



**COUNCIL OF
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LIMITE

**FRONT 116
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NOTE

from: General Secretariat
to: Strategic Committee on Immigration, Frontiers and Asylum/Mixed Committee
(EU-Iceland/Norway and Switzerland)/COREPER/Council

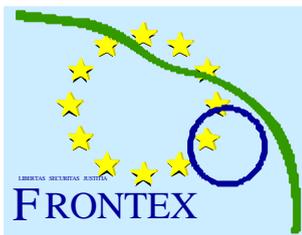
Subject: Frontex General Report for the year 2005

1. Article 20, paragraph 2 (b) of the Council Regulation establishing a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union states that the Management Board of the Agency shall:

" before 31 March each year, adopt the general report of the Agency for the previous year and forward it by 15 June at the latest to the European Parliament, the Council, the Commission, the European Economic and Social Committee and the Court of Auditors. The general report shall be made public".

2. The Frontex General report for the year 2005 was adopted by the Management Board on 24 March 2006 and is submitted to the Council in accordance with the provisions laid down in Article 20, paragraph 2 (b) of the above-mentioned Council Regulation.

3. On this basis SCIFA is requested to take note of the Frontex General report for the year 2005 as contained in annex and to submit it to COREPER and Council for information.



EUROPEAN AGENCY FOR THE MANAGEMENT OF OPERATIONAL COOPERATION
AT THE EXTERNAL BORDERS OF THE MEMBER STATES OF THE EUROPEAN
UNION (FRONTEX)

ANNEX

GENERAL REPORT OF FRONTEX FOR 2005

1. Introduction

European Agency for the Management of the Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX) established by the Council Regulation (EC) 2007/2004 of 26 October 2004¹ aims to be a trustworthy operational Community coordinator and contributor in the field of external border management and a key player in the implementation of common EU policy for Integrated Border Management.

According to the mission statement, FRONTEX actively promotes cooperation with other border related law enforcement bodies responsible for internal security at EU level. The activities of FRONTEX are intelligence driven. FRONTEX complements and provides particular added value to the national border management systems of the Member States and to the freedom and security of their citizens.

According to the Article 20 2(c) of the above mentioned Council Regulation, the Management Board shall before 31 March each year, adopt the general report of the Agency for previous year and forward it by 15 June at the latest to the European Parliament, the Council, the Commission, the European Economic and Social Committee and the Court of Auditors.

This general report presents the work undertaken by FRONTEX during 2005 in accordance with Programme of Work 2005. It also includes the description of the tasks that have been carried out as required to enable the start of operational activities of the Agency since its practical inauguration on 3 October 2005.

The report is divided into two sections, which describe in more details the progress made by FRONTEX. The first part presents the build up of FRONTEX during the first three months of its existence in terms of administration, recourses and infrastructure. The second part describes the actual work undertaken in the area of operational activities.

¹ Council Regulation (EC) 2007/2004 of 26 October 2004 establishing a European Agency for the Management of the Operational Cooperation at the External Borders of the Member States of the European Union, OJ L 349/25.11.2004

1. Building up FRONTEX

1.1. Management Board

The Management Board is the supreme governing and controlling body of FRONTEX. It is entrusted with the necessary powers to establish the budget, adopt appropriate financial rules, establish transparent working procedures for decision making by the Agency and appoints the Executive Director and his deputy.

The first meeting of the Management Board (25 May 2005)

At its first meeting the Management Board adopted its Rules of Procedure and elected Mr. Beuving (NL) as the Chairperson and Mr. Bendek (HU) as Deputy Chairperson. Mr. Ilkka Laitinen (FIN) was appointed as the Executive Director of FRONTEX.

The second meeting of the Management Board (30 June 2005)

The Management Board adopted a number of fundamental documents such as the organisational structure and the staffing policy of the Agency, the Financial Regulation, and the Establishment Plan of the FRONTEX as well as Agency's work programme for 2005.

Members of the Management Board also adopted the Agency's draft estimate of the budget for 2005 and two decisions concerning implementing rules to the staff regulations of 1 January 2005 and rules on the secondment of national experts to the Agency.

It was agreed to give a mandate for the Executive Director to negotiate a headquarters agreement with Polish Authorities.

The third meeting of the Management Board (23 September 2005)

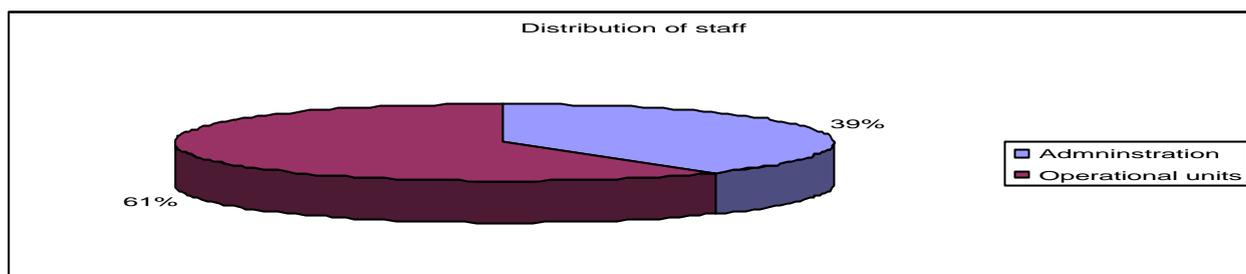
The Management Board discussed a number of important issues among them the FRONTEX strategy prepared by the Executive Director and unanimously adopted the draft estimate of the Annual Budget 2006.

The fourth meeting of the Management Board (16 December 2005)

Mr. Gil Aries Fernández (ES) was appointed to the position of the Deputy Executive Director as of the 1 of January 2006. The Management Board accepted the revision of the organisational structure, implementing rules of FRONTEX Financial Regulation and procedures for taking decisions related to the operational tasks of FRONTEX.

1.2. Human resources

Recruitment is a key element in building a new institution. FRONTEX started officially its functioning at the end of May 2005. The recruitment of the best qualified personnel is one of the crucial elements of FRONTEX strategy. The operational activities began on 3 October 2005, after recruitment of auxiliary staff and Seconded National Experts (SNEs). Until the end of 2005 the total number of FRONTEX staff was 45. The number includes one temporary agent, 17 auxiliary agents and 27 Seconded National Experts. As FRONTEX has just started its activities, almost 40% of the staff has been employed to cover the needs of setting up of the Agency in the administration and more than 60% in the operational units.



In the second stage FRONTEX started to recruit contract staff. The Agency received more than 300 applications for 12 posts of contract agents.

A number of initiatives were carried out during the period October – December to start creating methods, rules and necessary tools for the human resources management for FRONTEX. These included the development of internal rules/procedures to implement Staff Regulations and HR policies.

In 2005, in order to regularise the work in the administrative area, the following provisions were adopted by the Management Board:

- 1) Management Board Decision laying down rules on the secondment of National Experts to the Agency (rules for SNE)
- 2) Management Board Decision on the adoption of implementing rules to the staff regulations (giving the link to the European Commission staff-related decisions)

1.3. Logistics, Infrastructure, IT & Communication

In October 2005, The Polish Ministry of Interior and Administration donated office space of 800 sqm. , furniture and IT & communication equipment to the disposal FRONTEX. At the end of the year the temporary premises took 1750 sqm of net usable space in the Blue Point building in Warsaw. As of 31 December 2005 at FRONTEX's disposal were 55 PCs, a multi-function copier, 15 printers and a fax machine. Polish Border Guard offered to FRONTEX practical support in organisation of physical security and transportation.

A basic IT network that is compliant with high-security standards has been operational since mid-October 2005. The network is protected by means of high-advanced device which is capable of playing three different roles at a time: a role of a firewall, hardware antivirus guard and intruder protection device. The solution also allows for real-time monitoring of all ingoing and outgoing traffic.

1.4. Finance and procurement

In 2005, FRONTEX did not have financial autonomy. The responsibility for the implementation of the 2005 budget lied upon the Commission and its staff acted as Authorising Officer. In December 2005 the Commission transferred to FRONTEX the subsidy for operational expenditures which amounted €3 974 300 on the basis of an operational plan submitted in November and the Presidency Conclusions of Brussels European Council held on 15-16 December 2005 which requested a number of tasks to be implemented by FRONTEX. It was possible because FRONTEX had satisfied a number of important conditions in relation to financial management and control.

Under the 2005 budget only administrative expenditure was incurred. The administrative budget amounted to €2.133M. Of this an amount of €1.255M was committed and payments of €0.690M effected. The two main areas of expenditure were payments to the staff and the meetings of the Management Board.

The work in the area of finances concentrated on preparing financial autonomy, including acquisition of a general ledger system and establishment of the necessary rules and procedures, and on preparing the financial and procurement dossiers. On a regular basis, FRONTEX staff worked at the Commission premises in order to facilitate the processing of these dossiers.

In February 2006 the Management Board decided to carry over €0.586M from 2005 to 2006 in relation to 10 operational projects to be launched in 2006 but for which the preparation had been well advanced already in 2005.

1.5. Internal control and command standards in FRONTEX

Based on the Commission standards, the FRONTEX internal control and command standards were adopted by the Management Board on 16 December 2005. The standards define the management rules that all services must follow in their management of resources. They are intended to guarantee a consistent level of internal control throughout the FRONTEX Agency.

The standards are structured around five key control components:

- 1) Control environment
- 2) Performance and risk management,
- 3) Information and communication,
- 4) Control activities,
- 5) Audit and evaluation.

The standards related to the control environment and particularly control activities (this mainly relates to the setting the standards in the light of financial control structures), were dealt with as priority, so their implementation started as early as November 2005. The biggest challenge was to introduce the necessary tools in order to comply with the standards relating to information and communication. The standards related to risk management and performance as well as the standards relating to audit and evaluation will be tackled in 2006.

2. Operational tasks identified in Programme of Work 2005

The FRONTEX Programme of Work for 2005 was adopted by the Management Board at the meeting on 30 June 2005. It established main activities to be implemented in the latter half of the year. Operational work of FRONTEX started simultaneously with basic administrative tasks on 3 October 2005.

The operational work of FRONTEX started with great activeness. Regardless that the administrative and financial procedures had to be established simultaneously, FRONTEX has succeeded to fulfill all the major tasks set in the Programme of Work 2005. The tasks that will be describe below follow the structure as set out in Programme of Work 2005.

2.1. Joint Operations

FRONTEX has established a network of national contact points. Most of the Member States have appointed their national contact points.

The first joint land operation was arranged from 16 to 23 December 2005 in Austria, Czech Republic, Germany, Italy, Hungary, Poland, Slovakia, and Slovenia.

The Member States that have established Focal Point Offices (FPO's) sent reports concerning the work done in 2005, following a request from FRONTEX.

Contacts have been established with Greek and Italian authorities in order to share their experience in ensuring security during major sport events.

FRONTEX established contacts with Baltic Sea Region Border Control Cooperation Conference.

2.2. Risk Analysis

FRONTEX experts assisted a technical mission of the EU Commission to Morocco and the Spanish cities Ceuta and Melilla.

FRONTEX compiled a tailored risk analysis on the situation regarding illegal immigration in Ceuta and Melilla. A general risk analysis 2005 regarding illegal immigration in the EU Member States and Schengen associated countries was completed in time.

Initial visit to Europol as part of a FRONTEX delegation to establish co-operation between Europol and FRONTEX Risk Analysis Unit took place in November 2005.

FRONTEX prepared a contribution to Europol's first Organised Crime Threat Assessment (OCTA) report.

FRONTEX hosted a two day conference at FRONTEX Headquarters with representatives of the EU Member States, Schengen associated countries and the EU Commission to establish co-operation in the field of risk analysis.

2.3. Research, development and training

Activities in the field of Border Guard training were undertaken in the following fields:

- 1) Common Core Curriculum (CCC):
- 2) False/falsified documents' detection:
- 3) Development of certified tasks for partnership academies
- 4) EU – training day 2006

Four project-management–working group sessions were carried out in relation to the development of “Common Core Curriculum -land border module”, the “CCC-sea-border- module” and the “CCC-general basic-part” under the lead of FRONTEX.

Two conferences on implementation of the common training tool with the further-training chiefs of the “new MS” were carried out.

One translator-workshop and one multiplier-training were carried out too. The FRONTEX' advanced-level training tool was created.

The conference and workshops for implementation of the EU- Training-day 2006 was carried out.

In order to establish cooperation with Joint Research Centre two informal meetings on expert level took place. Areas and scope of the future cooperation were identified.

FRONTEX experts participated in several meetings and seminars related to technology and technological research.
