

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



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EPN-Horizontal Programme

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OPERATIONAL PLAN

2009

HERMES

Head of Joint Operations Unit

Head of Risk Analysis Unit

Commented [BW1]: Those passages contain personal data. Their disclosure is thus precluded pursuant to Article 4(1)(b) of Regulation 1049/2001.

CONTENTS

A. BACKGROUND

- General Information
- Risk Assessment

B. GOALS - OBJECTIVES

- The Goals
- The Objectives

C. ORGANIZATION

- Partnership
- Frontex tasks
- The Member States tasks
- Frontex Manager (FM)
- Frontex Situation Centre (FSC)
- Frontex Coordinator (FC)
- Frontex Analyst Support Officer (ASO)
- Frontex Support Officer (FSO)
- National Coordination Centre (NCC)
- Regional Coordination Centre/Local Coordination Centre (RCC/LCC)
- Focal Point (FP)
- International Coordination Centre (ICC)
- Incentive organic scheme
- ICC Coordinator
- Joint Coordinating Board (JCB)
- National Official (NO)
- Liaison Officer (LO)
- Intelligence Officer (IO)
- Experts Teams (Guest Officers-GOs-)
- Executive powers for Guest Officers
- Special advisers
- Commanding Officer (CO)
- Interpreters
- Observers from third countries
- Local Staff of hosting Member States
- Additional staff of hosting Member States

D. EXECUTION

- Operational concept
- General conditions
- Incentive operational scheme
- Specific conditions – Border Surveillance
- Specific conditions – Information Gathering
- Specific conditions – Border Checks
- Specific conditions – Best Practices on Repatriation
- Specific conditions – Capacity of NCC/RCC
- Specific conditions – Mapping of processes
- Satellite test in Sardinia

Press Communication
Communication
Reporting
Standard Reporting System
Type of reports
Lines of reporting
Reporting lines
Incentive reporting scheme

E. OPERATIONAL AREA – DEPLOYMENT

Operational areas
Deployment of resources
Schedule

F. FINANCE – EVALUATION

Finance
Evaluation

G. ANNEXES

- I – Recommended course of action
- II – Minimum information requested from migrants during interviews
- III – Guidelines for Joint Debriefing Teams (JDT)
- IV – Template for interviews
- V – Template for the Italian Police “only” for Interviews of Facilitators
- VI – Debriefing team’s weekly report
- VII – Intelligence Daily Report
- VIII – Incident Report
- IX – ICC Coordinator Daily Report
- X – Patrolling Schedule
- XI – Experts Evaluation
- XII – Communication Table

A. BACKGROUND

General Information

1. The Member States of the European Union share the challenges to protect the common area of freedom, security and justice. The efforts to make the protection of the area feasible and at the same time to provide preventive care and protection to persons requiring so have to be ensured by coherent and effective application of the Member States' obligations. It always has to be kept in mind that the illegal activities at sea bring along substantial danger of losses of lives. Effective measures of border management contribute to reduce these losses.
2. Political and operational pressures to reinforce operational activities at the maritime borders and on the sea require actions coordinated by the European Union in order to safeguard the Schengen system and to prevent illegal activities.
3. The Council Regulation (EC) No 2007/2004 of 26 October 2004 (Frontex Regulation) established Frontex with a view to improving the integrated management of the external borders of the Member States of the European Union. While considering that the responsibility for the control and surveillance of the external borders lies with the Member States, Frontex shall facilitate and render more effective the application of existing and future Community measures related to the management of external borders. Frontex shall do so by ensuring the coordination of Member States' actions in the implementation of those measures, thereby contributing to an efficient, high and uniform level of control on persons and surveillance of the external borders of the Member States.
4. Frontex has from its operational start on 3 October 2005, carried out its tasks given in the Frontex Regulation, Article 2 as follows:
 - a) coordinate operational cooperation between Member States in the field of management of the external borders;
 - b) assist Member States on training of national border guards including the establishment of common training standards;
 - c) carry out risk analysis;
 - d) follow up on the development of research relevant for the control and surveillance of external borders;
 - e) assist Member States in circumstances requiring increased technical and operational assistance at external borders;
 - f) provide Member State with the necessary support in organizing joint return operations;
 - g) deploy Rapid Border Intervention Teams to the Member States in accordance with 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.
5. The Regulation (EC) No 562/2006 of the European Parliament and of the Council of 15 March 2006 established a Community Code on rules governing the movement of persons across the borders, (Schengen Borders Code). The Article 16 confirms that Member States shall assist each other and shall maintain close and constant cooperation with a view to the effective implementation of border control, whereas the operational cooperation between Member States in the field of management of external borders shall be coordinated by Frontex.
6. The Regulation (EC) No 863/2007 of the European Parliament and of the Council of 11 July 2007, Article 12, amending the Council Regulation (EC) No 2007/2004 of 26 October 2004 Article 10 defines the tasks and the powers of Guest Officers. Guest Officers shall have the capacity to perform all tasks and exercise all powers in accordance with Regulation (EC) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a

Community Code on the rules governing the movement of persons across borders (Schengen Borders Code), and that are necessary for the realization of the objectives of that Regulation.

7. The Presidency Conclusions from the European Council of 15/16 December 2005 called on Frontex to launch a feasibility study on reinforcing monitoring and surveillance of the Southern maritime border of the European Union, namely in the Mediterranean Sea, and on a Mediterranean Coastal Patrols Network involving EU Member States and North African countries. The task was fulfilled by the MEDSEA study, delivered in July 2006, giving the organizational structure and the way to exchange information ensuring the coordination of such operational activity in an EU approach.
8. The same Council Conclusions contained the task to explore the technical feasibility of establishing a surveillance system covering the whole Southern maritime border of the EU and the Mediterranean Sea. As a response to this, the BORTEC study was carried out by Frontex, and formally delivered in January 2007. The study presented the structure of a surveillance system covering the Southern maritime borders as well as the sea beyond.
9. In order to have the permanent situational awareness and the capacity/capability to react adequately, a permanent regional border security concept has to be established enabling the synchronization and efficient utilization of available resources. This working concept and the network connecting Frontex on the EU level with the national level in the Member States, is the establishment of a National Coordination Centre (NCC) in each Member State as described in the MEDSEA study. The establishment of the NCCs provides the EU and the Member States with an important tool to fight against illegal migration thus promoting the gradual development and effective functioning of the EU Integrated Border Management System. Besides, it is essential to continue the efforts to integrate third countries into the network covering the EU external borders.
10. The civilian chain of command is imperative for border control of persons while on the same time enabling the use of all national resources supporting the control activities on the sea and at the external borders.
11. The Presidency Conclusions of the European Council of 14/15 December 2006 invited Frontex to establish as soon as possible, together with the Member States of the region, a permanent Coastal Patrols Network at the Southern maritime borders. On 24 May 2007, Frontex together with the Member States; Cyprus, France, Greece, Italy, Malta, Portugal, Slovenia and Spain, implemented the permanent European Patrols Network (EPN) at the Southern external maritime borders based on the description of the organization structure in the MEDSEA study and the working concept in the BORTEC study. From November 2007 Bulgaria and Romania were included.
12. The European Commission delivered on 13 February 2008 a Communication on EUROSUR, the implementation of a European Surveillance System, described in detail in the BORTEC study. The Communication stated that EUROSUR is the further step of developing the EU approach with one single National Surveillance System based on the established NCCs.
13. The Frontex coordinated activities are imperative particularly at the Southern maritime external borders and have become of permanent character and thereby a permanent operational structure is needed. The NCCs in the Member States covering the Southern maritime external borders should therefore be further developed enabling the permanent awareness and reaction capacity (24/7). Member States might set up Regional and/or Local Coordination Centres (RCC/LCC) to support their NCCs.
14. Frontex would, together with the Member States, establish Focal Points (FP) as permanent platforms for the professional assistance, experience exchange and training on "hot spots" at the

Category	Sub-category	Item	Quantity	Unit	Value	Notes
Food	Groceries	Apples	10	kg	100	
		Bananas	5	kg	50	
		Carrots	20	kg	200	
		Onions	15	kg	150	
		Potatoes	30	kg	300	
		Tomatoes	10	kg	100	
Clothing	Shirts	Blue	5	pieces	50	
		White	3	pieces	30	
		Black	2	pieces	20	
		Red	1	piece	10	
		Green	1	piece	10	
		Yellow	1	piece	10	
Electronics	Smartphones	iPhone	1	unit	1000	
		Samsung	1	unit	800	
		Pixel	1	unit	700	
		Nexus	1	unit	600	
		Motorola	1	unit	500	
		OnePlus	1	unit	400	
Furniture	Sofas	Leather	2	units	2000	
		Fabric	1	unit	1000	
		Wood	1	unit	800	
		Steel	1	unit	600	
		Plastic	1	unit	400	
		Glass	1	unit	300	

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Commented [FG3]: Comment: The marked parts contain detailed information on the analytical findings, risk assessment and recommendations and its disclosure would harm the course of future operations. 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

B. GOALS - OBJECTIVES

15. The Goals

- To achieve the permanent situation awareness of the EU external borders to be used as basis for measures to be taken at European and national level to tackle identified threats and risks with the view to improving integrated management of external borders;
- To establish a permanent regional border security concept enabling the synchronization and efficient utilization of available resources for carrying out, based on thorough analysis of the current situation, the best suitable actions to mitigate risks stemming from high risk areas and phenomena of illegal migration and other border related crimes;
- To ensure the interaction between Frontex and its stakeholder at a strategic and operational level related to the development and integration of required tools and platforms to guarantee interoperability of developed and deployed solutions;
- To reach operational cooperation arrangements with the relevant third countries and their involvement in the Frontex coordinated operational activities at the EU external borders.

16. The Objectives

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- Border surveillance – to detect all targets enabling the identification of emergencies to give adequate help and when needed intercept persons to prevent unauthorized border crossing, to counter cross-border criminality and to take measures against persons who have crossed the border illegally;
 - Border checks – to carry out border checks on all persons crossing the external border, including their transportation means and objects in their possession, in order to establish their identities;
 - Increase the capacity of the permanent structures – to develop further the EPN working concept supporting the set up of NCCs/RCC/LCCs/FPs;
 - Increase the information gathering – to establish best practices on debriefing of persons to obtain intelligence improving the risk assessment for realizing steering processes on operational activities;
 - Increase the number of identified persons – to establish best practices on identification procedures to improve the support of the national repatriation efforts;
 - Increase the number of repatriated third country nationals – to establish best practices on repatriation;
 - Mapping processes – surveillance – information gathering – identification – protection mechanism – acquisition of travel document – repatriation.

C. ORGANIZATION

17. Partnership

- Frontex as the Community coordinator; initiating, promoting and facilitating the Member States synchronized efforts to control the external borders;
- Member States via their NCCs as the operational multiplier; initiator, developer and carrying out the tasks.

18. Frontex tasks

- To lead and coordinate the Member States' implementation of joint operations;
- To lead and coordinate the definition of the activities and areas which shall be covered by joint operations, and the following planning, implementing and evaluating;
- To promote the establishment/development of the national organizational structure, NCC/RCC/LCC/FP, enhancing the permanent coordinated actions;
- To promote and facilitate the operational cooperation between Member States and third countries;
- To stimulate, lead and coordinate the sharing of all useful border related information among NCCs and with Frontex;
- To stimulate the sharing of pertinent information among national authorities (commands/agencies);
- Monitoring the developments of illegal immigration patterns and trends in the operational area by maintaining as near to real-time as possible of situational picture and conducting risk analysis on a continuous basis;
- To evaluate continuously the joint operations and produce reports about the state of play, achievement and challenges.

19. The Member States tasks

- To develop further the NCC as the permanent national organizational structure and working concepts for joint operations, including the RCC, LCCs and FPs;
- To cooperate with other Member States on the implementation of the joint operations in order to have the coordination of the Member States' efforts to control the external maritime borders;
- To stimulate, lead and coordinate the sharing of pertinent information among national authorities (commands/agencies);
- To clarify the national conditions for implementing joint actions including organizational structure and procedures for border control;
- To clarify the national contribution and the conditions for the deployment of technical equipment and human resources;

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- To clarify the national working conditions for technical equipment and human resources from other Member States including Diplomatic Clearances for the aerial, land and maritime means;
 - To clarify the national legislation regarding the use of Guest Officers' service-weapons and rules of engagement;
 - To evaluate continuously the joint operation supporting the further development.

20. Frontex Manager (FM)

Frontex shall appoint the FM for the defined activities responsible for the overall planning, monitoring and evaluating and acting as the Frontex point of contact. FM will be supported by specialist staff from involved units/sectors in Frontex forming a Frontex Management Team and shall:

- Elaborate a project/specific joint operation management plan;
- Coordinate the planning, implementing, reporting and evaluating in Frontex and with the Member States;
- Elaborate together with the Member States the Operational Plan for defined operational activities in geographical and topical operational areas;
- Facilitate and promote the implementation in a flexible manner to ensure the adaptation to upcoming needs;
- Elaborate the financial contribution from Frontex to the defined activities;
- Ensure that Frontex administrative and financial procedures are followed.

21. Frontex Situation Centre (FSC)

The FSC shall provide a constantly updated picture, as near to real-time as possible, of the illegal immigration situation at the external borders of the EU. FSC shall have access to all the information from all joint operations to manage the operational information flow, gather open sources information and to support the operational activities.

22. Frontex Coordinator (FC)

Frontex shall appoint the FC which will be deployed to the ICC in the hosting Member State during the joint operation acting as the head of the Frontex delegation during the joint operation, to monitoring the joint operation and fostering the cooperation and coordination among the hosting and participating Member States.

FC shall provide Frontex with daily and weekly reports.

23. Frontex Analyst Support Officer (ASO)

Frontex shall appoint an ASO to assess constantly relevant information from all available sources and produce regularly analytical assessments related to the operational activities enabling a wider vision on the risk, threat and situation affecting the operational area when going through the analytical process.

The ASO shall:

- Be constantly linked with and reporting to the FC, the IO and the Debriefing Teams and Focal Points for intelligence matters;
- Give the FC and the ICC advice and/or proposals on planning operational activities in the predefined operational areas and recommend countermeasures to the authorities encouraging a dynamic approach to the situations;
- Provide the FC with the analytical support needed for the ongoing reporting;
- Provide feedback and guidelines to the Debriefing Teams on the quality and content of interviews.
- Produce analytical assessments on a weekly basis and ad-hoc, of the given situation within the area of operation and beyond to the FC and RAU; for further submission to ICC, Frontex and IO.

24. Frontex Support Officer (FSO)

Frontex might appoint FSOs for specific activities in a joint operation where different types of activities are included to ensure the efficient implementation, supporting the hosting Member States and the FC, and promoting the further development.

25. National Coordination Centre (NCC)

The EPN Member States shall establish the NCCs as the permanent operational multiplier following the conclusions in the MEDSEA study.

The generic requisites to develop planning, verification and implementation on EU level of measures aimed at improving the security of external maritime borders are:

- The appropriateness of physical structures, the systems of communication and the qualification of the personnel, especially to operate in the search of creative solutions in the context of international collaboration.

The specific requisites are the availability of appropriate equipment and know-how in order to allow the NCCs to carry out the following activities:

- Planning; strategic plans, working programs and operational plans;
- Coordination and assistance to daily operational activities;
- Evaluation of operational activities;
- Elaboration of recommendation and best practices.

26. Regional Coordination Centre/Local Coordination Centre (RCC/LCC)

The Member States might, based on the national organizational structure related to border security, establish RCC/LCC for the coordination of activities at regional/local level, with the neighboring Member States and with third countries.

The role of RCC/LCC is to manage and coordinate all operational tasks, which are necessary to work in a professional manner, in the area of responsibility, in partnership with involved international and domestic partners during the joint operation.

The RCCs/LCCs are an integrated part of the organizational structure for NCC.

In [REDACTED] be held a daily briefing with the COs before the patrolling activity, informing about all the happenings in the last 24 hours, schedule, area to survey etc.

[REDACTED] area

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27. Focal Point (FP)

FPs are permanent platforms for the professional assistance, experience exchange and training at “the hot spots” of the external borders of the Member States.

Frontex has initiated the establishment of FPs at maritime borders wherefrom joint operation could be launched. The initiated structure is based on risk assessment and the willingness from the concerned Member States to establish such platforms.

The FPs should be developed based on national organizational structure to promote the normal activities at national level. For maritime borders FPs would be developed as an integrated part of regional/local organizations enhancing the function of NCCs for the coordination of deployed resources during joint operations. The organizational structure and operational concept would be planned in advance giving the opportunity for an efficient and cost-effective fast deployment of foreign technical and human resources.

The established FP should preferably be considered as RCCs/LCCs where such entities exist on national level.

28. International Coordination Centre (ICC)

The ICC shall be established in a defined hosting Member State in cooperation between Frontex and the hosting Member State(s), when Frontex coordinated joint operation at external maritime borders are implemented.

The ICC should be located in premises giving the most efficient coordination of the joint operation taking into account all the integrated activities. Preferably the ICC should be located in the NCC. However, depending on the current national structure in the defined hosting Member States other location could be chosen and then preferably in permanent platforms such as RCC/LCC/FP. In particular, careful consideration on the location should be taken where more than one Member States are hosting the joint operation.

The ICC shall be the place for leading the operational coordination during a joint operation. The ICC shall be manned by duty officers on 24/7 –base for preparing and executing the joint operation. The ICC shall be equipped in accordance with the minimum Frontex requirements for joint operations. FC, IO and NOs shall have access to the ICC 24/7.

The ICC’s main tasks are:

- Lead and coordinate the implementation of the actions described in the Operational Plan;
- Coordinate, based on daily risk assessment, the deployment of personnel and means at the right moment and to the right locations;
- Ensure communication and cooperation between hosting and participating Member States;
- Planning an intelligence driven tactical and/or strategic synchronization of available aerial, land and maritime operational means.
- If previously agreed with the hosting MS, to channel communication between ICC and the relevant authority/ies of third country/ies (i.e. contact points) that might be involved in the operation.

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- Gathering, combining and sharing of all border related incidents information and intelligence.
 - Keeping updated the communication table (annex XII), sending it to all the participants at the beginning of the operation and when there is any change.
 - Sending to Frontex daily reports (08.00-08.00) including incident reports (annex VIII) and patrolling schedule (annex X).

29. Incentive organic scheme

30. ICC Coordinator

The Member State hosting the ICC shall appoint an officer only for the tasks as the ICC Coordinator who is responsible for daily activities of the ICC during a joint operation as well as the fulfillment of the tasks of ICC. The ICC Coordinator is the chairman of the JCB and must be present in all JCB meetings every day throughout the operation. When ICC Coordinator cannot be present in JCB, he has to be replaced by the appropriate officer who shall take over during his absent

An officer from Guardia di Finanza has been assigned by the Italian+ authorities as the ICC Coordinator. The ICC Coordinator should have the ability of good communication in the English.

31. Joint Coordinating Board (JCB)

The JCB is the board which leading the daily operational activities during the joint operation and is established in the ICC. The JCB shall at least be composed of the ICC Coordinator, NOs (if national aerial and/or maritime means are deployed), Commander Officers, IO and FC. The JCB shall be chaired by the ICC Coordinator.

32. National Official (NO)

The NO shall be appointed by the Member State deploying their aerial and/or maritime means to an operation. The NO shall be deployed to the ICC and are responsible for coordinating the actions of their respective national means with the ICC Coordinator during Frontex coordinated joint operations according to their national legislation. The NO must have the necessary powers and/or authorizations to give instructions and commands to the Commanding Officers of their respective national means according to the national legislation.

NO shall send an incident report form (annex XIII) to Frontex and ICC when incident happen, as well as air/maritime patrolling results (brief information about the patrolling activity).

33. Liaison Officer (LO)

The hosting Member State where the ICC is located might appoint LOs from different authorities/bodies involved to be deployed to the ICC.

34. Intelligence Officer (IO)

The hosting Member States shall appoint an IO to act permanently as a daily connection between the local authorities and the ICC enabling the gathering of all relevant information and providing daily, weekly written reports and all the collected interviews from the debriefing teams to the FC, the ASO and ICC. Intelligence groups of national authorities of the hosting Member

State shall cooperate closely with the IO, including the establishment of a network of contact points during the joint operation in order to ensure a constant and adequate flow of intelligence related to the Frontex coordinated action for further analytical assessments.

The IO shall support the activities of interviewing experts by providing them with constant updates on *modi operandi*, routes and the involvement of facilitators and feedback on the output of interviews, also taking into account the analytical assessments prepared by the ASO on a weekly basis.

The IO shall also attend and take an active role at the meetings of JCB and when required, especially concerning information that might be valuable operationally for redeployment of the personnel and/or means.

The IO shall collect all the information available about the interception of migrants; either directly from the crew members or through NOs/LOs.

35. Experts Team (Guest Officers –GOs-)

Participating Member State offering their FJST experts (Guest Officers) to an operation shall nominate their experts based on the operational skills requested by Frontex to fulfill the general and specific tasks. Guest Officers from participating Member States shall augment hosting Member States' border guard officers to form combined teams.

GOs shall send all the interviews realized to IO on daily basis.

The "Experts Evaluation Form" (annex XI) shall be filled in by the deployed GOs and provided to Frontex, within 15 days after their deployment.

36. Executive powers for Guest Officers

With reference to the Regulations (EC) 2007/2004 and (EC) 863/2007, guest officers shall have the capacity to perform all tasks and exercise all powers in accordance with Regulation (EC) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code), and that are necessary for the realization of the objectives of that Regulation.

Guest officers may only perform tasks and exercise powers under instructions from and, as a general rule, in the presence of border guards of the host Member State.

37. Special advisers

Based on the risk analysis and operational needs the participation of special advisers will be a real added value to the operation. The special advisers will be deployed in teams together with the local staff and FJST experts supporting them in their tasks with their specialist knowledge. However, special advisers' performance are not covered by the Regulation (EC) 2007/2004 and (EC) 863/2007, and thereby limited to the support and assistance without any power to act on their own.

38. Commanding Officer (CO)

Commanding Officers are the Commander of aerial, maritime and land means according to the national legislation.

Commanding Officers shall be debrief before starting their activities about the incidents in the last 24 hours, area to patrol, communications, new trends and all the information considered needed, by the NO and/or LO and/or ICC/LCC Coordinator.

The "Expert Evaluation Form" shall be filled in by the COs and provided to Frontex, within 15 days after their deployment.

39. Interpreters

The hosting Member States shall as a general rule provide the necessary interpreters. However, Frontex in cooperation with the involved Member States might consider the needs to deploy additional interpreters.

The interpreters shall assist the expert teams for the purpose of information gathering (intelligence) and identification of persons.

40. Observers from third countries

Participating border guard officers from third countries have no executive powers to carry out the tasks for border checks/control. They are not authorized to take any measures against migrants. They only may advise the members of local staff. The main goal of their participation is exchanging of experience and obtaining practical experience.

- Intermediate between the national border guard authorities of the hosting Member States and their national border guard authorities on border related incidents and information sharing;
- Support the members of national border guard service during the examination of travel documents;
- Participate in interview teams assisting the local officers with special language or professional skills;
- Participate in combined patrol duty teams at the maritime borders with local officers;
- Provide intelligence information to ICC and Frontex.

41. Local staff of hosting Member States

The national border guard services of hosting Member State and mainly the local staff has the leading role in the implementation of the joint operation. The guest officers, advisors and observers shall support and, based on their (different) mandate, carry out measures in line and in agreement with the local staff.

The basic tasks of local staff will be unchanged (according to the relevant national law and internal regulations of the national border guard service) but additionally they should:

- Cooperate closely with guest officers, advisors, observers knowing their role and mandate;
- Know the operational plan and more accurately the tasks assigned to the local level;
- Support the participants to carry out their tasks with practical contribution;
- Welcome them in the shift/team in which they will be integrated and work with them in mutual trust manner.

42. Additional staff of hosting Member States

Additional staff could be deployed based on operational needs and in agreement between the hosting Member States and Frontex, to increase the operational capacity and supporting the participants from other Member States.

As additional staff shall be deployed two IOs [REDACTED] [REDACTED] four officers to work along with the GOs [REDACTED] Further number of personnel shall be deployed if agree between Italy and Frontex.

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D. EXECUTION

43. Operational concept

The responsibility for the control of the external borders remains with the Member States. Frontex shall facilitate and render more effective the application of existing and future Community measures related to the management of external borders, by ensuring the coordination of Member States' actions in the implementation of those measures, thereby contributing to an efficient, high and uniform level of control on persons and surveillance of the external borders of the Member States.

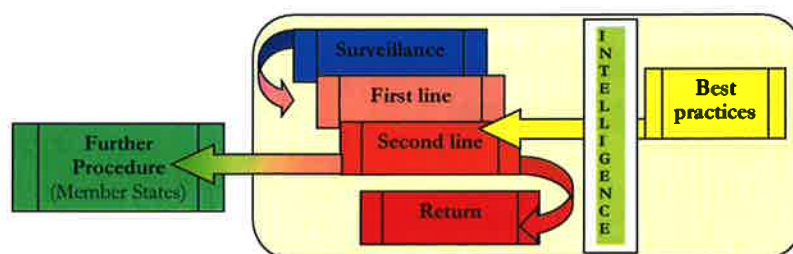
All the measures shall be planned and executed based on Community law, the relevant national legislation and existing provisions of international law, both customary and conventional and in close cooperation with the involved authorities of the Member States, in particular the hosting Member States.

44. General conditions

- All operations shall be conducted in a way that safeguards the fundamental rights of the individuals concerned. All intercepted/rescued persons shall be treated, at all times, in a humane manner respectful of their fundamental rights, and shall not be subject to discriminatory treatment on the basis of any ground such as sex, race, ethnic or social origin, religion, etc;
- All operational activities at sea shall be conducted in full compliance with Community law, the relevant national legislation and existing provisions of international law, both customary and conventional, and in particular:
 - The United Nations Convention on the Law of the Sea (UNCLOS);
 - The International Convention for the Safety of Life at Sea, 1974 (SOLAS);
 - The International Convention on Maritime Search and Rescue, 1979 (SAR);
 - The 1951 Convention in relation to the Status of Refugees;
 - The 1950 European Convention on Human Rights;
 - The 55/25 United Nations Convention against Transnational Organized Crime (Palermo Protocol).
- The prevention of loss of lives has overall priority in all operational actions;
- The security of the operational means and the safety of the crew, guest officers and other actors involved should not be put into unnecessary risk;
- Search and Rescue (SAR) operations are to be conducted under the coordination of the responsible Rescue Coordination Centre (RCC) according to internationally approved procedures;
- Without prejudice to the previous paragraph, the hosting Member States should accept that intercepted/rescued persons would be disembarked in the ports of the hosting Member State as soon as possible;
- Targets attempting to cross the operational areas should be detected by participating means or land based equipment inside the operational areas;
- All person attempting to cross the external borders should be intercepted on the sea or at the latest when arriving on land;

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- All persons intercepted/rescued should undergo border check when crossing the borders;
 - If persons intercepted/rescued express their wish to request asylum such requests will be processed by the hosting Member States' authorities once those persons are on land;
 - The Command and Control of aerial and maritime means participating in the operation remain under the authority of National Commands, whereas the tactical command are under the authority of the specific Commander of the means;
 - The intelligence enhances border control knowledge and represents a basic operational instrument and the effective use of processed information is imperative for effective coordination of operational means and personnel, and should drive border control operations, particularly, the information collected by informants and analytical results of investigations;
 - The jointly and combined inter-agency cooperation should be in place throughout the operational activities in order to increase efficiency and interoperability;
 - The aerial means' main tasks should be the surveillance enabling the cost-effective detections of suspicious targets and as far as possible classification and identification of them;
 - The maritime means' main tasks should be the identification, tracking and interception of the detected targets enabling the interception of them when needed, and they should use their surveillance capacity supporting and improving the detection, classification and identification of targets;
 - The crew of aerial and maritime means should have special focus on the information gathering about/from the person (crew and passengers) attempting to cross the border, and about the means of transportation and object in their possession;
 - Experts consisting of mixed teams of GOs and national officers should concentrate on information gathering (intelligence), identification of facilitators and on border checks and genuine identification of persons;
 - All involved personnel in the joint operation should be provided with knowledge of risk indicators, risk profiles and typical modi operandi of cross-border crime in the area.

45. Incentive operational scheme



46. Specific conditions – Border Surveillance

Border surveillance shall be carried out by using the Member States' offered aerial and maritime means and their stationary and terrestrial mobile equipment – to detect all targets enabling the identification of emergencies to give adequate help and when needed intercept person to prevent unauthorized border crossing, to counter cross-border criminality and to take measures against persons who have crossed the border illegally.

The disposition of forces at sea foresee fixed wing aerial means performing short/medium range surface picture compilation and maritime units ensuring short/medium range detection. The joint operation Hermes will be carried out up to the [REDACTED] for the maritime and air means.

[REDACTED] as a daily activity in the areas, for this operation it will be necessary to have the following means available:

[REDACTED]
[REDACTED]

[REDACTED] The patrolling area for the maritime means can be reduced to [REDACTED] depending on the immigrants' crossing points.

➤ In [REDACTED]

Commented [MP7]: The marked parts contain detailed operational information. Its disclosure would harm the course of future and ongoing operations. 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.

Commented [FG8]: The marked parts contain detailed information on the command and control of the operation and its disclosure would harm the course of future operations. 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.

Commented [MP9]: The marked parts contain detailed operational information. Its disclosure would harm the course of future and ongoing operations. 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.

47. Specific conditions – Information Gathering

Information gathering shall be carried out by using the crew of aerial and maritime means and by staff of stationary and mobile equipment, and by debriefing experts supported by interpreters:

- Information gathering during surveillance activities – collecting and recording evidence to be used for further information gathering and identification;
- Information gathering from selected person when on land – intelligence.

The information gathering from selected persons for intelligence purposes would be different to the one derived from interviews aimed at identifying persons as the purpose is to:

[REDACTED] factors
[REDACTED]
[REDACTED]
[REDACTED]

Commented [FG10]: The marked parts contain detailed information on police tactics and intel gathering and its disclosure would harm the course of future operations. 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.

Nominated experts from the participating Member States which are specialized in will enable the national authorities to form European combined debriefing teams in Priority shall be given to the detection of facilitators. Member States' experts must have a possibility to choose the persons who they want to interrogate.

A tailored training will be provided to all the experts before starting their activities in the operation, hosted in Palermo and carried out by the ASO and the IO giving a briefing on the main aspects of the operation and the organization, and in addition on the routes, nationalities, modus operandi, point of departure and detection and on the presence and activities of

██████████

facilitators and facilitating networks. The training will be based on the handbook of best practices realized in Frontex before the start of the operation.

48. Specific conditions – Border Checks

Border checks are carried out by the border guards of the Italian authorities' specialist in border check and identification with the participation of the GOs. To carry out border checks on all persons crossing the external border, including their transportation means and objects in their possession, in order to establish their identities;

- use the collected and recorded information from the surveillance crew/staff;
- establish an accurate picture of the nationalities seeking to enter the EU illegally;
- gather sufficient personal information to enable the process of protection or repatriation;
- identify the most efficient identification procedures
- recognize the most efficient repatriation procedures increasing the cooperation with third countries representatives;
- exchange of experiences among local officer and GOs identifying best practices to increase the effectiveness of all the above mentioned activities in the MSs.

49. Specific conditions – Best Practices on Repatriation

██████████ continued their efforts related to the identification, particularly the identification of facilitators, and repatriation of migrants arriving to ██████████. Frontex intends in the course of the operation activities to promote the further development aiming at even better results.

Frontex would together with the Italian authorities assess the situation specific for the areas included in the joint operation and with the support from specialists, in identification and return procedure, from other Member States and Frontex staff how to improve the:

- guiding and improving the identification processes;
- developing best practices on the acquisition of travel document and the removal of illegally present third country nationals;
- assistance to the Member States in joint return operations.

The transportation of the intercepted persons by rational methods to the adequate premises in order to facilitate the interviews and identification procedure, to increase the cooperation with third countries consular delegations in order to augment the effectiveness of the JO as well as the involvement of the GOs in the identification a return procedure shall be integrated in the operational concept.

Commented [FG11]: The marked parts contain detailed information on police tactics and intell gathering and its disclosure would harm the course of future operations. 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

50. Specific conditions – Capacity of NCC/RCC

██████████ have decided and are ongoing to establish their national part of the European synchronization network (EPN) with the ██████████ and with RCCs/LCCs in different areas whereof ICC ██████████ will form a LCC.

The Frontex coordinated activities ██████████ would be adapted to support the Italian authorities in their efforts.

Commented [MP12]: The marked parts contain detailed operational information. Its disclosure would harm the course of future and ongoing operations. 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.

51. Specific conditions – Mapping of processes

Frontex would in the course of the operational activities, initiate and work together with the Italian authorities to describe the processes and performance related to surveillance, information gathering, border control/identification, protection mechanism, acquisition of travel document and repatriation.

On a later stage this information would form a part of the evaluation promoting the further development and enhancing the future actions to be carried out and having a more added value and ensuring a better support from Frontex to the [REDACTED]

Commented [FG13]: The marked parts contain detailed information on police tactics and intel gathering and its disclosure would harm the course of future operations. 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

52. Satellite test in [REDACTED]

In the framework of the joint operation will be carried out a satellite test by Frontex, supported by Joint Research Centre (EU Commission) and Italy as a host country.

The objective of the test is to find out weather through satellite technology we are able to detect [REDACTED] not.

For this purpose, a patrol boat will put one of the impounded immigrants boat at sea, the patrol boat will stay at some distance and will track test immigrants boat on its radar for a few hours; during that time, one or a few satellite images will be taken. The exercise will be repeated few times in order to gather statistic.

The same kind of test will be carried out on the beach in order to know the capability of satellite technology to detect small boats in the points of departure. It will put a few impounded immigrant boats on a beach for some weeks, during that time; a number of satellite images will be taken. The orientation of the boats will be change from time to time.

As a second part of the test, in ICC will be available [REDACTED] information that will be provided by the Italian responsible authority, so that will be possible to compare cooperating and not cooperating vessels.

Commented [MP14]: The marked parts contain detailed operational information. Its disclosure would harm the course of future and ongoing operations. 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.

53. Press Communication

The general principle of these rules is the fact that keeping low profile on operations is advisable as publicity is generally likely to act as a pull factor for illegal migration. At the same time, pre-warning signals are sent by publicity which can harm the successful course of operations.

In order to coordinate all issues relating to the press, a network of press offices of all national bodies involved in the operation will be established. All national bodies participating in the operation shall forward the contact details (e-mail and 24/7 phone number) of their press offices to Frontex Information and Transparency press@frontex.europa.eu

Normal course of events:

- All press offices of the relevant bodies will stay in touch during the operation to ensure uniformity of messages on its course;
- Press offices of national bodies will inform Frontex Information and Transparency on information provided to the media as well as on interviews given to the media in connection with the operation;

- Requests for interviews with national representatives in the ICC will always be forwarded to the press office of the respective body that decides if to enable it or not;
- Experts involved in the operation will not talk to the media during the course of the operation;
- If any of the participating bodies receives an inquiry from the press, answers will be limited to information on the general aim of the operation and participating Member States;
- Giving exact numbers of technical equipment is to be avoided as not to reveal the scope of the operation in too much details;
- In order to provide a full picture of the operation, when in contact with the media national press offices will advise the journalists to also contact Frontex to put the nationally provided information into EU context;

At some stage of the operation Frontex might start publishing weekly statistic overview of the operation on the official agency's website: <http://www.frontex.europa.eu>.

After the end of the operation the information can be published on the results. However, as there will be sequels of operations taking place in the same or similar operational area conducted in the same or similar way, all communication even after the operational time should take this into account.

In case of incidents, the national body directly involved in it will inform Frontex Information and Transparency as well as press offices of all bodies involved, before making a statement to the press. When these bodies need to inform on the event, they will take over the original text and refer to the press office that originally published as the source.

Press presence.

- The decision to allow representatives of the media on board of technical equipment involved in the operation or into national premises will be taken by the national body to which the equipment/premises belong, respecting the necessity not to reveal any operational details. However, Frontex strongly recommends limiting such permissions only to "serious" media working on documentaries and the European Commission's Audiovisual Service;
- If giving such permission, the press office of the respective national body will inform Frontex Information and Transparency;
- If a national service makes its own film material/photographs of its involvement in the operation and wants to provide parts of it to the press, it can do so upon the condition that this film material does not reveal any operational details and does not contain information on the involvement of other Member States;
- Upon releasing such film material, the national service is kindly asked to inform Frontex Information and Transparency on this fact and if possible, provide the film material to Frontex.

54. Communication

Frontex shall together with the Member States establish reliable communication systems/tools to cover the operational needs and security of involved means and personnel on the field, and shall focus on the optimization of communication systems/tools by testing/using new communication technologies.

For all the maritime means deployed, it would be desirable to carry on board a positioning system enabling the ICC in [REDACTED] to see, in real time, the situation of all the deployed means.

55. Reporting

Commented [MP15]: The marked parts contain detailed operational information. Its disclosure would harm the course of future and ongoing operations. 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.

[REDACTED]

Frontex shall together with the Member States establish uniform reporting systems for the information gathering and exchange, enabling the assessment of threats and risks and to decide on the reaction to be implemented.

Additionally, the reporting system should provide the possibility to extract the situational awareness in different operational areas and on the external maritime borders as a whole.

56. Standard Reporting System

The operational reporting will be based on automatic and electronic solutions with the following principles preserved:

- single data entry: each incident recorded only once in electronic form (incident report in dedicated Excel sheet);
- database approach: all incident reports forwarded to ICC and transferred automatically to overall Excel database with use of the Macro functionality;
- automatic generation of necessary reports from overall database (covering statistics accumulated from the start of operation);
- focus on assessment of operational information - instead of time-consuming manual collection of data, drawing conclusions for better operational management.

The reporting package shall consist of the following items:

General

Item	Description
Standard Patrolling Schedule	[REDACTED]
Incident Reports	[REDACTED]
Overall Database of Incidents	[REDACTED]

Commented [MP16]: The marked parts contain detailed operational information. Its disclosure would harm the course of future and ongoing operations. 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.

Standard Patrolling Schedule is operated by the ICC by means of:

- recording the data on assets' patrols planned and delivered during the operation
- one week advanced planning of available assets and operational working hours
- administering the structure of the database (e.g. by introducing new assets when necessary)

57. Types of reports

During the operation the following reports, with fixed formats, shall be used:

[REDACTED]

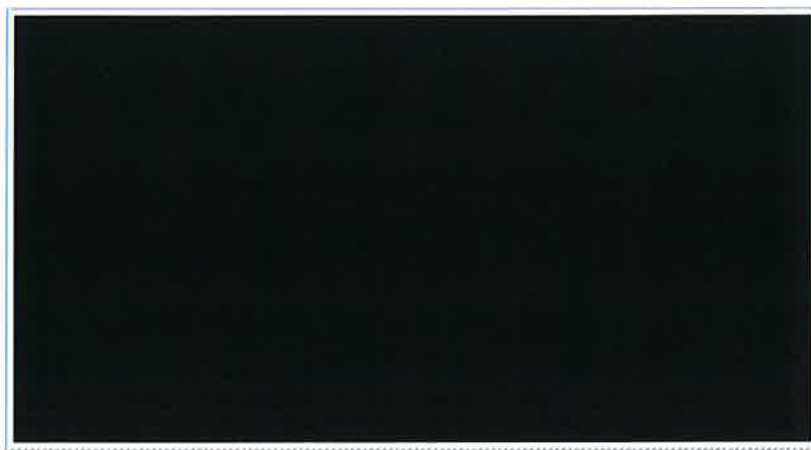
Commented [BW17]: The marked parts contain detailed operational information. Its disclosure would harm the course of future and ongoing operations. In light of the above the text is not disclosed pursuant to the exception laid down in the first indent of Article 4(1)(a) of Regulation No 1049/2001 relating to the protection of the public interest as regards public security.

[REDACTED]

59. Reporting lines

Frontex	
ICC	
IO	

60. Incentive reporting scheme



Commented [FG18]: The scheme contain detailed information on the command and control of the operation and its disclosure would harm the course of future operations. 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

E. OPERATIONAL AREA - DEPLOYMENT

61. Operational areas

62. Deployment of resources

[The Member States will deploy their following resources in the operational activities:]

- Italy: [REDACTED]
- France: [REDACTED]
- Germany: [REDACTED]
- Norway: [REDACTED]
- Portugal: [REDACTED]
- Slovakia: [REDACTED]
- Spain: [REDACTED]

Commented [BW19]: The marked parts contain detailed operational information. Its disclosure would harm the course of future and ongoing operations. 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.

All means would be desirable to carry a position system available for ICC.

All means shall be deployed in accordance with the schedule issued by the ICC in collaboration with Frontex.

63. Schedule

Planned time/date of the operation is:

[REDACTED]

F. FINANCE - EVALUATION

64. Finance

Frontex will, according to the decision of the Frontex Executive Director, co-finance the joint operation. Frontex will reimburse the cost to the participating countries in accordance with signed Grant Decisions. The decision to award a Grant shall be taken before the operational activities starts.

The participating countries shall use the "REM Template" for estimating the expenses for the technical means forming the amount to be introduced into the budget, whereas the "Frontex Budget Template" shall be used for estimating the to expenses of; travel costs, accommodation, DSA and REM, for the Grant Decision.

The participating countries should provide Frontex with the above mentioned information and documentation in advance so as to ensure that the timely decision to award a Grant and should request the advanced payment for 50% of the awarded Grant immediately after receiving the Grant Decision.

The final payment of Grants would be done by Frontex to the Member States after receiving their duly signed "Request for Final Payment under Grants" including the "Final Financial Statement of Costs" and the updated "REM Templates" their contribution to the "Final Evaluation Report".

The participating countries contribution to the "Final Evaluation Report" is required to process the final payment.

65. Evaluation

Frontex shall provide periodical evaluation of the activities based on an analytical assessment of the ongoing activities and the contribution from the involved Member States and Schengen Associated countries.

Due to the long duration of the Joint Operation, regularly interim evaluations shall be prepared by Frontex focussing on possible improvements on the use of means and experts on the basis of the updated intelligence on modus operandi and routes aiming at optimising cost-effectiveness. Such interim evaluations shall not include all aspects dealt with by the final evaluation and be discussed at the JCB for implementation of recommendations.

Frontex shall provide the “Final Evaluation Report” of the activities within two months after the activities have been terminated.

The Member States shall provide Frontex with their contribution to the “Final Evaluation Report” within 15 days after the end of their deployment or the termination of the joint operation containing the following:

- A brief description of the operation;
- Operational goals achieved or otherwise;
- The number of migrants detected, deterred, intercepted, rescued, landed, identified, detained, repatriated;
- The number of migrants boats detected, diverted or intercepted;
- The number of facilitators identified;
- Remarks, recommendations and final conclusions;

The “Expert Evaluation Form” shall be filled in by the deployed Guest Officers and Commanders and provided to Frontex, within 15 days after their deployment.

Annex I

Recommended courses of action

General

1. Preventive policing

This is the intensified monitoring of specific maritime control zones against illegal migration on the basis of information. The scope of these intensified patrols is to prevent migrants heading into danger, or landing in the EU Member States.

- ## 2. International law

The rules of the Montego Bay Convention (UNCLOS), Hamburg '79 and the United Nations Convention against Transnational Organized Crime are applicable, if included in national legislation. Each crew member of participating vessels is obliged to perform his/her tasks in accordance to his/her national legislation.

- ### 3. Courses of action

The following courses of action will be implemented after sighting a migrant vessel:

distress

Commented [MP20]: The marked parts contain detailed operational information. Its disclosure would harm the course of future and ongoing operations. 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.

[illegible]

Guideline for Joint Debriefing Team (JDT)

A: Introduction to Hermes 2009 and JDT interviews.

EU [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Commented [MP22]: The marked parts contain detailed information on tactics and modus operandi employed during the operations. Its disclosure would harm the course of future and ongoing operations. 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.

¹ Figures obtained from the Ministry of the Interior in Italy and the Malta Police respectively.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[illegible]

Annex IV

Template for interviews

Annex V

Template for the Italian Police “only” for Interviews of Facilitators

Annex VI

Debriefing teams’ weekly report

Date _____

A. Experts information

From _____ to _____ 2009

		Surname	Name	Country
TEAM A				

TEAM B				

TEAM C				

TEAM D				

From _____ to _____ 2009

		Surname	Name	Expert
TEAM A				

TEAM B				

TEAM C				

TEAM D				

B. Statistic

Immigrants interviewed:

Total:	Asia:	Africa:
Arrived: date/number/from		
Place of Interview:		

Annex VII

Intelligence Daily Report

Date: _____
(dd/mm/yyyy)

Ref. No: _____
(Progressive number of the incident)

Period covered: From _____

A) DETAILS ON THE INCIDENTS (if applicable)

Boats	Males	Females	Minors	Total

Per boat

Ref. No: _____

Place of departure: _____

Location / Port of disembarkation: _____

Nationality	Males	Females	Minors	Total

Number of migrants interviewed

Nationality	Males	Females	Minors	Total

B) DETAILS ON ILLEGAL IMMIGRANTS (if applicable)

ILLEGAL IMMIGRANTS DETECTED

Presumed Nationality	Male				Females				Minors		Total
	Age				Age						
	18/30	31/45	>45	Unkno wn	18/30	31/45	>45	Unkno wn	Acc	Unacc	
	</										

C) DETAILS ON FACILITATORS (if applicable)

Facilitators apprehended? YES NO
Nationality of facilitators: _____
Number of facilitators arrested: _____
N° Cayuco _____

<u>REMARKS/ADDITIONAL INFORMATION</u>

Annex VIII

JO EPN-Hermes 2009 - INCIDENT REPORT

GENERAL INFORMATION

Name of the operation:	JO EPN-Hermes 2009	Save File
Incident No:		Clear Form
Provided by ICC:		
Date of interception:		
Time of interception:		
Intercepted by:		
Point of interception:		
Latitude:		
Longitude:		
Reference to OP Area:		

INFORMATION ON PERSONS

Total migrants: 0 Male: 0 Female: 0 Minors: 0

Nationality:	Adults		Minors		Nationality:	Adults		Minors	
	Male	Female	Male	Female		Male	Female	Male	Female

TO ADD OTHER-PRESS HERE

Country codes

Place of departure:		Country of departure:	
Place of destination:		Date of arrival:	
Migrants DETERRED:		Death cases:	
Migrants ARRIVED:			
Asylum requests:	0	Data on Asylum seekers	
Facilitators arrested:		Nationality facilitator:	
Documents alerts:			

INFORMATION ON TRANSPORT

Number of boats:		SAR involved:	YES
Type of boat:	***	Boat destroyed by:	***

COMMENTS

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ICC Coordinator Daily Report

Annex IX

It is not established a form. It could be a PowerPoint presentation, including number of immigrants arrived, number of incidents, weather conditions, patrolling schedule, operational result and any kind of information considered important for the JO.

Patrolling Schedule

Annex X

Commented [MP23]: The marked parts contain detailed information on tactics and modus operandi employed during the operations. Its disclosure would harm the course of future and ongoing operations. 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.



Experts Evaluation

Final operational Report
For Officers participated in joint operation
EPN-Hermes 2009

To: FRONTEX HQ-Operations Unit-Sea Border Sector. This questionnaire should be filled and sent to the Frontex Manager via email account**within 15 days after finalizing the deployment.** The aim of this questionnaire is not to evaluate the host country, but to provide a feedback in order to help improving conditions for future operation activities.

Name:

Country:

Service:

Contact details:

Period and place of deployment:

Questions:

1. Preparation:

1.1 Did you receive enough information about the Front Joint Operation (Hermes)

Comments:

1.2 Do you feel that the authorities in your home country did a good job of preparing you for the subject matter of the Joint Operation?

Comments:

2. Organization:

2.1 Did the host country prepare the JO well?

Comments:

2.3 Did the JO last long enough to be effective?

Comments:

3. Contents:

3.1 Did you have clear goals for your deployment?

Comments:

3.2 Were these goals achieved?

Comments:

3.3 Were each day's tasks clearly thought out and expressed?

Comments:

3.4 Were you able to apply your professional knowledge and experience?

Comments:

3.5 Will you be able to apply the experience gained from this assignment to your regular service at your home agency?

Comments:

4. Expert co-operation / communication

4.1 Will the contacts made with officers from other countries will be useful in your daily work?

Comments:

4.2 During the deployment, communication with officers of the host country took place mainly in English. Did it cause any difficulties?

Comments:

4.3 During the JO, communication with officers from other sending countries took place mainly in English. Did it cause any difficulties?

Comments:

5. How would you categorize the cooperation between you and Frontex representatives during the operation?

6. Evaluation:

6.1 In my opinion, the following processes / procedures in the area I learned about are especially effective:

Comments:

6.2 Was the coverage of the patrol area satisfactory?

Comments

6.3 Did migrants pass through the patrolling area on their way to the final destination?

Comments

6.4 Did the immigrants have information about the joint operation?

Comments

6.5 If “yes” did they change the usual (focal) routes?

Comments

6.6 Did they change their destination?

Comments

6.7 If facilitators were detained; did you have a possibility to interview them with the hosting Member State?

Comments

6.8 During your work in the debriefing teams, did the hosting Member State allow you to interrogate all migrants/facilitators that you wanted to interrogate?

Comments

6.2 In my opinion, the following processes / procedures in the area I learned about need improvement (including suggestions, if possible):

Comments:

7. Additional comments:



Annex XII

COMMUNICATION TABLE
(electronic version will be provided)

