

**Minutes from the 2<sup>nd</sup> Working Group Meeting on JO Triton OPLAN, 06 September 2017**

Date 06 September 2017  
Place FX HQ  
Chaired by , FX

**I. Welcoming remarks by ( ) and introduction of participants**

opened the 2nd WG on JO Triton OPLAN and proposed a general agenda allowing open discussions related to the OPLAN. Background information including the timeline and sequence of events were briefly presented.

Next, encouraged ITA to present an update on current migration situation and the follow up about the work of NGOs after the implementation of the CoC and any other recent developments.

thanked FX for the support to ITA and for the timely beginning of the work of the WG.

Next, summarized the content of the letter sent by ITA to FX (on 7 August 2017). The following points were stressed:

- the need
- the current

**II. ITA request: creation of dedicated Sub-Working Groups**

ITA would like to organize different dedicated working groups to discuss each point/topic of the agenda due to the following time constraints:

- ITA delegation is obliged to submit to Mol the results of WG to receive the final authorization to sign the OPLAN;

decision about  
to be defined

Therefore ITA proposed the Sub-WGs for different aspects/topics, e.g.:

- (main part);
- the results

ITA asked to plan the dates for next meetings and start working preferably already within next weeks. If possible,

**Commented [A1]:** 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.

**Commented [A2]:** 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 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.

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██████ replied that there are obviously some points which go far beyond the mandate of the Agency. Therefore it was proposed to first identify and separate those points ██████ and other topics which need to be discussed on the different level ██████

██████ encouraged ██████

### III. Discussion on possible amendments of JO Triton OPLAN

The following points were discussed in line with the formal ITA letter sent to FX on 7 August:

██████ The adoption ██████

██████ The handling of ██████

- Additionally, point ██████ will be subject of further discussions during the Sub-working group meetings.

██████ the operational ██████

██████ and their possible ██████

- ITA informed that an ██████

- ITA understands limits and difficulties of ██████

- ██████ briefly summarized the history of involvement of ██████

- Regarding the mechanism of transfer of migrants, it was agreed that it is ██████

██████ possible further decision ██████

**Commented [A3]:** 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 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.

territory [REDACTED]  
could be organized in order [REDACTED]

[REDACTED] the effective application of article 98 of the United Nations Montego Bay Convention, stating that every coastal State shall cooperate with the neighbouring countries, also by way of regional arrangements, in order to enhance the maritime safety, including search and rescue services;

- ITA would like [REDACTED]  
[REDACTED]

[REDACTED] stressed that [REDACTED]  
[REDACTED]  
[REDACTED] it could be however part [REDACTED]  
[REDACTED]

[REDACTED] the establishment of a [REDACTED]  
[REDACTED] shall be [REDACTED]  
[REDACTED]  
[REDACTED]

- ITA asked FX about the possibility that [REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED] replied that if [REDACTED]  
[REDACTED]

[REDACTED] asked for the opinion of LAU on the feasibility of [REDACTED]  
[REDACTED]

LAU confirmed that is better the two issues are not mixed.

f) the adoption of Code of Conduct for the Non-Governmental Organizations voluntarily operating in the central Mediterranean region for search and rescue purposes;

- ITA informed that CoC was adopted and has been signed by some NGOs [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED] explained that [REDACTED]  
[REDACTED]

g) the involvement of the Agency in [REDACTED]  
[REDACTED] will be supplied [REDACTED]  
[REDACTED] support to integrated border and migration management in Libya", recently approved by the European Commission and financed under the EU Trust Fund.

**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 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.

- ITA would like to involve FX in the [REDACTED]  
[REDACTED]

[REDACTED] confirmed that this might be an area where FX could provide support. However, ITA was requested to [REDACTED]  
[REDACTED]

[REDACTED] (FX/SBS) added that FX could provide further support in terms of [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

#### IV. Return activities

[REDACTED] [REDACTED] presented briefly the return activities carried out by FX, stressing that further support can be provided to ITA within the limits of Agency's mandate.

[REDACTED] ITA presented an update on the current state of play regarding the [REDACTED]  
[REDACTED]

#### V. VIII. Closure and wrap-up

- [REDACTED] concluded that FX is very keen to further support ITA in all the requests that falls within the mandate of the Agency. The OPLAN is binding by the existing legislation and it is not an instrument which can go above the existing regulations. It is a tool to implement the mandate and the competences of the Agency as defined by FX regulation.

- FX will prepare the technical meeting [REDACTED]  
[REDACTED] Technical details and timeline of future WGs will be agreed on the later stage.

Tentative date (22 SEP) for the first Sub-Working Group on maritime domain was discussed.  
TBC

Date of the second Sub-Working Group meeting on [REDACTED]  
[REDACTED]

- The other topics which cannot be covered by FX as they fall outside the mandate of Agency, [REDACTED] FX ED will be made aware of ITA wishes of [REDACTED]  
[REDACTED]

- FX requested further details on [REDACTED]  
[REDACTED]

- FX awaits feedback from ITA [REDACTED]

[REDACTED] thanked ITA delegation for participation and closed the meeting.

**Commented [A5]:** 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 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.