



Council of the  
European Union

171714/EU XXVII. GP  
Eingelangt am 05/02/24

Brussels, 5 February 2024  
(OR. en)

5490/24

JAI 71  
FRONT 32  
MIGR 13  
IXIM 35  
SCH-EVAL 23  
FREMP 57  
COMIX 54

## COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	2 February 2024
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2024) 75 final
Subject:	REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL on the evaluation of Regulation (EU) 2019/1896 on the European Border and Coast Guard, including a review of the Standing Corps

Delegations will find attached document COM(2024) 75 final.

Encl.: COM(2024) 75 final



EUROPEAN  
COMMISSION

Brussels, 2.2.2024  
COM(2024) 75 final

**REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND  
THE COUNCIL**

**on the evaluation of Regulation (EU) 2019/1896 on the European Border and Coast  
Guard, including a review of the Standing Corps**

{SWD(2024) 75 final}

## 1. Introduction

An area without internal border controls requires a comprehensive set of European Union (EU) rules that ensure a common and highly efficient management of our common external borders, as emphasised in the Commission's 2021 Schengen strategy<sup>1</sup>. The mission of the European Border and Coast Guard Agency (Frontex) is to support Member States in managing the external borders effectively and efficiently and addressing threats and migratory challenges at those borders, in full compliance with fundamental rights<sup>2</sup>.

The European Council of 26 and 27 October 2023 called on the EU institutions and Member States to engage in concerted efforts to mobilise all relevant policy areas at national and EU level to enhance internal security, including, inter alia, by the protection of the external borders, the fight against smugglers and close cooperation with third countries<sup>3</sup>. The European Border and Coast Guard, including Frontex, must play a decisive part in this effort.

In the last few years, the EU has taken a number of landmark decisions to strengthen its external borders, with the objective of turning the EU's external border management into one of the highest-performing systems in the world. The mandates of the key agencies, such as Frontex and the EU Agency for the Operational Management of Large-Scale IT Systems (eu-LISA), have been reinforced, a new Schengen evaluation mechanism was launched in October 2022<sup>4</sup>, a new IT infrastructure at the external borders is being implemented, and the visa process will be digitalised by 2030. In this context, the European Border and Coast Guard Standing Corps, established by Regulation (EU) 2019/1896<sup>5</sup> on the European Border and Coast Guard (the EBCG Regulation) and being set up progressively until the end of 2027, is a true example of European integration in the area of external border management. For the first time ever, the EU has its own uniformed service. The Standing Corps, made up of 10 000 Frontex and national officers, will be available at all times to support Member States facing challenges at the common external borders and to make returns more effective.

---

<sup>1</sup> COM(2021)277 final: Communication from the Commission to the European Parliament and the Council "a strategy towards a fully functioning and resilient Schengen area".

<sup>2</sup> Article 1 of 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 Regulation (EU) No 1052/2013 and (EU) 2016/1624 (OJ L 295, 14.11.2019).

<sup>3</sup> EUCO 14/23, [20241027-european-council-conclusions.pdf \(europa.eu\)](#).

<sup>4</sup> Council Regulation (EU) 2022/922 of 9 June 2022 on the establishment and operation of an evaluation and monitoring mechanism to verify the application of the Schengen acquis, and repealing Regulation (EU) No 1053/2012 (OJ L 160, 15.6.2022).

<sup>5</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 Regulation (EU) No 1052/2013 and (EU) 2016/1624 (OJ L 295, 14.11.2019).

Frontex and the Member States' authorities responsible for border management and return and reintegration cooperate in the framework of the European Border and Coast Guard. To make this cooperation as effective as possible, the EBCG Regulation tasks the Agency and the Member States with the effective implementation of European integrated border management as a shared responsibility. As part of this effort, the Commission, on 14 March 2023, published a communication establishing the multiannual strategic policy for European integrated border management<sup>6</sup>. This was complemented by Frontex in its technical and operational strategy<sup>7</sup> adopted on 20 September 2023.

Article 121 of the EBCG Regulation requires the Commission to carry out an evaluation of that Regulation by 5 December 2023 and every four years thereafter. The evaluation should assess, in particular, the impact, effectiveness and efficiency of Frontex<sup>8</sup>. The Commission is required to report to the European Parliament, the Council, and the Management Board of Frontex on the evaluation's findings.

The Commission is also required to carry out, by 31 December 2023, a review of the Standing Corps<sup>9</sup>, including its composition and its expertise and professionalism.

The Commission carried out the evaluation and the review between May 2022 and October 2023. They were based on a broad consultation exercise involving Member States' authorities, the European Parliament, the Council, Frontex itself, and relevant EU agencies, including the Fundamental Rights Agency<sup>10</sup>. This work has also been supported by an external study<sup>11</sup>.

This report sets out the conclusions that the Commission has drawn from the evaluation of the Regulation and the review of the Standing Corps, both detailed in the Commission staff working document that accompanies the report. However, even when taking into account that the implementation of the Regulation is not meant to be

---

<sup>6</sup> COM(2023)146 final – Communication from the Commission to the European Parliament and the Council establishing the multiannual strategic policy for European integrated border management.

<sup>7</sup> Management Board Decision 30/2023 of 20 September 2023 adopting the Technical and Operational Strategy for European integrated border management 2023-2027.

<sup>8</sup> Article 121 requires the Commission to assess: (a) the results achieved by the Agency, having regard to its objectives, mandate, resources and tasks; (b) the impact, effectiveness and efficiency of the Agency's performance and its working practices in relation to its objectives, mandate and tasks; (c) inter-agency cooperation at EU level, including the implementation of European cooperation on coast guard functions; (d) the possible need to modify the mandate of the Agency; (e) the financial implications of any such modification; (f) the functioning of the standing corps; and (g) the level of training, specialised expertise and professionalism of the Standing Corps.

<sup>9</sup> The review (Article 59 of the Regulation) is to look at: (a) the overall number and composition of the standing corps; (b) the size of individual Member States' contributions to the Standing Corps; (c) the expertise and professionalism of the Standing Corps and the training it receives; and (d) the need to maintain the reserve for rapid reaction as part of the Standing Corps.

<sup>10</sup> FRA (2023) [The European Border and Coast Guard and fundamental rights](#)

<sup>11</sup> [To be updated once the study is published]

completed yet, the evaluation and the review identified important delays and gaps in some areas. To address those, the report also proposes measures, in the form of an action plan, to fully achieve the objectives of Frontex and the European Border and Coast Guard.

## 2. Abstract of the evaluation

Despite significant challenges, such as the Covid-19 pandemic, the instrumentalisation of migration and Russia's war of aggression against Ukraine, the evaluation concludes with a positive assessment of the relevance and EU added-value of the EBCG Regulation, which remains a sufficient basis to address current and future challenges at the EU's external borders.

Irregular migration continues to be an important challenge, requiring a common and coordinated response by the EU and its Member States internally and externally, in cooperation with partner countries. In accordance with recital 6 of the Schengen Borders Code; *'Border control should help to combat illegal immigration and trafficking in human beings and to prevent any threat to the Member States' internal security, public policy, public health and international relations'*. The implementation of the EBCG Regulation has contributed to strengthening the management of the EU's external borders, in full compliance with fundamental rights, and to improving the efficiency of the EU's return policy. It also allowed for the gradual but successful launch of the EBCG Standing Corps.

Since 2019, the Agency has stepped up its operational support to Member States in various areas of its mandate, meeting their needs to a great extent. The number of joint operations carried out between 2020 and 2023 steadily increased. In 2023, the Agency launched 24 joint operations, compared to 15 in 2020, 19 in 2021 and 20 in 2022, and had 2 874 personnel deployed in mid-October 2023, compared to 1 122 in 2020. During the evaluation period, the Agency has become increasingly pro-active in proposing operational support to Member States based on its own analysis of operational priorities.

Frontex also continued to increase support to Member States in return-related activities. In 2022, the Agency supported the effective return of 24 868 third-country nationals, an increase of 36% compared with the previous year. With the strengthened mandate in the area of return, the Agency, in parallel, is working on further increasing the deployments of Forced Return Escort and Support Officers and on enhancing activities under Joint Reintegration Services.

Cooperation with partner countries, as an important part of Frontex's mandate and in line with its International Cooperation Strategy, has gradually increased as well. In 2022, Frontex reinforced its operational engagement in partner countries by expanding

its operational area and strengthening its operational capacity. As of October 2023, Frontex had nearly 600 staff deployed across ten joint operations in eight third countries<sup>12</sup>. One new operation, JO North Macedonia, was launched in 2023 on the basis of the status agreement between North Macedonia and the European Union that entered into force in April 2023.

In addition, the Agency's risk analysis and vulnerability assessments have become well-established tools contributing to situational awareness, supporting an appropriate operational response. During the evaluation period, the Agency developed comprehensive methodologies and has steadily enhanced the quality of its risk analysis products, that increasingly focus on prediction and prevention, as well as of its vulnerability assessments to assess and monitor Member States' capabilities at the external borders.

Although the implementation period for the operationalisation of Frontex's mandate set in the EBCG Regulation is still ongoing and will continue until 2027, the evaluation identified a number of challenges that currently limit the effectiveness of the Regulation. While certain provisions of the Regulation could have provided more clarity (e.g. on fundamental rights), most of the identified challenges do not stem from the Regulation itself but are the result of organisational, technical or operational shortcomings, mostly delays, in its implementation (e.g. absence of clear command structure for the Standing Corps, gaps in certain Standing Corps profiles). Finally, another set of issues impacting the effectiveness of implementation stems from limitations, e.g. the lack of recognition of the executive powers given to the Standing Corps in the national law of some Member States, or from provisions in EU legislation beyond the EBCG Regulation itself, e.g. in relation to personal data processing by the Agency.

### **Key findings in the main areas of the evaluation**

The analysis of Frontex's **governance structure** shows that there is a clear distribution of tasks between the Management Board and the Executive Director. The oversight structure of the Agency, involving the European Parliament, the Council and the Commission is also clear and effective. Nevertheless, the evaluation finds that Frontex's internal governance is not yet fully fit to effectively support its 2019 mandate due to overlapping responsibilities and occasional conflicting approaches. The implementation of the new organisational structure adopted by the Management Board<sup>13</sup> in November 2023 should address this matter. Another finding is that

---

<sup>12</sup> Albania, Bosnia and Herzegovina , Georgia , Kosovo\*, Moldova , Montenegro, North Macedonia and Serbia. \*This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

<sup>13</sup> MB Decision 45/2023 of 22 November 2023 on the new organisational structure of the Agency.

authorities responsible for return are not yet adequately represented on the Management Board. Currently, Member States on the Management Board continue to be represented primarily by their national border management authorities, which are often not responsible for returns.

Looking at Frontex's activities, **situational awareness and risk analysis** are among the activities considered to add the most value at EU level. Frontex produces multiple risk-analysis products serving a wide range of stakeholders, in line with the objectives set out in the EBCG Regulation, and provides a broad coverage of thematic and geographical areas. These risk analysis products are used by Member States to feed into their own national-level analysis and, to some extent, into their operational planning. At the same time, they also contribute to relevant EU mechanisms and are essential to inform Frontex's operational activities.

**EUROSUR**, the integrated framework for the exchange of information and for operational cooperation within the European Border and Coast Guard, has played a significant role in the Agency's progress towards providing fully up-to-date, reliable and actionable information through 24/7 (near) real-time situation and crisis monitoring surveillance. It has contributed to creating a European situational picture, providing a common framework for information exchange, improving situational awareness and increasing reaction capabilities. The volume, quality, flow and speed of the data exchanged has increased considerably in recent years. However, EUROSUR is still not able to provide complete and entirely up-to-date situational awareness at the EU's external borders. This is primarily due to implementation problems, such as not all Member States reporting border events with the same completeness or regularity.

The respect of fundamental rights is an integral part of European integrated border management. The evaluation finds that the Agency's compliance with EU and international law, in particular the **fundamental rights framework** in place in Frontex, effectively contributes to the prevention of fundamental rights violations in the context of the provision of the support to Member States and third countries. Since 2021, with the strong support of its Management Board, Frontex has actively and effectively developed its internal rules, practices and training of the Standing Corps so as to enhance the respect, protection and promotion of fundamental rights in all its activities. Nevertheless, the evaluation draws attention to the question about the extent to which Frontex can be held accountable for the actions of Member States and how the Agency's actions could effectively contribute to ensuring that host Member States comply with fundamental rights during joint activities, such as joint operations. Here, the Agency's framework includes the option to use Article 46 of the EBCG Regulation, which allows the suspension or termination of operational activities in a Member State. While Article 46 represents an essential tool at the Agency's disposal, it should only be used as a last resort, as the evaluation suggests that Frontex's presence can positively



contribute to greater overall compliance with fundamental rights. Therefore, the evaluation concludes that, at this stage, there is no need to modify Article 46.

Frontex's **operational activities** are found to have clear added value for Member States, supporting the implementation of EU policy priorities. Frontex provides extensive technical and operational assistance to Member States through joint operations and rapid border interventions, including technical and operational assistance in the support of search and rescue operations. The effectiveness of operational support provided by the Agency is at times somewhat hindered by the current availability of certain Standing Corps profiles and types of equipment requested by Member States. The new command structure of the Standing Corps, currently under development, will also increase the Agency's effectiveness. Overall, Frontex's operational support appears to have contributed to achieving the objectives of the European Border and Coast Guard; however, cooperation between Frontex and national authorities could be enhanced to increase the effectiveness of deployments.

Frontex's **cooperation with other EU agencies**, such as Europol, **and with third countries** has been hampered to some extent by delays in implementing an appropriate personal data protection framework to allow for an effective exchange of information. The necessary data protection rules were adopted by the Frontex Management Board in early 2024. As regards third countries, the personal data protection rules in the model working arrangement for third countries adopted by the Commission in December 2021 are in the process of being reviewed.

Frontex has been playing an active and positive role in European cooperation on coast guard functions, notably through inter-agency cooperation with the European Fisheries Control Agency and the European Maritime Safety Agency, in the framework of a tripartite working arrangement.

The cooperation between Frontex and Europol in particular needs to be stepped up to enhance the fight against migrant smuggling and human trafficking, to deliver on the objectives of the Commission's recent proposals to modernise the legal framework to combat migrant smuggling<sup>14</sup>. The conclusion of a working arrangement between the two agencies, which is currently being negotiated, will inter alia facilitate the transfer of data for this purpose.

---

<sup>14</sup> Proposal for a Directive of the European Parliament and of the Council on preventing and countering the facilitation of unauthorised entry, transit and stay in the Union (COM/2023/755 final) and Proposal for a Regulation of the European Parliament and of the Council on enhancing police cooperation in relation to the prevention, detection and investigation of migrant smuggling and trafficking in human beings (COM/2023/754 final).



In addition to managing the external borders, the EBCG Regulation explicitly tasks Frontex with providing technical and operational assistance in implementing **return** measures. The evaluation concludes that Frontex has effectively supported Member States in all aspects of the return process, particularly in organising joint return operations and other return-related support, including reintegration. The evaluation finds however that there is room for improvement in the cooperation between the Agency, national authorities responsible for return and the European Commission.

### 3. Abstract of the Review of the Standing Corps

One of the most notable innovations in the EBCG Regulation is the creation of a European Border and Coast Guard Standing Corps, the first-ever EU uniformed service. The Standing Corps gives Frontex a unique tool to support Member States on the ground in their efforts to protect the external borders, fight cross-border crime (including migrant smuggling, trafficking in human beings, terrorism and hybrid threats), and significantly step up the effective and sustainable return of irregular migrants.

The setting up and deployment of the Standing Corps is to take place gradually under the Regulation. It helps foster a common European Border and Coast Guard culture, contributes to the respect of fundamental rights and promotes the highest standards in the implementation of the Schengen *acquis* and good practices.

The Standing Corps is still being built up and aims to become an even more reliable and permanent support for Member States.

The review concludes that changing migratory trends require a flexible and agile deployment of support to Member States, bridging gaps and helping handle unexpected situations. In this context, the recent increase in irregular migration also highlights the need to fight human smuggling and trafficking more effectively. Additionally, security challenges ranging from terrorism to hybrid threats have been on the rise, as evidenced in the most recent attacks in Europe. Episodes of instrumentalisation of migration, attempting to destabilise the EU and its Member States, have also been reported. At the same time, the number of authorised crossings of the external borders continues to grow steadily, emphasising the need to ensure smooth bona-fide travel for business, tourism and international cooperation amid ongoing globalisation. This requires the Agency to be more forward-looking and better at predicting new trends. The Member States, on their side, need to respond effectively to the Agency's calls for staff to be deployed. This also requires that the specific profiles of Standing Corps officers, which define their operational roles, are adaptable to the changing situation.

### **Overall number and composition of the Standing Corps**

Even though the setting up of the Standing Corps is still in its early stages, it has already proven its added value, and its operational support is appreciated by Member States. Building up the Standing Corps to the required size of 10 000 members by 2027 is in progress. This number was originally based on operational needs assessed at the time the Standing Corps was proposed, as well as on developments at the EU's external borders. It is overall proportionate to the national capabilities. The EBCG Regulation provides support to Member States in building up the Standing Corps<sup>15</sup> in the interest of the entire EBCG. While this process requires significant efforts from the Agency and from Member States, the results of the review, considering also the present situation at the EU's external borders, do not warrant adjustments at this stage.

However, the current composition of the Standing Corps requires fine-tuning to ensure that it better corresponds to operational needs. There are gaps in the availability of certain specialised experts and profiles. While Member States expect to have additional support from category 1 staff in certain specialised areas, the Agency's statutory staff cannot yet provide such specific expertise in all areas where this is needed, nor Member States have enough specialists available. This situation is expected to improve over time by focussing the training of the Standing Corps on profiles that are the most in demand.

In addition, certain limitations stemming from the EU Staff Regulations<sup>16</sup> that have an impact on the effectiveness of the Standing Corps' category 1 deployment, such as working conditions, allowance entitlements, ranks and reclassification or deployment rules, need to be addressed, primarily through the adoption of new or amended implementing rules, in line with the relevant provisions of the Staff Regulations. Furthermore, it is essential to address deficiencies in diversity, especially in terms of national balance for Standing Corps category 1 staff. The Agency's new HR strategy<sup>17</sup> should allow Frontex to improve the current situation, including with respect to gender.

After initial delays in recruiting statutory staff for the Standing Corps, implementation is now proceeding at full speed. Looking ahead, it is crucial to secure adequate recruitment resources and put in place appropriate processes. Moreover, it is essential to deploy the Standing Corps to operational tasks along the external borders, in third countries and in return operations. The Agency's headquarters in Warsaw should only have a very limited number of Standing Corps staff assigned to support roles.

---

<sup>15</sup> E.g. Article 61 of the EBCG Regulation.

<sup>16</sup> Regulation No 31 (EEC), 11 (EAEC) laying down the Staff Regulations of Officials and the Conditions for employment of Other Servants of the European Economic Community and the European Atomic Energy Community (OJ P 045, 14.6.1962, p. 1385).

<sup>17</sup> MB Decision 44/2023 of 22 November 2023 adopting the Frontex Human Resources Strategy 2024-2027.

The Agency has made significant progress in the recruitment of Standing Corps category 1 officers, increasing the number of deployable Standing Corps category 1 officers from 678<sup>18</sup> at the end of 2022 to 970 in September 2023<sup>19</sup>. The Agency therefore almost reached the required number of deployable staff in 2023<sup>20</sup>. The Agency also reported 450 seconded Standing Corps category 2 staff and 3 899 nominated Standing Corps category 3 staff. The 2023 target of 1 500 nominated Standing Corps category 4 staff has been reached<sup>21</sup>.

The reserve for rapid reaction (category 4) was set up to address unexpected needs before the Standing Corps reaches a critical mass. As of now, there has been no need to use this reserve. By 2025, other categories of the Standing Corps, such as statutory staff, long-term secondments, and short-term deployments from Member States, will reach a level that allows for resource reallocation if there are unexpected and disproportionate needs. The planned phasing-out of the rapid reaction reserve remains on track.

The size of national contributions is considered to be in line with national capabilities. Member States' individual contributions vary from 0.14% to 1.5% of national capabilities. The current distribution key has proven to be effective. Significant EU funding has been devoted to supporting Member States in building up their capacity both in terms of staff and technical assets. However, the development of the EBCG requires important efforts from Member States as well and some face challenges in building up their own capacity. Contributions to the Standing Corps as established by the Regulation appear to be sufficient on the whole to meet the objectives of the EBCG Regulation as the Agency has been able to address nearly all Member States' urgent requests for assistance.

### **Standing Corps professionalism and training**

The Agency has initiated training measures for Standing Corps staff to ensure that they comply with high professional standards and can be deployed effectively. This includes their awareness of and compliance with relevant fundamental rights obligations and standards, with international human rights and humanitarian law. However, the review shows that several aspects of the training concept for the Standing Corps need to be

---

<sup>18</sup> Quarterly Report on the European Border and Coast Guard Agency's Capabilities, Q4/2022.

<sup>19</sup> The overall target for category 1 statutory staff is set at 1 000 and 1 500 officers for 2022 and 2023 respectively in Annex I to the EBCG Regulation. However, that number includes statutory staff deployed as members of the team in operational areas, staff responsible for the functioning of the European Travel Information and Authorisation System (ETIAS) and the 'up to 4% support staff' in line with Articles 54(7) and 54(8) of the EBCG Regulation.

<sup>20</sup> Management Board Decision 20/2022 of 16 March 2022 adopting the European Border and Coast Guard standing corps annual planning for 2023 and indicative multiannual planning of profiles.

<sup>21</sup> Data from the Agency's Report on capabilities for the information of the Management Board, 5/9/2023.

further developed, in order to ensure that the amount, content and quality of the training of statutory (category 1) staff enables them to provide effective support to Member States in specialised areas. This also includes updating the training curricula to ensure sufficient practical training to prepare the statutory staff for their work at the borders. The Agency must secure adequate training resources.

The training system is to be updated, taking into account the implementation of European integrated border management, as part of the development and implementation of the EBCG capability roadmap, which is a key instrument in the Regulation to ensure the integrated planning of EBCG capabilities. The Agency is developing the capability roadmap with input from Member States, with the aim of converging the national capability development plans and the Agency's multiannual planning of resources, in order to optimise long-term investments by the entire EBCG. It should guide Member States in how they develop their staff and assets, including close coordination in recruiting and training their staff, including the Standing Corps.

In addition to the issues identified about their training, statutory staff also face other difficulties that prevent them from fully using their skills. These matters must also be addressed to ensure that the Standing Corps works professionally and effectively. For example, procedures to access national databases, language-related problems, and dependence on the host Member State in several administrative and procedural issues limit the staff's capacity to work independently. These challenges cannot be tackled through quick and easy fixes but require the close and ongoing cooperation of the Agency and Member States.

Furthermore, in the implementation of the Regulation, several practical issues have arisen, which must be addressed by the Agency to ensure that the Standing Corps can provide its full support to Member States while achieving the highest possible levels of professionalism. These include a need to improve the planning, management, organisation (including of deployments and re-deployments), administrative arrangements, human resource management, terms of employment, internal communications, logistics, standard operational procedures and coordination with and support to the host Member State.

#### 4. Conclusions

Despite some delays and gaps listed above, the European Border and Coast Guard as conceived in the EBCG Regulation is working well, taking into account the current state of implementation. It has largely achieved its objectives in the way that was expected, with some key activities yet to be fully implemented. Stakeholders agree that the objectives of the EBCG Regulation could not have been achieved sufficiently by Member States acting alone. Therefore, the EBCG Regulation remains relevant in addressing the current and future situation at the EU's external borders. Irregular

migration continues to be a major challenge and requires a common and coordinated response by all Member States for the foreseeable future.

The Regulation contributes to the effective development and implementation of all components of European integrated border management. Although the implementation of the Regulation is still ongoing, it has resulted in setting up and deploying the first-ever EU uniformed service – the EBCG Standing Corps.

The Standing Corps set out in the EBCG Regulation is a beneficial and necessary part of the implementation of European integrated border management. It has been proven to contribute to ensuring effective border management at the EU's external borders and a secure Schengen area. The size and composition of the Standing Corps, as well as annual contributions to be provided by Member States, as laid down in the annexes to the EBCG Regulation, remain justified and proportionate.

Nevertheless, the implementation of the Standing Corps is still ongoing and has faced several challenges. In this regard, it is important to continue monitoring developments in terms of operational needs to ensure that the Standing Corps remains fit to respond to the ever-changing situation at the EU's external borders. Furthermore, it is crucial that the Agency and Member States implement the multiannual strategic policy cycle for European integrated border management and the related process of integrated planning for operations and contingency planning. The Standing Corps will also contribute to improving response capabilities at the external borders for detecting, preventing, and combating illegal immigration and cross-border crime. This helps save migrants' lives and ensures their protection through effective and flexible deployments and re-deployments of the Standing Corps based on current operational needs.

The Commission considers that the evaluation of the Regulation and the review of the Standing Corps confirm that overall, there is no immediate need for a revision of the EBCG Regulation or its annexes. The revised mandate conferred on the Agency in the EBCG Regulation that was adopted in 2019 is still being implemented, and the Commission considers that at the moment most of the shortcomings identified in the evaluation and review can still be addressed in the implementation period that remains.

To streamline the measures needed to address these findings, and to support the implementation of the EBCG Regulation and make it fully effective by 2027, **the Commission is proposing an action plan** to be implemented by the Agency, its Management Board, Member States and the Commission.

Of the various issues identified across the evaluated areas, the following actions are considered to be of particular importance:

**The full implementation of the Agency's new organisational structure**, particularly in relation to the Standing Corps, is seen as an important step in achieving the Agency's

core mandate, which is to oversee the effective functioning of border control at the external borders and to provide assistance to Member States with implementation of the operational aspects of external border management. The development and implementation of a new chain-of-command structure with clear reporting lines and communication channels is considered critical for improving the Standing Corps' operational effectiveness.

Furthermore, it is crucial to ensure a long-term strategic view, planning and predictability to key investments in **capabilities** at the Agency and in Member States. To do this, there is a clear need to develop and regularly update the capability roadmap and national capability development plans. The integrated planning process for the EBCG must also be further developed and implemented. This is vital to ensure swift and flexible deployments based on operational needs.

**Return activities** are becoming a more prominent part of the Agency's new mandate. As a result, it is vital that the Management Board ensures a proper strategic steering of return-related issues, with a possibility to also consider discussions at the High-Level Round Table meetings. Improved coordination and communication between the Commission, in particular the Return Coordinator, and the Agency and between the Agency and the responsible national authorities are essential for the Agency to be able to provide effective operational support to Member States, including on returns, in full respect of fundamental rights.

The objective remains to **build up the Standing Corps** to the planned 10 000 fully operational staff by 2027. Actions ensuring a satisfactory level of training that meets operational needs, particularly for Standing Corps category 1 and efficient recruitment processes are particularly important. In addition, it is also necessary to further consider how to resolve certain issues stemming from the EU Staff Regulations, or its implementing rules, for Standing Corps category 1 staff to make the Agency's uniformed statutory staff fully operational.

Finally, in the area of **situational awareness**, measures will be considered that provide an accurate, complete and up-to-date situational picture and risk analysis. This can be achieved by, for example better including vulnerability assessment data in risk analysis products and by the further development of EUROSUR. Such measures will be further reflected on with the aim for these analytical products to better support operational decision-making.

The Commission will follow closely the implementation of the action plan annexed to this report and may propose any adjustments, including of a legislative nature, as may be required in the future.

