#### Policy priorities

**Full respect of fundamental rights** is at the heart of European IBM. The **European Border and Coast Guard must guarantee the protection of fundamental rights** in the performance of its tasks, in accordance with its mandate, when implementing European IBM. The actions of EU and national actors within the European Border and Coast Guard should be carried out in full compliance with relevant EU law, including the Charter of Fundamental Rights of the European Union and relevant international law. The latter includes the Geneva Convention Relating to the Status of Refugees of 28 July 1951 and its Protocol of 1967, and the Convention on the Rights of the Child. Obligations related to access to international protection, in particular the principle of non-refoulement, must also be fully respected. In its proposal for a regulation on screening of third-country nationals<sup>30</sup>, the Commission proposed that each Member State should establish an independent monitoring mechanism to ensure that fundamental rights are observed in relation to the screening at external borders and that any allegations of a breach of fundamental rights are properly investigated. This monitoring mechanism would be part of the governance and monitoring of the migratory situation provided for in the proposed for a new regulation on asylum and migration management<sup>31</sup>.

#### Strategic guidelines

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<sup>29</sup> Article 3(2) of the EBCG Regulation.

<sup>30</sup> COM(2020) 612, 23.9.2020.

<sup>31</sup> COM(2020) 610, 23.9.2020.

- The Fundamental Rights Strategy and the accompanying Action Plan adopted by the Frontex Management Board should be strictly observed in all activities of the European Border and Coast Guard at EU and national levels.
- Member States should act in full compliance with fundamental rights during the whole operational cycle of all border management and return activities when implementing their national IBM strategies.
- Member States should develop and sustain operationally a national fundamental rights monitoring mechanism in relation to border management and returns.
- Fundamental rights should be an essential part of the training syllabus at the European and national levels for all persons participating in border control or return activities. These training measures should have a specific focus on the protection of vulnerable persons, including minors.
- During the evaluations carried out under the revised Schengen Monitoring and Evaluation Mechanism particular attention should be paid to verifying the respect for fundamental rights in the application of the Schengen acquis.

**Component 14: “Education and training<sup>32</sup>”.**

Policy priorities

**Availability of a sufficient number of competent and specifically trained staff** in all fields of the European integrated border management should be ensured at the European and national levels, through close cooperation among training academies in Member States and Frontex.

Education and training should be based on **harmonised and quality common training standards** for the standing corps, taking into account operational needs, tasks and legal competence and with an emphasis on a clear understanding of **the values enshrined in the Treaties**. It should promote the highest standards and best practices in the implementation of Union border and return law, with a special emphasis on the protection of vulnerable persons, including children, and on the respect of fundamental rights, and should forge a common culture based on the respect of fundamental rights.

Strategic guidelines

- **Common core curricula** and necessary training tools for border management and return, including on the protection of children and other persons in vulnerable situations, should be further developed and be based on a common overall reference framework of qualifications developed for the sector (sectoral qualifications framework for border and coast guarding). These products should take into account the European Border and Coast Guard capability roadmap, approved annually by the Management Board. It should also offer additional training courses and seminars related to integrated border management tasks, both for the standing corps and for officers of the competent national authorities.

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<sup>32</sup> Article 3(2) of the EBCG Regulation.

- A **specific training tool for the European Border and Coast Guard** should continue to be developed and enriched by Frontex, in close cooperation with Member States, the Commission, relevant EU agencies and other stakeholders, taking into account relevant research outcomes and best practices.
- **Specialised training measures** relevant to the tasks and powers of the members of the standing corps, for forced-return monitors and fundamental rights monitors should be further developed to address operational needs. Exercises should be regularly conducted with those border guards and other members of the teams, in accordance with the specialised training schedule.
- An equal level of border guard and return-related training should be provided at EU and national levels to all members of the standing corps to be deployed for operational activities, regardless of their category. This is to ensure that all European border and coast guards are professionals, and properly trained according to their specialisation.
- An **internal quality control mechanism**, in line with European standards and guidelines for education and training, should be implemented by Frontex to ensure high-level training, expertise and professionalism of statutory staff who participate in the Agency's operational activities. The state of implementation of this mechanism should be reported in the annual evaluation report and annexed to the annual activity report.
- Acquiring knowledge or specific expertise from experience and good practices abroad during missions and return-related operations in another Member State should be encouraged. In particular, this should be provided through an exchange programme to border guards participating in return interventions by Frontex.
- **The establishment of a training centre within Frontex** should be further considered, taking duly into account and building on greater cooperation and synergies with the national training institutes of the Member States. The aim is to coordinate and streamline the development, delivery and certification of border and coast guard education and training, based on European standards for quality assurance, and to further facilitate the inclusion of a common European culture in the training provided.

**Component 15: “Research and innovation”<sup>33</sup>.”**

Policy priorities

Integrated border management should be supported by state-of-the-art technology and forward-looking research on relevant sciences supporting the profession of border guarding. For this purpose, a timely and well-coordinated investment in research and innovation should be ensured at EU and national level.

Strategic guidelines

- Border control operations should use **research and innovation** to become more interoperable and cost-effective. Innovative solutions should be promoted through cross-border cooperation for economies of scale. Cooperation between Frontex and Member State border authorities' research and innovation units should be further developed in

<sup>33</sup> Article 3(2) of the EBCG Regulation.

priority areas. Border control authorities should also be familiar with the **latest technology developments** anticipating trends, challenges and threats, given that also smuggling networks and terrorists use state-of-the-art technology.

- Frontex should actively participate in the **monitoring of research and innovation** activities conducted by Member States, the EU and by industry in the areas covered by IBM, as well as by other relevant actors, including third countries and other organisations.
- Frontex should assist Member States and the Commission in drawing up and implementing the relevant Union framework programmes for research and innovation activities related to IBM.
- The use of research and innovation must comply with the requirements of the EU data protection legislation.

## **6. GOVERNANCE OF THE MULTIANNUAL STRATEGIC POLICY CYCLE**

The main goal of the EIBM policy cycle is to ensure that, in the next five years, EU political priorities are properly translated into operational objectives and activities for the European Border and Coast Guard.

While long-term planning is necessary, the very dynamic political and sensitive operational environment for EIBM requires a permanent monitoring of developments and a flexible adaptation to changing needs. The multiannual strategic policy on EIBM should therefore also establish an appropriate mechanism to ensure an effective governance framework that would accompany the cycle's successful implementation.

This mechanism should be integrated into the Schengen cycle, launched by the annual State of Schengen Report. The State of Schengen report is adopted together with the present policy document. The Schengen cycle will enable monitoring the implementation of the EIBM cycle in various formations:

- The annual meeting of the **Schengen Forum** will allow the European Parliament, the Council and the Commission to review EIBM implementation and to provide complementary political direction for the European Border and Coast Guard.
- The **Schengen Councils**, organised on a quarterly basis, should review and deliver conclusions on the Schengen governance, and provide the political impetus on the key strategic issues in relation to the implementation of EIBM. They provide for the opportunity to discuss at the political level matters related to the European Border and Coast Guard, including Frontex, and, where appropriate, to issue strategic recommendations and monitor their implementation.
- Additional strategic steering will be also provided by a high level meeting of the Management Board of the Agency.

The yearly meetings of **interparliamentary cooperation** set out in Article 112 of the EBCG Regulation could provide an opportunity to ensure that the scrutiny functions of the European



Parliament over the Agency and of the national parliaments over their respective national authorities in the implementation of European Integrated Border Management are effectively exercised. The meetings could be coordinated with the preparation of the annual meeting of the **Schengen Forum**.

## 7. CONCLUSIONS

The Commission has prepared the present policy document with a view to achieving a common understanding between the European Parliament, the Council and the Commission on how the EBCG should implement EIBM in the next five years.

Therefore, the Commission invites the European Parliament and the Council to discuss this policy document, which sets out a **multiannual strategic policy** for EIBM, and to communicate to the Commission their respective views.

At the same time, given the importance of establishing appropriate **mechanisms to ensure an effective governance** framework accompanying the implementation of the cycle, the Commission seeks the views of both institutions on its ideas for a targeted direction to be provided on a more regular basis, to complement the five-year **policy priorities** and **strategic guidelines**.

Based on the political input from both institutions on the above-mentioned aspects, the Commission will adopt a communication setting out the multiannual strategic policy for EIBM and its governance.

<i>The timeframe of the EIBM cycle</i>	
<i>Actions to implement the multiannual strategic policy cycle</i>	<i>Indicative timetable</i>
The <b>Commission</b> tables a policy document setting out the multiannual strategic policy for European integrated border management	Q2 2022
The <b>European Parliament</b> and the <b>Council</b> discuss the policy document setting out the multiannual strategic policy for European integrated border management	Q3 2022
The <b>Commission</b> adopts a Communication establishing the multiannual strategic policy for European integrated border management	Q4 2022
The <b>European Border and Coast Guard Agency</b> adopts the technical and operational strategy for European integrated border management	Q2 2023 (6 months after the Commission's Communication)
<b>Member States</b> align their national IBM strategies	Q4 2023 (12 months after the Commission's Communication)
The <b>Commission</b> evaluates the multiannual strategic policy for European integrated border management	Q4 2026 (48 months after the Commission's Communication)
The <b>Commission</b> tables a second policy document developing the next multiannual strategic policy for European integrated border management	End 2027