

Dear colleagues,

Thank you for inviting the UK to comment on the current draft of the "Code of conduct for all persons participating in Frontex activities". The UK supports the preparation of a Frontex Code of Conduct which we believe will promote the professional standards and principals based on the rule of law and the respect of fundamental rights.

Please find our comments to the draft for your consideration.

## **Article 2 – Definitions**

### **(e) Harassment**

This refers to behaviours which 'tend to annoy', etc. If the word 'tend' is being used as meaning 'usually' then it implies that there are times when the behaviour doesn't cause offence which then leaves the article open to interpretation. However if the word 'tend' is being used to mean 'intend' then it is an inaccurate definition of the term harassment. The UK would therefore suggest leaving out the word 'tend' completely.

## **Article 10 – Confidentiality**

It might be helpful to include a definition of 'media'. For example: written, electronic, etc.

## **Article 14 – Consumption of Alcohol**

**14(1)** – This is clear.

**14(2)** – This uses the phrase 'the consumption of alcohol shall be moderate'. This is a relative term which is open to personal interpretation.

**14(3)** – This is also clear

**14(4)** – This states that 'a participant shall not report for duty or appear in public in a state of intoxication'. This is a subjective term and doesn't make clear what is or isn't a state of intoxication and who makes this justification.

It might be better to specify that participants must be in a fit state when they report for duty so that they can drive a vehicle and/or operate machinery (weapons) (etc) lawfully and in accordance with the lawful requirement of both the home and host country.

If there an expectation that participants can be called upon to act at short notice even when off duty then perhaps the code needs to specify what officers must be able to do all times. For example, that whilst the consumption of alcohol is not prohibited when an officer is off duty they must ensure that they are in a fit state to drive a vehicle at all times in accordance with the lawful requirement of both the home and host country.

If there is a distinction between what officers are allowed to do when they are off duty and on duty with respect to alcohol then perhaps something should be included to the effect that individuals must ensure that sufficient time will have elapsed between consumption of alcohol and when they are next expected to report for duty so that they are fit to perform their function.

I hope this is helpful to you.

Kind regards,

[REDACTED]

The non-disclosed text contains personal data, in particular the name of the individual. The disclosure of such information would undermine the protection of privacy and the integrity of the persons concerned and constitute the violation of EU laws regarding the protection of personal data. In this regards the text is not disclosed pursuant to the exception laid down in the Article 4(1)(b) of the Regulation 1049/2001.