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OPERATIONS DIVISION
Joint Operations Unit
LAND BORDERS SECTOR

CANADA MANAGAMENTA DE LA COMPANSIONA DEL COMPANSIONA DE LA COMPANSIONA DEL COMPANSIONA DE LA COMPANSIONA DEL COMPANSIONA DE LA COMPANSIONA DE LA COMPANSIONA DEL COMPANSIONA

# Operational Plan Main part

Rapid Border Intervention Exercise 2017 2017/PRU/05

Approved by

Signature

Fabrice Leggerl Executive Director

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#### 1. INTRODUCTION

#### 1.1. Project Context

The Rapid Border Exercise (REX) 2017 will be implemented in accordance with Frontex Work Programme 2017 which identifies establishment of rapid reaction capacity as one of the activities listed under management of pooled resources (Strategic Action Area 2,4, Activity PRU-1a) and as per art 15 and 17 of the European Border and Coast Guard Regulation (EBCG Regulation)<sup>2</sup>.

Pursuant to Article 15(2) of the EBCG Regulation, at the request of a Member State faced with a situation of specific and disproportionate challenges, especially the arrival at points of the external borders of large numbers of third-country nationals trying to enter the territory of that Member State without authorisation, the Agency may deploy a rapid border intervention for a limited period of time on the territory of that host Member State. The procedure for launching a rapid border intervention is further described in Article 17 of the EBCG Regulation.

Since the establishment of the mechanism for the creation of Rapid Border Intervention Teams in the Regulation (EC) No 863/2007³, eight full-scale rapid border exercises were conducted by Frontex between 2007 and 2015. The activities consisted of deployment of members of the European Border Guard Teams pool as well as technical equipment which, apart from testing the rapid mechanism, allowed for implementing additional border control activities coordinated by Frontex. Following entry into force of the EBCG Regulation, a need to update the concept of the rapid border exercise has been identified in order to integrate the new key elements related to building-up the rapid reaction capacity such us introduction of the rapid reaction pool and rapid reaction equipment pool. The revised concept takes also into account the conclusions and recommendations from the evaluations of the previous REX exercises, especially as regards the implementation aspects (exercise scenario, location, duration etc.).

Consequently, the new concept of the Rapid Border Exercise is to simulate launching a rapid border intervention in a chosen Member State with external EU border based on a fictional scenario in which the relevant MS faces a migratory crisis at its external border which requires an increased technical and operational assistance by applying a combined solution involving:

- Application of the updated procedures for rapid border intervention in line with the EBCG Regulation as defined in the revised internal mechanism for the activation of the rapid border intervention (request for rapid border intervention, internal management, decision on the request, operational planning, request for resources, activation of the rapid pools, implementation, evaluation).
- Deployment of human and technical resources from the newly established rapid reaction and rapid reaction equipment pools to the operational area,
- Provision of training to the deployed experts and immediate implementation of the outcomes in real-life situations in the operational activities,
- Integration of the deployed EBCGT members and TE in the regular operational activities and consequent reinforcement of the ongoing operational activities.

Based on the above, the REX 2017 will be divided into 3 separate and consequent stages which are directly linked to the main general objectives of the activity:

- 1. Table-top and functional exercise
- 2. Training
- 3. Deployment

<sup>&</sup>lt;sup>2</sup> Regulation (EU) 2016/1624 of 14 September 2016 on the European border D Coast Guard (OJ L 251, 16.09.2016, p.1)

<sup>&</sup>lt;sup>3</sup> Regulation (EC) No 863/2007 of the European Parliament and of the Council of 11 July 2007 establishing a mechanism for the creation of Rapid Border Intervention Teams and amending Council Regulation (EC) No 2007/2004 as regards that mechanism and regulating the tasks and powers of guest officers

The training and deployment phases are in the scope of this Operational Plan and concern the Host Member State and the Participating Member States. The table-top and functional exercise remains out of scope of the Operational Plan. It will aim at testing the mechanism for the activation of the rapid pools together with all MS/SAC providing resources for the rapid reaction pool and rapid reaction equipment pool, therefore, in the framework of the table-top and functional exercise, however still based on the fictional scenario for the operational activity, Frontex may request all MS/SAC to confirm availability of resources in the rapid pools exceeding the number of resources foreseen for the implementation of the activity.

#### 1.2. Operational Plan

This Operational Plan, composed of the Main part and Annexes, was agreed with the authorities of the host Member State (MS), after consultation with the participating Member States<sup>4</sup> (MSs).

The Operational Plan, marked as "Limited", may only be made available to the authorities referred in each MS as "Law Enforcement". It shall be made available to other interested parties only on a need-to-know basis and in accordance with European and national rules on the protection of sensitive information. Such dissemination shall be done only on a case-by-case basis.

Amendments to the Operational Plan require the agreement of the Executive Director and the host Member State, after consultation of the participating Member States.

A copy of the amended Operational Plan shall be immediately distributed by Frontex to the participating MS via Frontex-One-Stop-Shop (FOSS).

Updates to the plan of Deployed Assets Resources (Annex 7) and to the Contact Details (Annex 11) are not deemed amendments to the Operational Plan.

The Handbook referred to in the Operational Plan relates to the Handbooks at land, air and sea borders that contain the guidelines and complementary information in regard to Frontex operational activities, services and products, reporting platforms and other operational activities' related matters. References to the Handbook are made in the Main part and Annexes of the Operational Plan. The Handbooks are uploaded on

# 2. LEGAL FRAMEWORK

#### 2.1. Frontex

The European Border and Coast Guard Agency ('Frontex') has its legal base in the European Border and Coast Guard Regulation<sup>3</sup>. The Regulation contains, besides the legal basis, also the objectives, tasks and responsibilities of Frontex.

The agency was established to ensure, together with national authorities responsible for border management, including coast guards to the extent that they carry out border control tasks, the effective implementation of the European integrated border management with a view to managing the crossing of external borders efficiently. Frontex is responsible for organising the appropriate technical and operational assistance for the EU Member States and, in particular, for coordinating joint operations, deploying European Border and Coast Guard teams and technical equipment at the external borders. Frontex is also mandated to organise rapid border interventions and deploy European Border and Coast Guard teams from the rapid reaction pool as well as technical equipment from the rapid reaction equipment pool, and to provide technical and operational assistance to Member States and third countries, in support of search and rescue operations for persons in distress at sea which may arise during border surveillance operations at sea.

<sup>&</sup>lt;sup>4</sup> For the purposes of the present document, the term "Member State" includes also the States participating in the relevant development of the Schengen acquis in the meaning of the Treaty on the Functioning of the European Union and its Protocol (No 19) on the Schengen acquis integrated into the framework of the European Union, that is Liechtenstein, Norway, Switzerland and Iceland.

<sup>&</sup>lt;sup>5</sup> Regulation (EU) 2016/1624 of 14 September 2016 on the European border D Coast Guard (OJ L 251, 16.09.2016, p.1)

#### 2.2. Fundamental Rights

#### 2.2.1. Frontex' obligations

Frontex guarantees the protection of fundamental rights in the performance of its tasks in accordance with the relevant EU law, including the Charter of Fundamental Rights, the relevant international law, including the Convention Relating to the Status of Refugees of 1951, the respect for fundamental rights, in particular the access to international protection, and the compliance with the principle of non-refoulement, and taking into account the recommendations of the Frontex Consultative Forum on fundamental rights.

The European Border and Coast Guard Regulation requires Frontex to put in place an effective mechanism to monitor the respect for fundamental rights in all its activities. Frontex developed a Fundamental Rights Strategy, adopted a Frontex Code of Conduct applicable to all persons participating in Frontex activities and established a complaints mechanism. The Frontex Code of Conduct lays down procedures intended to guarantee the principle of rule of law and the respect for and promotion of fundamental rights with particular focus on unaccompanied minors and other vulnerable persons, as well as on persons seeking international protection, including the obligation of referral to national authorities competent for receiving asylum requests.

Furthermore, Frontex is obliged to ensure that all border guards and other personnel of the Member States, who participate in the European Border and Coast Guard Teams, as well as Frontex staff members, have received, prior to their participation in operational activities, a training in relevant EU and international law, including fundamental rights and access to international protection and maritime law.

Finally and pursuant to the provisions of the Article 25(4) of the European Border and Coast Guard Regulation, Frontex has the obligation to suspend or terminate its operational activity in case of serious or persistent violations of fundamental rights or international protection obligations.

#### 2.2.2. Obligations of all persons involved in operational activities coordinated by Frontex

All persons involved in Frontex activities are obliged to maintain the highest standards of integrity, ethical conduct, professionalism and respect for fundamental rights. They are expected to meet obligations imposed upon them by the provisions of the present Operational Plan and are obliged to comply with the rules of their mandates. They are obliged to comply with European law, international law, fundamental rights and national law of the host Member State.

All persons involved in Frontex activities are expected to act responsibly and proportionately to the current operational objectives. While performing their duties, they shall not discriminate against persons on any grounds such as sex, race, ethnic or social origin, religion or belief, age or sexual orientation. They are expected to treat every person with courtesy, respect and due consideration for the nature of any legitimate activity in which they are engaged. They are obliged to report all any alleged violation of fundamental rights that has occurred or is about to occur via the appropriate reporting channel.

The Code of Conduct can be found in Annex 1.

In addition to the obligations set forth above, all persons participating in Frontex operational activities must act with discretion and with respect for the right to privacy of other persons. Unless explicitly authorized by the Frontex Coordinating Officer, it is forbidden to make any type of records (e.g. photos, videos) of the activities carried out under the Rapid Border Intervention for personal purposes.

#### 2.2.3. Complaints Mechanism

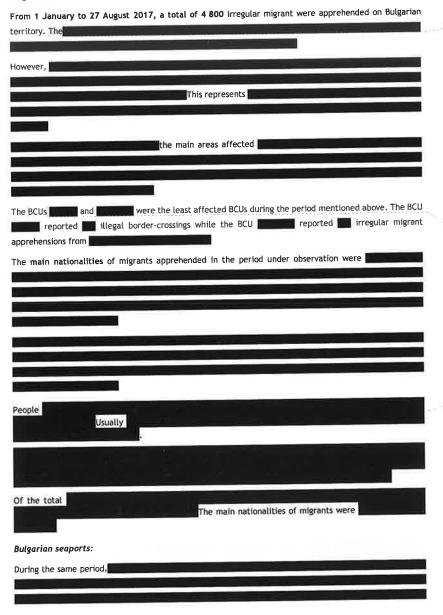
Any person who is directly affected by the actions of staff involved in a joint operation, pilot project, rapid border intervention, migration management support team deployment, return operation or return intervention and who considers him or herself to have been the subject of a breach of his or her fundamental rights due to those actions, or any party representing such a person, may submit a complaint in writing to Frontex.

The procedures setting out the mechanism to receive and transmit to the Agency a complaint are provided in Annex 2.

# 3. DESCRIPTION AND GENERAL ASSESSMENT OF THE SITUATION

#### 3.1. Fictitious scenario

Bulgarian land borders with — Turkey and Serbia



Commented [A1]: The non-disclosed text pertains to information crucial for situational awareness at the external borders of the EU which is used for risk analysis and in turn, operational decision making by the Agency.

Disclosing this information publicly will disturb the effectiveness of Frontex operations as the risk analysis based on this information and used by Frontex to run its operations, would become common knowledge rather than intelligence to combat crime and prevent illegal cross-border activity. If this information would become public the efforts carried out by the European Union and Member States to curtail criminal activities would be undermined.

Furthermore, there is a real risk that disclosing all the variables and the information therein would benefit the smuggling networks who would change their modus operandi accordingly, thus putting the life of migrants in danger.

The disclosure of those variables is therefore refused, as it would undermine the protection of the public interest as regards public security in the sense of Article 4(1)(a) of the Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and

Commented [A2]: The non-disclosed text contains information regarding the operational area. Ongoing operations tend to cover similar operational areas as the operations of preceding years in the same geographical area. In this regard, disclosing the location of the operational areas of previous years, would be tantamount to disclosing the current operational areas.

The result of this will only be to hamper the course of the ongoing operations, by depriving them of any strategy and element of surprise during border surveillance, ultimately obstructing their purpose to counter and prevent cross-border criminality as well as prevent unauthorized border crossings.

In this light, the disclosure of such information would undermine the protection of the public interest as regard to public security in the sense of Article 4(1) of the Regulation 1049/2001.

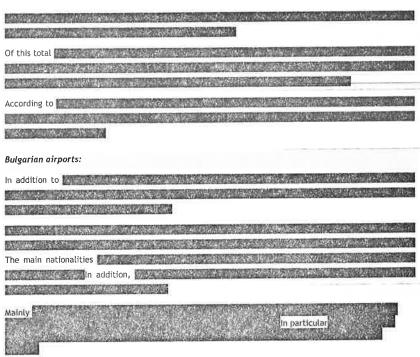
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Thorough assessment of the situation can be found in the Annex 3.

# 4. OPERATIONAL AIM, OBJECTIVES AND ACTIVITIES

# 4.1. Operational aim

The operational aim of the Rapid Border Intervention is to implement coordinated operational activities at the EU external land, sea and air borders in order to tackle the specific and disproportionate migration flow with the arrival at points of the external borders of large numbers of third-country nationals trying to enter the territory of Bulgaria without authorisation.

The operational aim will be implemented in full compliance with the relevant EU and international law, guaranteeing the respect for fundamental rights in particular the access to international protection and the compliance with the principle of non-refoulement and taking into account the recommendations of the Frontex Consultative Forum and the reports and observations of the Fundamental Rights Officer.

#### 4.2. Operational objectives

- Enhance border security
- Provide technical and operational assistance in SAR cases
- Support MS in carrying out coast guard functions
- Enhance operational cooperation
- Enhance exchange of information
- Identify possible risks and threats
- Establish and exchange best practices



#### 4.3. Rapid Border Intervention exercise aim

The general objective of a rapid border exercise is to test and contribute to increasing Frontex and MS/SAC readiness for deploying a rapid border intervention. Hence, REX 2017 aims at:

- enhancing the awareness of and testing the implementation of the existing rapid border reaction mechanism,
- increasing the number of the members of the rapid reaction pool with relevant training and operational experience,
- reinforcing the ongoing operational activities by deployment of the members of the rapid reaction pool and technical equipment from the rapid reaction equipment pool to the relevant operational

REX 2017 will have the following specific objectives:

- to test Frontex and MS/SAC capacity to implement the procedures for rapid border intervention,
- to identify possible areas for improvement as regards the rapid border intervention mechanism,
- to increase the awareness of Frontex and MS/SAC of the mechanism for the activation of a rapid border intervention.
- to clarify roles and responsibilities in an event of a rapid border intervention,
- to test potential HMS capacity to host a rapid border intervention,
- to test Frontex capacity to accommodate the HMS needs related to hosting capacity if needed,
- to contribute to fulfilling the obligation of the Agency to ensure appropriate training for the European Border and Coast Guard teams' members, being members of the rapid reaction pool,
- to contribute to increasing the overall capacity of the MS/SAC experts by providing training,
- to immediately test the training outcomes in the ongoing operational activities,
- to enhance cooperation with other EU-Agencies,
- to contribute to the reinforcement of the operational activities in a relevant operational area,
- to provide an opportunity to the members of the rapid reaction pool with no previous experience
  of Frontex joint operations to participate in an operational activity coordinated by Frontex.

Detailed information regarding operational objectives is provided in Annex 4.

#### 4.4. Operational activities (concept)

The main objectives of the REX 2017 will be achieved by combining different types of operational activities, particularly:

- Border surveillance
- Enhanced border checks at the designated border crossing points
- Supporting SAR operations
- Preventing and detecting cross-border crime such as migrant smuggling, trafficking and other crimes

The aforementioned activities will be implemented by the deployed technical equipment and human resources (members of the border and coast guard teams), under the control and command of the structures of the Host Member States.

#### 4.4.1. Border surveillance

Border surveillance shall be carried out by using the MS offered and Frontex acquired technical equipment. The main purpose of border surveillance is to prevent unauthorised border crossings, to counter cross-border criminality and to take measures against persons who have crossed the border illegally.

The officers of aerial assets should provide all details about occurring incidents they deal with (time and coordinates of detection and interception, numbers of migrants and possible detailed information in their possession) following the chain of reporting of the particular operation.

Border Surveillance of the land borders is accomplished by joint teams comprising officers from the border guard services of the host MSs, Members of the Teams with adequate profile to perform land border surveillance:

to observe the border area by use of different technical means;
 to patrol the operational areas in joint teams in
 to carry out
 to cooperation with other law enforcement authorities whenever applicable;
 to communicate with the competent authorities of the host MSs
 to refer persons in need of international protection, medical or other urgent assistance to the competent national authorities;
 to carry out
 to provide

Border surveillance at the sea borders is accomplished by air and maritime assets with adequate capabilities to perform sea border surveillance:

- to detect, identify, report, track and, when needed, intercept all vessels suspected of carrying persons crossing, circumventing or intending to cross the sea border in an irregular manner, circumvent checks
- to support SAR operations
- to provide situational awareness in the area of operation by identifying normal and abnormal navigation
- to respond to witnessed or/and suspected unlawful activities at the maritime domain (e.g. smuggling of goods; illegal fishing; illicit drug trafficking; environmental pollution) in compliance with the applicable international and national legislation and report to the ICC/LCC all relevant information on the suspected or/and detected unlawful activity,
- to prevent and detect cross-border crime

The maritime assets must properly document (by taking photos and/or videos) all actions (detection, tracking and interception) and submit all available materials to the LCC/ICC and Frontex as soon as possible. The LCC/ICC is responsible to deal with the information received from participants and to channel it to appropriate national and/or international stakeholders in agreement and coordination with Bulgarian respective authorities. In each case, Frontex should be informed about the outcome of the actions, after the information has been submitted by participant of the REX 2017.

Member States shall observe their obligation to render assistance to any vessel or person in distress at sea and they shall ensure that their participating units comply with that obligation, in accordance with international law and respect for fundamental rights. They shall do so regardless of the nationality or status of such a person or the circumstances in which that person is found.

Commented [A4]: The non-disclosed text contains detailed information regarding the modus operandi of law enforcement officials. It contains references to the methods applied by law enforcement officiers to perform border control tasks in general and to counter illegal activities in particular. Its publicity would expose the working methods applied in those activities which would jeopardize the implementation of ongoing and future operations, and thus facilitate irregular migration and other cross-border crime such as facilitation of irregular immigration, trafficking in human beings and terrorism. Therefore, public security will be affected. In light of the above the text is not disclosed pursuant to the exception laid down in the first indent of Article 4(1)(a) of Regulation No 1049/2001 relating to the protection of the public interest as regards public security.

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The participating asset perform their tasks under the coordination of the LCC (through the NO, in case of the asset of the participating MS following the planning confirmed during the daily Joint Coordination Board (JCB) meetings.

The patrolling schedule must be flexible and prepared taking into account the capabilities of the participating asset, the analytical findings presented in the operational area, the sea and the weather conditions. While planning the patrolling activities in the operational area, the LCC/ICC shall ensure tactical combination of participating aerial and maritime assets, if possible.

Flexibility in the patrolling schedule is a key element: participating assets can be requested by the LCC/ICC to reschedule patrolling activities according to the operational needs. In particular, in case the ICC receives some information about departures affecting the operational area, requests from other entities concerning cross border criminal activities in the operational area, or requests for supporting ongoing SAR events, the NO will be notified and the patrolling schedule shall be adapted to the new circumstances.

The track followed by each participating asset regarding the activities carried out during the previous 24 hours will be presented every day by the NO/LCC/ICC Coordinator at the JCB meeting. The mentioned tracks should also be included in the "Technical equipment mission report", to be filled out by all participating assets at the end of each patrolling activity.

Land border surveillance assets

Aerial the Patrol Cars (PC) will deliver

PC should have off road driving capabilities.

the Host MS officer should be able to communicate properly in English or another language, which is agreed with the Home MS officers.

Maritime and aerial assets for maritime surveillance

Maritime assets

The host MS specifies the measures of control and constraints to be taken by the maritime assets of the participating MS in the frame of interceptions based on its legislation related to the control of migrants and the relevant provisions of international and EU law.

Aerial assets for maritime surveillance

The Local Coordination Centre (LCC)/International Coordination Centre (ICC) is responsible to deal with the information received from participants and to channel it to appropriate national and/or international stakeholders. In each case, Frontex should be informed about the outcome of the actions after the information has been submitted by participant of the REX 2017.

The participating assets perform their tasks under the coordination of the LCC/ICC (through the NO, in case of the assets of the participating MS, or the Liaison Officers (LO) if assets are deployed by other national authorities of the host MS), following the planning confirmed during the daily Joint Coordination Board (JCB) meetings.

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#### 4.4.2. Multinational mixed border and coast guard teams

In addition, the representatives of other Agencies engaged in implementation of European cooperation on coast guard functions (e.g. EMSA, EFCA, BGR EAFA and ROU NAFA) can be deployed on the respective asset to facilitate implementation of the European coast guard function.

#### 4.4.3. Other Frontex products and services

The Eurosur Information Services (Vessel Monitoring and tracking, Vessel Detection, Maritime Simulation Module, Satellite Imagery, Anomaly detection and Coastal Monitoring) are available via the Eurosur Fusion Services (EFS), to support decision-making, planning and execution of missions. They are accessible via the Eurosur Network and the JORA Visualization Module. The

#### 4.4.4. Border checks at land and sea borders

Borders checks are performed in accordance with the Schengen Borders Code.

The deployed Team Members are increasing the host MS national authorities' capacity and capability for thorough border checks of persons, in particular of third country nationals, as well as of their means of transportation and items in their possession. The deployed Team Members will provide and use their know-how expertise, access to their national and EU databases and provide any other relevant assistance during the JO. Focus will be given to

Team members

#### 4.4.5. Border checks at air borders

Based on the operational needs as well as according to the relevant national law and internal regulations of the Bulgarian Border Police, during the implementation of the air border part the following tasks may be requested to be implemented by the participating airports and, if present, with the support of deployed team members:



### 4.4.6. Foreign terrorist fighters



The aim of the activity has been

The basis for the justification for the activity has now legal support in Article 8(1)(m) of the EBCG Regulation tasking Frontex to cooperate with Europol and Eurojust and provide support to

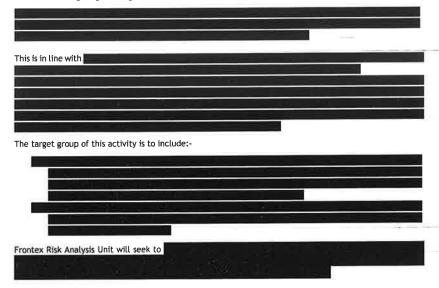
Commented [A7]: The non-disclosed text contains detailed information on the means of communication used by law enforcement officials within the joint operation. Their disclosure could lead to possible abusive usage with a view to jeopardize their work and harm the course of future and ongoing operations and thus facilitating irregular migration and affecting public security. In light of the above, the text is not disclosed pursuant to the exception in the first indent of Article 4(1)(a) of Regulation (EC) No 1049/2001 relating to the protection of the public interest as regards public security.

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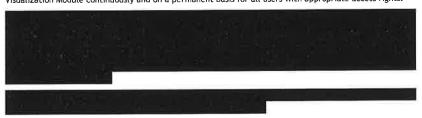
Member States in circumstances requiring increased technical and operational assistance at the external borders in the fight against organised cross-border crime and terrorism.



# 4.4.7. Eurosur Fusion Services



EUROSUR Fusion Services (EFS) are accessible and operational via the Eurosur Network and the JORA Visualization Module continuously and on a permanent basis for all users with appropriate access rights.



Vessel Detection Service (VDS)

The Vessel Detection Service (VDS) is activated in support of maritime surveillance activities.

The appropriate use of the EFS services and deployed resources should be ensured in order to increase the effectiveness of border surveillance and

Commented [A11]: The non-disclosed text contains detailed information on the means of communication used by law enforcement officials within the joint operation. Their disclosure could lead to possible abusive usage with a view to Jeopardize their work and harm the course of future and ongoing operations and thus facilitating irregular migration and affecting public security. In light of the above, the text is not disclosed pursuant to the exception in the first indent of Article 4(1)(a) of Regulation (EC) No 1049/2001 relating to the protection of the public interest as regards public security.

of the provided services. All follow-up actions, results and findings shall be reported to Frontex, via the daily package.

More information on other Frontex activities, products and services are provided in the Handbook. Additional information on EFS might be received via email efs@frontex.europa.eu.

# 5. IMPLEMENTATION

#### 5.1. Period of implementation

Commencement	4 October 2017	00:00 (local time)
Termination	08 November 2017	24:00 (local time)

Detailed information:

petaned information:	
Travel day	03 October 2017
Start of training	04 October 2017
End of Training	10 October 2017 (approx. 12.00 LT)
Travel to the operational area	10 October 2017
Operational briefing	11 October 2017
Operational days	11 October - 08 November 2017
Operational debriefing	08 November 2017
Travel day	09 November 2017

#### 5.2. Operational area

The operational activities will be implemented

International Coordination Centre

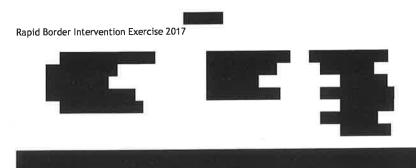






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border criminality as well as prevent unauthorized border crossings. In this light, the disclosure of such information would undermine the protection of the public interest as regard to public security in the sense of Article 4(1) of the Regulation 1049/2001.





adapted to the local circumstances and operational needs.

Map and detailed information of the Operational Areas in the Specific Annex 5.

Description of the tasks and specific instructions to members of the teams and other participants (Rules of engagement) are defined in the Annex 6.

# 5.3. Participating Member States, Third Countries and other organizations

Host MS	Bulgaria
Participating MS	Austria, Belgium, Croatia, Czech Republic, Estonia, France, Germany, Hungary, Latvia, Lithuania, Poland, Portugal, Romania, Slovakia, Slovenia, Switzerland

Detailed information regarding the plan of deployed resources is provided in Annex 7.

#### 5.4. Training

Before deployment in the operational area for border control activities, the Team Members will be provided with relevant profile training:

- Land Border Surveillance Officers Training (for Border Surveillance Officers)
- Second Line Officers Training for experts with profiles Advanced Level Document Expert (ALDO), Stolen Vehicle Detection Officer (SVDO) or Second-line Officer (SLO) (for Team Members deployed in Focal Points)

This will be a standard, full-length activity/product from the Frontex training portfolio. After completion of the training, the participants will receive training certificate.

Training will start on 04

# 5.5. Operational briefings / debriefings

All participants taking part in REX 2017 will receive the Operational briefing and debriefing delivered by representatives of Frontex and national authorities of host MS.

Detailed information regarding operational briefing and debriefing is provided in Annex 8.

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border criminality as well as prevent unauthorized border

crossings. In this light, the disclosure of such information would undermine the protection of the public interest as regard to public security in the sense of Article 4(1) of the Regulation 1049/2001.

# 6. COOPERATION WITH OTHER UNION AGENCIES AND BODIES OR INTERNATIONAL ORGANIZATIONS

During the REX 2017 the cooperation with the European Fisheries Control Agency (EFCA) and the European Maritime Safety Agency (EMSA) will be established. Additionally, in the framework of the ongoing Joint Operations (JO FOA 2017 BCU, JO FP Land, JO FP Air and JO FP Sea) cooperation with European Police Office (EUROPOL), Fundamental Rights Agency (FRA) and United Nations High Commissioner for Refugees (UNHCR) may be established.

More detailed information about cooperation with other Union agencies and bodies or international organizations is provided in the Annex 9.

#### 7. COORDINATION STRUCTURE

#### 7.1. Partnership

Frontex is the EU coordinator of the Rapid Border Intervention coordinating the EU MS synchronized support to the host MS, by deploying European Border and Coast Guard teams from the rapid reaction pool and technical equipment from the rapid reaction equipment pool.

The Host MS authorities are the direct partners of Frontex and responsible for all border related activities within the Rapid Border Intervention.

The participating MS will support the achievement of operational objectives and implementation of activities by deploying their resources to the defined locations in particular periods of time.

All the activities are coordinated by the International Coordination Centres (ICC), without prejudice to the prerogatives of the national operational chain of command and control specific to each participating MS.

# 7.2. Main operational structures / actors and their tasks

#### 7.2.1. Member States

- International Coordination Centre (ICC)
- Head of ICC
- ICC Coordinator
- Joint Coordinating Board (JCB)
- National Official (NO) Officers of home MS deploying aerial and maritime assets
- Members of the teams
- Officers of the host MS
- Commanding Officer (CO)
- Local Coordination Centre (LCC)
- Head of LCC
- LCC Coordinator
- Team Leader
- Liaison Officer (LO)
- Liaison Officer for Technical Equipment (LO-TE)
- · Local staff of the hosting MSs

#### 7.2.2. Frontex

- Frontex Coordinating Officer (FCO)
- Operational Manager (OM) and Operational Team (OT)
- Frontex Operational Coordinator (FOC)

- Frontex Support Officer (FSO)
- Risk Analysis Unit (RAU)
  - o Operational Analyst (OA)
- Frontex Situation Centre (FSC)
  - o Senior Duty Officer (SDO)
  - o Frontex Support Officer (FSO FSC)
  - o FOSS Service Managers
  - o JORA Service Managers
- Frontex Field Press Officer (FFPO)
- Fundamental Rights Officer
- REX 2017 Team (PRU)
- TRL

The general tasks and roles of operational structures / actors are defined in the Annex 10. Contact details of main operational actors can be found in Annex 11.

#### 7.3. Composition of the teams

The teams shall be comprised of:

- · Border Surveillance Officers
- Advance Level Document Experts
- Stolen Vehicles Detection Officers
- Second Line Officers
- Host MS officers

# 8. COMMAND AND CONTROL

#### 8.1. Technical equipment

Operational command of aerial, maritime and terrestrial assets of the participating MS remains with the respective MS, while the tactical command of the assets is in the hands of the ICC after consultation with the National Officials (NO).

The aerial, maritime and terrestrial assets will receive instructions from the ICC/LCC regarding zones to cover and recommendations of actions to be taken. The situation on scene will be reported to the LCC/ICC via all available communication systems.

National Officials deployed to the technical equipment are under the command and control of the respective participating MS.

In case of requested support from a competent Rescue Coordination Centre (RCC) during a SAR event, the coordination of the participating unit is transferred from the ICC/LCC to the RCC.

# 8.2. European Border and Coast Guard Teams (border guards, seconded members of the teams and other relevant staff)

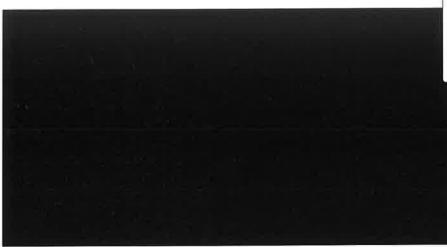
Command and control of members of the teams remain with the competent national authority of the host MS. The host MS nominates officers who are in command of the European Boarder and Coast Guard Teams (EBCGT). Members of the Teams will carry out their duties under the instructions of the officers of the host MS who have the operational responsibility for the team assigned.

Members of the Teams seconded to the Agency perform their tasks under the direct instructions of the officers of the host Member State, without prejudice to the Agency's prerogatives pursuant to European Border and Coast Guard Regulation.

Members of the EBCGT and Members of the Teams seconded to the Agency under FSO profile perform their tasks under the instructions and command and control of Frontex in close cooperation with the host MS.

Contact details, including names of the host MS' officers responsible for cooperation with deployed Members of the EBCGT and the locations of deployments are included in Annex 11.

#### 8.3. Command and control scheme



Commented [A15]: The blanked out parts contain detailed information regarding the command & control scheme of law enforcement officials. Its disclosure would expose law enforcement officials engaged in the operation and harm the course of future and ongoing operations, and thus facilitate irregular migration. Therefore, public security will be affected. In light of the above, the text is not disclosed pursuant to the exception laid down in the first indent of Article 4(1)(a) of Regulation No 1049/2001 relating to the protection of the public interest as regards public security.

International Coordination Center

- ICC

Head of ICC

ICC Coordinator

Frontex Coordinating Officer

/ Frontex Operational Coordinator

Frontex Support Officer ICC

Local Coordination Centre - LCC

Head of LCC
Assistant to LCC
Frontex Operational Coordinator
Frontex Support Officer

Border Control Unit - BCU

Local Coordinator

Team Leader

Members of the teams

Local Staff

Border Crossing Point - BCP

Local Coordinator

Team Leader

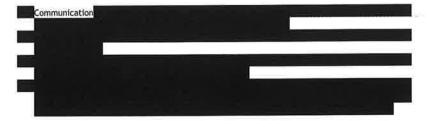
Members of the teams

Local Staff

# 9. COMMUNICATION

#### 9.1. Operational communication

Communication flows for operational activities in the operational area are standard and channelled via the ICC. The standard communication flow is as follows:



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Detailed information about communication and FOSS is provided in the Handbook.

#### 9.2. Communication with Press

Frontex is strongly committed to the principle of transparency. As a general rule, media should be granted access to operational areas.

Members of the teams are allowed to talk to the media only within the limits set by specific guidelines for the participating officers. Each member of the teams taking part in the operation shall receive a laminated card with the specific guidelines.

A network of press offices of all involved authorities will be established and all contact details shall be sent to press@frontex.europa.eu.

The communication strategy on the Border Control Operational Actions on the territory of the Host MS is common for Frontex and the host MS. Frontex and the Host MS shall nominate Dedicated Press Officers (DPO) who will be entirely responsible for coordination of all matters related to interview requests, press visits to the operational area and any other press-related matter related to REX 2017. Press visits of international media will be facilitated by Frontex in coordination with the Host MS authorities. Frontex Press Office may arrange, upon agreement with the NCP, the deployment of a members of the teams/seconded members of the teams with the profile of Frontex Field Press Officer.

Frontex communication policy, rules and guidelines for handling media requests are included in the Handbook.

The contact details of Frontex Press Office members (Spokesperson and Frontex Field Press Officer) and dedicated press officers of national authority of the host MS are indicated in Annex 11.

# 10. REPORTING

# 10.1. Reporting and JORA

Reports regarding all border-related incidents that have occurred in the operational areas are prepared by the officers of the Host MS or members of the teams and sent via JORA. The incident reports shall contain all the necessary elements and attachments (i.e., document alerts, images, videos, etc.) gathered during the operational activity. After they are sent, the incident reports will undergo the JORA validation process to be approved by the FSC.

At the end of each shift, Team Members shall write the Shift report (for TMs deployed for land border surveillance) or Shift report of Focal Point Officer (for TMs deployed at Focal Points land, air and sea). Reports need to be sent to the respective FSO in accordance with the reporting structure, described under point 10.2.

In order to enhance the synergies between different coordinated activities implemented in the area, Team Members deployed at the Focal Points land and sea shall report to the ICC, through the established

reporting channels of the Local Coordination Centre, while Team Members deployed at Focal Points air shall report directly to the ICC.

In case the system is unavailable to users, the ICC shall immediately report the unavailability to the FSC via the chain of command. A decision will be promptly made in Frontex and communicated to the users.

Members of the teams seconded to Frontex perform their tasks under the direct instructions of the border guards of the host Member State, without prejudice to the Agency's prerogatives pursuant to Frontex Regulation.

Comprehensive information and the examples of templates of all reports on JORA is provided in the Handbook.

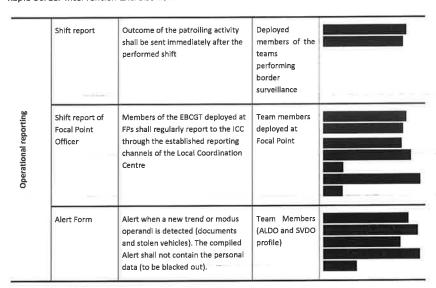
JORA Guidelines and the templates in Word format are available in FOSS.

The list of JORA actors, the incidents reporting structure and JORA incident template attributes list are described in Annex 12.

# 10.2. Reports of participants

Ту	pe of report	Description	Responsibility	To be sent to
Daily ICC Report	ICC Daily report incl. JCB Minutes and Patrolling Schedule	Operational overview on a daily basis, covering the last 24 hours	FSO ICC	Shall
DAILY REPORTING PACKAGE	Technical Equipment Mission Report	Information about the activity performed by the assets	NO Commanding Officer with the support of the LO/TE	
	Maritime Incident Report	Initial information about apprehended/rescued migrants and collected evidence to be forward to the local authorities at the disembarkation areas.  To be sent immediately after apprehension/rescue	NO Commanding Officer with the support of the LO/TE	
JORA	Incident reports from Reporting Units	information collected by the reporting units from the operational area, within the scope of the REX 2017 provided to FSC	ICC	

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# 10.3. Document alert and Modi Operandi Alert

In case of the detection of new types/ good quality of document forgeries participant airports are requested to send as soon as possible via JORA to Frontex Situation Centre a Document Alert, describing the document and its most important characteristics (see the template in the Handbook to the Air Border Operational Plan Chapter 9 and also uploaded in FOSS). The Frontex Situation Centre will distribute the information received via Frontex One Stop Shop (FOSS) to all other participants.

If the alert is related to a new modus operandi, a displacement taken by illegal and criminal smuggling networks or to any other relevant information concerning the flow of irregular passengers, the Risk Analysis Unit will handle the information, which will be also distributed to Member States (the alert template for Modus operandi can be found in FOSS).

Frontex can receive alerts also via email at fsc@frontex.europa.eu. When sending alerts via email please put always email address fp.abs.data@frontex.europa.eu in copy.

#### 10.4. ICC Daily report

The daily report shall be prepared by the ICC FSO who is responsible for the dissemination of the daily reporting on a daily basis before 13.00 CET to Frontex (Operational Team and FSC) via functional emails , as well as copied to the NFPoCs of Host MSs, LCCs and participants in the JCB meeting. The ICC Daily Report must be verified

by the FCO/FOC and the ICC Coordinator.

#### 10.5. Serious incident reporting

The reporting of serious incidents (SI) must be in line with the reporting structure of the operation.

Type of report	Description	Responsibility
Report	Serious Incident Report is an alert message that shall be reported immediately (within 2 hours after recognition) to FSC and the host MS' authorities in case an incident,	the REX 2017 (via

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natural or caused by human action, occurs which may affect or be relevant to a particular Frontex activity, the safety and security of participants in Frontex activities, the Agency's mission and reputation, or any combination thereof, having special regard to any allegation of violation of Fundamental Rights.

Formal SIR shall be reported in JORA and sent immediately via email (within 48 hours) to

Serious Incidents Catalogue is available in the Handbook.

#### 10.5.1. Reporting to the Management Board and to Member States

Upon conclusion of the procedure initiated with the SIR, the Executive Director reports to the members of the Management Board and to the relevant national authorities, in accordance with the provisions provided for in the respective Standard Operating Procedure.

#### 10.6. Frontex reports

Type of report	Description	Responsib ility	To be sent
FCO/FOC Weekly Report	Feedback on performed activities in the area	FCO/FOC	Shall
Analytical Report	Analytical assessment of the factors impacting the situation in the operational area, trends, patterns, on bi-weekly basis	OA	
FSC Situational Report	Overview of the operational activities related to the 24-hour period of the preceding day	FSC SDO	
FSO LCC Daily Report	Overview of the operational activities related to the 24-hour period of the preceding day - to be sent until 09:00 LT	FSO LCC	

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# 11. WORKING CONDITIONS AND LOGISTICS

# 11.1. Working conditions and working environment of the operational area

The working conditions and environment vary according to the place of deployment.

Detailed information on each location is presented in Annex 13

#### 11.2. Logistics

Before arrival, members of the teams are advised to contact their colleagues already deployed in the operational area to arrange the transfer to the hotel. If this solution is not possible they should contact the respective Local Coordinator and FSO and ask for support.

# 11.2.1. Heavy equipment, firearms and ammunition

Heavy equipment is highly recommended to be delivered on the day after operational briefing and shipped back on the day before debriefing day.

Information regarding transportation of firearms and ammunitions can be found in the Handbook for land operations

#### 11.2.2.Crew related issues

Before executing the change of crew of asset deployed, the participating MS shall inform Operational Team in due time to ensure delivery of the operational briefing / debriefing for crew members.

In case that the crew members will leave the deployment area during the days of crew rest time, it must be informed in due time before to the participating MS, LCC Coordinator and the Operational manager.

#### 11.2.3.Diplomatic clearance and Night flights under VFR ATC clearance

The participating MS deploying aerial and maritime assets shall make the necessary arrangements in advance to obtain the Diplomatic clearance to allow the state aircraft and/or government vessels operated for non-commercial purposes to enter the territory and have access to airports/ports and the airspace of bost MS

The participating MS should respect the time needed for issuance of flight clearance according to national procedures and submit clearance request for the diplomatic clearance in time (at least 15 working days before the foreseen starting date of flights) in order not to jeopardise the timely start of the mission.



#### Additional information for Bulgaria:

Under the Civil Aviation Act and as per the meaning of article 62, paragraph 3 of the Law on Commerce, the state-owned enterprise "Bulgarian Air Traffic Services Authority" (BULATSA) is a legal entity that performs state functions for the provision of air navigation services in the controlled civil airspace of the Republic of Bulgaria, in line with the Civil Aviation Act and the international agreements in the field of civil aviation signed and ratified by the Republic of Bulgaria. Pursuant to article 53, paragraph. 2 of the Civil Aviation Act, the scope of BULATSA's activities encompasses all aircraft performing flights in the controlled civil airspace of the Republic of Bulgaria. Therefore

Clearance request form for VFR flights at night can be found in the Handbook for land operations.

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#### 11.2.4. Transport, car rental and lodging

The host MS contributes, if possible, to the local transportation and accommodation of the deployed members of the teams. The host MS, if possible, makes a cost-free pre-booking, which is directly confirmed by the participating MS.

The use of rental car is to be approved in advance by the Operational Manager and expenses should be included in the relevant financial documents. In this case, all practical/logistic issues should be arranged by participants themselves in advance.

Each participant is strongly advised to bring his/her driving licence since they could be listed as a 2nd driver on the car rental contract. The main purpose for car rentals is the transportation from/to meeting points to working places not only of the driver but also of other deployed officers without car.

Frontex (Operational team) will not make any bookings or reservations of the flights, accommodation, etc.

Information regarding accommodation can be found in Annex 14.

#### 12. EVALUATION

#### 12.1. Member States and Third Countries

Reports	Deadlines	
Report from Participant	Shall be submitted to Frontex within 7 calendar days after deployment via email:  Relevant sections of the report will be distributed to TRU.  Template of the report is available on FOSS and Handbook	
Final Report from Member State	Shall be submitted to Frontex attached to the request for final payment via functional email:  Template of the reports is available on FOSS and Handbooks	

The final payment will not be processed until the Final Reports from MS and Third country are not submitted to Frontex. In case only up to two members of the teams were deployed by home MS, Report from Participant may be sufficient.

#### 12.2. Frontex

Reports	Benchmarks
Frontex Evaluation Report	The results will be evaluated and Frontex Evaluation Report (FER) will be transmitted within 60 calendar days after the termination of the REX 2017 to the Management Board together with the observations of the Fundamental Rights.  FER will be uploaded on FOSS.
	FER will be accomplished in line with the indicators of objectives defined in the Annex 4 of the OPLAN.

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#### 13. FINANCIAL PROVISIONS

In accordance with the applicable legal framework, Frontex will finance the REX. Frontex will reimburse eligible costs incurred by participating MS authorities in relation to deployments of human and technical resources.

Frontex will be responsible for the preparation of all necessary financial commitments and the preparation of the legal commitments. Funds are allocated by means of issuing Specific Financing Decision (SFD) with Estimated Budget and calculation for Running Expenses of Means (REM), if applicable. The Estimated Budget and REM are to be submitted by the authority participating in the operational activity.

Once the SFD is issued by Frontex, the authority is obliged to send back Acknowledgement of Receipt and is entitled to request pre-financing up to 50% of SFD budget. Frontex strongly recommends its Beneficiaries to request pre-financing

Payment of the balance, which may not be repeated, is made after the end of the <u>operational activity based</u> on eligible costs actually incurred in carrying out the operational activity. The request for final payment shall be submitted within 75 days after the end of the operational activity. Payments shall be remitted within 60 days from the receipt of the request for final payment, notwithstanding any suspension period due to incomplete or incorrect information provided by the Partner.

# **ANNEXES**

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Annex 2	Procedures on Complaints Mechanism
Annex 3	Assessment of the Situation
Annex 4	Operational Objectives
Annex 5	Operational Area
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Annex 7	Plan of deployed resources
Annex 8	Operational briefing and debriefing
Annex 9	Cooperation with other Union agencies and bodies or international organizations
Annex 10	General tasks and roles of operational structures / actors
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Annex 12	JORA
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