



EUNAVFOR MED
Operation HQs

Via di Centocelle, 301
00175 Roma, (ITALY)

Roma, September 22th 2015

Prot. nr. IT-EU OHQ/417/2015/CG

Annexes : nr.1

To Mr Fabrice Leggeri
Executive Director
Frontex
Plac Europejski 6
00-844 WARSAW
POLAND

Subject: Exchange of letters for the approval of EUNAVFOR MED – FRONTEX Standard Operating Procedures.

I am writing to seek your formal agreement on the proposal set out in the enclosed document titled "Standard Operating Procedures (SOP's) JO EPN TRITON and EUNAVFOR MED".

In light of the Council Decision (CSFP) 2015/778 of 18 May 2015 establishing a European Union military operation in the Southern Central Mediterranean (EUNAVFOR MED) and taking into consideration the ongoing joint operation TRITON 2015 (JO TRITON), coordinated by Frontex, it seems of an utmost importance to develop our operational cooperation to maximize the effectiveness of the operational activities in the South Mediterranean Sea and to ensure the consistency of the EU operational activities in the area, as defined in the parties respective Operation Plans (OPLAN),

Having regard to the competence set out in Article 8 (3) of the aforementioned Council Decision and recalling the Working Arrangement agreed by exchange of letters between the European External Action Service and Frontex and in particular the conclusion foreseeing the conclusion of specific agreements with a view to implement certain cooperation activities between Frontex and CSDP Missions,

Considering the agreement already adopted on July 14th through our exchange of letters, on the operational cooperation between Frontex and EUNAVFOR MED, and especially on information exchange, situation monitoring and exchange of liaison officers,

Subject to our respective mandates and competences, I suggest that the following Standard Operating Procedures form the basis and modalities of specific issues which needed to be formally addressed as an implementation of the aforementioned operational cooperation agreement.

If the foregoing is acceptable to you, I wish to propose that this letter with your reply letter confirming that you share this understanding should constitute the basis for the common standard operating procedures, to become effective on the date of your reply.

**Rear Admiral Italian Navy
EUNAVFOR MED Operation Commander**

SOP's JO EPN TRITON and EUNAVFORMED

STANDARD OPERATING PROCEDURES (SOP's) JO EPN TRITON and EUNAVFOR MED

1. BACKGROUND

1.1. - JO EPN TRITON

Following a Target Focus Assessment in the Central Mediterranean, Frontex planned, in close cooperation with Italian authorities, the Joint Operation (JO) TRITON aiming to implement coordinated operational activities at the external sea borders of the Central Mediterranean region in order to control irregular migration flows towards the territory of the MS of the EU and to tackle cross border crime.

The Italian authorities are responsible for all border related operational activities in the operational areas and in the reception/detention centres. On behalf of Italy, and through the Ministry of Interior, the main Frontex partners of JO EPN Triton are Polizia di Stato (PdS), Guardia di Finanza (GdF), Guardia Costiera (GC), Carabinieri (CC) and Marina Militare (MM).

The actions during the implementation of the JO consist of border surveillance by assets deployed by EU MSs participating in the Joint Operation, debriefing and screening experts, aiming to perform joint patrols, information gathering and support the identification procedures, thus providing additional support to the Italian authorities in the management of the external border of the EU.

The operational concept for the assets is based mainly on the border surveillance and early detections. The participating maritime units, as well as the helicopters and fixed wing airplanes (FWA), perform border surveillance in the operational area, monitoring intensively specific maritime areas on the basis of information provided by the International Coordination Centre (ICC). The scope of these patrols is to prevent unauthorized border crossings and to tackle cross border crime, in particular smuggling of migrants and trafficking of human beings. The Frontex co-financed assets remain always available to support ongoing SAR activities, pursuant to the applicable International Legislation (upon request of the competent Maritime Rescue Coordination Centre (MRCC)), even outside Triton operational area.

The Triton Operational Plan has been agreed with the authorities of the host Member State, in consultation with the authorities of the home Member States participating in the joint operation coordinated by Frontex. It covers all necessary elements for a proper and timely organization of the joint operation coordinated by Frontex and all participants are bound by the Operational Plan.

1.2. - EUNAVFOR MED

In light of the Council Decision (CFSP) 2015/778 of 18 May 2015, the European Union has established a military operation in the Southern Central Mediterranean (EUNAVFOR MED).

Commented [A42]: The non-disclosed text contain detailed information regarding the modus operandi of law enforcement officials. It contains references to the methods applied by law enforcement officers 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.

2. OPERATIONAL COOPERATION

Taking in consideration that both JO Triton and the EUNAVFOR MED are addressing irregular migration in particular the fight against cross border criminality but with different mandates, aims, objectives, SOP's and using different typologies of deployed assets, it is of the utmost importance to clearly define the terms and conditions of the operational cooperation in order to maximize the effectiveness of the operational activities in the South Mediterranean Sea and to ensure the consistency of the EU operational activities in the area.

The current document follows the Agreement by exchange of letters between Frontex Executive Director and EUNAVFOR MED Operation Commander, dated of 14.07.2015, and aims to deliver a set of basic procedures to support all of those operating and facilitating the operational cooperation between both structures and actors.

2.1.1 - Frontex Coordination structure

[REDACTED]

Commented [A43]: The non-disclosed text contain detailed information related to reporting tools and methods used by law enforcement officials. The text contains references to the methods applied by law enforcement officers to perform border control tasks in general and to counter illegal activities in particular. Its publicity would expose the working methods applied during border control activities which would jeopardize the implementation of future and ongoing 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.

2.1.2 - EUNAVFOR MED structure

[REDACTED]

Commented [A44]: The non-disclosed text contain detailed information related to reporting tools and methods used by law enforcement officials. The text contains references to the methods applied by law enforcement officers to perform border control tasks in general and to counter illegal activities in particular. Its publicity would expose the working methods applied during border control activities which would jeopardize the implementation of future and ongoing 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.

[REDACTED]

2.2. - Deployment of Liaison Officers

Liaison Officers will be deployed to facilitate the communications between the coordination structures, to maximize the planning of the patrolling activities at sea and to ensure the efficient and smooth exchange of information and intelligence.

2.2.1. - Deployment of Frontex Liaison Officers¹ (LO's)

a) The EUNAVFOR MED Operational Headquarters in Rome;

The Liaison Officers deployed to EUNAVFOR OHQ and FHQ must perform the following tasks:

- Participate in daily operational and/or analytical briefings;
- Share/confirm situational picture and position of vessels and aircrafts deployed in JO EPN Triton to the staff of EUNAVFOR MED HQ every four hours;

¹ The Liaison Officers deployed are not Frontex statutory staff

- Process any request addressed from EUNAVFOR MED to JO EPN Triton;
- Collect a situational picture of assets deployed in EUNAVFOR MED to support ICC Rome's planning of patrolling activities and to improve security assessment of assets deployed in JO EPN Triton;
- Support and advice on collection of information from migrants rescued or apprehended at sea;
- General support in exchange of information between the two operations;
- Support Triton Operational Team in urgent requests or message to EUNAVFOR MED HQ
- Keep updated on daily reports from FSC, ICC Rome and EURTF and other relevant documents to be able to support both operations in a professional and timely manner.

2.2.2. - Deployment of EUNAVFOR MED Liaison Officers (LO's)

- a) The International Coordination Centre of JO TRITON, in Rome;
- b) The European Union Regional Task Force (EURTF), in Catania.

The Liaison Officers deployed to ICC and EURTF must perform the following tasks:

- Participate in operational and/or analytical briefings;
- Share/confirm situational picture and position of vessels and aircrafts deployed in EUNAVFOR MED AOO to the staff of JO EPN TRITON;
- Process any request addressed from JO EPN Triton to EUNAVFOR MED;
- Collect a situational picture of assets deployed in JO EPN Triton to support EUNAVFOR MED HQ planning and to improve security assessment of assets deployed in EUNAVFOR MED AOO;
- General support in exchange of information and intelligence between the two operations;
- Support EUNAVFOR MED HQ in urgent requests or message to Triton Operational Team;
- Keep updated on daily reports from EUNAVFOR MED HQs and other relevant documents to be able to support both operations in a professional and timely manner;
- Collect relevant information about ongoing incidents regarding Frontex units

2.3. - Safety of the assets deployed under JO Triton and EUNAVFOR MED

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Commented [A45]: 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 undermine 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. If this information would become public the efforts carried out by the European Union and Member States to curtail criminal activities would be jeopardized. Furthermore, there is a real risk that disclosing this information contained therein would be of benefit for the smuggling networks who would change their modus operandi accordingly, thus putting the life of migrants in danger. The disclosure 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 Commission documents.

The non-disclosed text contain detailed information regarding the modus operandi of law enforcement officials. It contains references to the methods applied by law enforcement officers 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.

3. OPERATIONAL COMMUNICATION

[REDACTED]

[REDACTED]

Commented [A46]: 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.

4. COLLECTION OF EVIDENCE AND INFORMATION

4.1.

4.2.

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[illegible]

_____ (OF _____)

[illegible]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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7. EXCHANGE OF OPERATIONAL INFORMATION

To increase the situational picture and awareness of both operations, the exchange of situational and other relevant reports related to operational activities in the areas of interest is mandatory and will be done through the deployed LO's within both coordination structures.

8. TRAINING

In order to enhance the coordination procedures, improve reciprocal knowledge and upgrade the performance of deployed assets from both operations, the Triton Operational Team deployed in the European Union Regional Task Force (EURTF) in Catania will be available to deliver proper briefings to the EUNAVFOR MED units, together with local authorities, aiming to improve the link between the activities developed at sea and the follow up procedures of identification and criminal investigation. Such activities and procedures may include, but are not limited to, profiling, documentation and evidence collection. If feasible and subject to Frontex capacity, such briefing may also take place on board of EUNAVFOR MED Units.

Proper planning of the briefings shall be made by the Triton Operational Team together with the EUNAVFOR MED, with the support of the LO deployed in the EURTF and taking advantage of the presence of the assets in a Sicilian Port for disembarkation of migrants, maintenance or crew rotation.

9. CONTACT DETAILS

9.1. EUNAVFOR MED

9.1.1. Operational HQ

Role	Name	Phone number	Email address
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

Commented [A50]: The non-disclosed text contains personal data, in particular the name of an individual. Its disclosure would affect the privacy and integrity of the individual. Therefore, its disclosure is precluded pursuant to the exception laid down in Article 4(1)(b) of Regulation (EC) No 1049/2001.

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[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

9.1.2. Force HQ

Role	Name	Phone number	Email address
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

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9.1.3. Liaison Officers

Role	Name	Phone number	Email address	Location
LO to the ICC				Pratica di Mare
LO to the EURTF				Catania

10. REVISION

The current SOP's may be revised at any time in order to correspond with the new operational developments. Any amendments to or adaptations of the current SOP's require the agreement of the Frontex Executive Director and the EUNAVFOR MED Operation Commander.

