Twelve Seconds to Decide

IN SEARCH OF EXCELLENCE: FRONTEX AND THE PRINCIPLE OF BEST PRACTICE
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NOTE TO READERS

This book does not describe Frontex’s work but seeks to explain its working methods, the quest for professional excellence and the overarching principles used in identifying and fostering best practice at the EU’s borders - a process that has become an institutional mantra for Frontex in recent years.

With Frontex’s role continuing to evolve within the wider context of border control and European policy, this book is designed to bring the work of border guards closer to the public they serve, by illuminating the depth and variety of Frontex’s efforts to support them in the challenges they face every day. It is written as much for the general reader as for practitioners. After all, public security is an issue that affects everyone.

Within the wider context of border control and European policy, the role of Frontex continues to constantly evolve – and that will always need clarifying to the public.
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In 2004, when the European Union expanded from 15 to 25 member states, extending its borders hundreds of kilometres to the east, it became the largest economic and political bloc the world has ever seen. Following the accession of two more states in 2007, and Croatia in 2013, the EU now covers 4.3 million square kilometres that are inhabited by 504 million people: about 7 percent of the global population.

The combined GDP of these millions, however, amounts to some 20 percent of the total – more than that of the United States. And that created a challenge: because to the billions of less fortunate people of the world, the prosperous and stable democracies of the EU had never looked a more attractive destination.

Some 107,000 people were detected crossing the EU’s external borders outside of normal controls in 2013 and some 425,000 applications for asylum were lodged in Member States. But there are many regions and countries of the world that receive proportionally more migrants and refugees per year than the EU: Pakistan, for example, or Turkey, or even Yemen. The crisis in Syria and the movement of over 2.6 million refugees to its immediate neighbours since the start of the war there put European figures firmly into perspective.
Introduction
EU external land borders

11 700 km

EU external sea borders

45 500 km

EU external air borders

600 airports
Organised criminal gangs play an important and increasing role in the smuggling of people, too, a trade that often feeds prostitution, forced labour, even slavery.

Europe’s relative prosperity, and the lack of internal borders within the Schengen area, have created other issues. The EU is increasingly a lucrative target for organised crime, which comes in an almost endless variety of forms: drugs smuggled via South America, Africa and Spain; counterfeit electronics from China; cloned and sub-standard medicines from Pakistan; petrol and tobacco smuggled from Belarus or Ukraine.

Organised criminal gangs play an important and increasing role in the smuggling of people, too, a trade that often feeds prostitution, forced labour, even slavery.

The challenges facing those responsible for border control in 21st century Europe are greater and more varied than they have ever been. These challenges range from referring asylum claims, to search and rescue at sea to tackling trans-national crime. Coupled with the threat of political violence in Europe and the unpredictable and often sudden nature of global changes, not unnaturally many Europeans look to their external borders as an important element of their safety.

Whether they are right to do so is hotly debated, and goes to the heart of a deeper question that will have to be answered as the world’s population grows ever larger and younger, and the EU continues to expand: what is Europe’s place in the world?

Whatever the answer, and particularly since the advent of Schengen and the abolition of many internal border controls, the nations of Europe have been obliged for the first time to start thinking of their external borders not as individual states, but collectively – which was largely why Frontex was created in 2005.

The world has changed dramatically since even then. The ‘Arab Spring’ uprisings of 2011 prompted new flows of Europe-bound migrants. The Syrian civil war then caused an unprecedented refugee situation with many seeking safety in Europe. Migration patterns have proved very fluid.

The migration hotspots have also shifted constantly, from the Canaries in the west in 2006, to the Central Mediterranean in 2008, to the Greek-Turkish land border in 2010, to the Central Mediterranean again in 2011, and back to the Greek islands in 2012. The Italian island of Lampedusa, just 167 km from the coast of Tunisia, remained a hotspot throughout 2013. But, wherever the hotspot might be, one thing seems certain: global migration will increase. Already some 700 million travellers a year cross the EU’s external borders so the delicate task of controlling Europe’s borders while maximising the ease of bona fide travel has never been more challenging. This is where Frontex comes in.
An EU border guard has on average just 12 seconds to decide whether the traveller in front of them is legitimate or not, or to assess if their documents are genuine. For tens of thousands of people each year, refusal at the border post can change a life.

Those 12 seconds may also be the only time that a victim of human trafficking comes into contact with law enforcement authorities before they descend into the ‘underground’ where the darkest kinds of exploitation can occur. The border guard’s decision, in other words, can have the profoundest consequences for the individual standing before them – and it has never been more important to get this process right.

This is what Frontex is about: an ever-evolving organisation dedicated not just to streamlining existing practices, but to their constant improvement as well. The pursuit of professional excellence – the quest to establish ‘best practice’ on the EU’s borders – has become a kind of institutional mantra. When the security and economic well-being of Europe’s millions depend as much as they do on those 12 seconds to decide, nothing less will do.
700 million travellers cross the EU’s external borders each year.

70 thousand* illegal border crossings.

* data for 2012.
ON ANY DAY IN EUROPE:
At the Land Border
As one of the busiest land border crossing points on the EU’s eastern frontier, Terespol has been designated one of Frontex’s 23 permanent ‘focal points’ since 2008. A half-dozen specialist guest officers drawn from the European Border Guard Team (EBGT) pool are always deployed here, usually for one to two months at a time, although occasionally for as many as six, in support of a large and smoothly-run Polish border operation. Like at other eastward-facing border crossings, the guards at Terespol are on constant look-out for smugglers of fuel and, particularly, cigarettes. Belorusian brands can be sold even in Poland for three times what they cost in Minsk. The border crossing point (BCP) is also a major gateway for vehicles stolen in the EU destined for sale on the black markets of the former Soviet Union.

The border follows the River Bug, one of the continent’s great dividing lines – between Orthodox and Catholic peoples, the Cyrillic and Roman alphabetic worlds, and in World War II, the line of demarcation between Germany and the Soviet Union. The volume of traffic across the Bug today is greater than it has ever been. Some 3.6 million people used the Terespol BCP in 2012, an average of 9,841 a day. Among them were the drivers of half a million trucks, for this is also a...
major east-west trading route. In high season the queue of trucks at the border can stretch for 30 km, and can take two whole days to negotiate: a striking reminder of what the border-free Schengen area is for.

So great is the number of trucks that in 2008 it was found necessary to build a large new customs point, 5 km into Poland, because there was no room at the BCP itself. The customs centre is connected to the border by a dedicated road that is heavily fenced, and monitored by 80 closed-circuit TV cameras. All incoming trucks are x-rayed at the customs post. At the BCP, selected trucks are checked for migrant stowaways with super-sensitive heartbeat detectors, or searched for contraband by sniffer dogs (Terespol has a pack of a dozen trained for various purposes). More chillingly, all trucks must pass through a radio-metric scanner to check for radioactive materials.

In September 2013, the guards at Terespol face another challenge – rising numbers of Chechens, who are increasingly choosing Terespol as their principle point of entry into the EU. In 2013, in fact, some 98 percent of all asylum applications in Poland were lodged at Terespol. The rate of increase is startling: in the first six months of 2013, there were 9,499 asylum applications here, compared to 8,940 in the whole of 2012. Apart from asylum applicants, over 10,000 people were refused entry at Terespol over the same period, for every sort of reason, compared to 12,000 in the whole of 2012. "There are more people on the move in general, all along the border," says the sector commander, Lt-Col Piotr Grytczuk. "The increased migrant flow is obviously connected to the economic situation in the countries they come from."

There is, however, a specific local reason for the increased number of would-be migrants from Chechnya. The vast majority of them are headed for Germany, attracted by a recent change to German law, known as the “Hartz IV” reform, under which asylum-seekers are entitled to a social security payment equal to the national minimum wage of €370 per month. This isn’t
much in Western European terms, but it is a lot of money to the average Chechen.

It is no coincidence that three of the six Frontex guest officers operating here – the others are Austrian, Spanish, and Latvian – are German. What happens at this border has direct consequences for Berlin.

Every year a handful of migrants attempt to sneak across the River Bug, which becomes enticingly shallow and narrow in the summer months. The bank on the Polish side is regularly patrolled by guards equipped with quad bikes and tracker dogs, but by far the greater number of migrants arriving at Terespol do so not on foot or by car, but by train. The town lies on the main international line between Berlin and Moscow; there is also a local train that shuttles back and forth from the Belorusian border town of Brest. Some 42 trains stop at Terespol every day.

The immigration office of the Polish Border Guard — Straż Graniczna — at the station, built in 2005, is specifically designed to cope with the huge numbers of people passing through. Its reception areas are large and light and clean. The first train of the day from Brest, at 7am, is usually the busiest, and today is no exception. Of the 360 people of various nationalities on board, 80 have come without any visa. Fifty of these are claiming asylum, all of them Chechen. The remaining 30 have been refused entry – either because, for whatever reason, they did not
claim asylum, or else because their request for a temporary, 15-day visa was denied – and will be put on the train back to Brest at 11am.

It is a typical day at this border crossing. Some of the would-be migrants will undoubtedly try again in future. Martin, one of the German guest officers on duty at the train station, describes the extraordinary persistence of one woman whose passport was recently found to contain 28 separate stamps of refusal of entry. “We only apply the process,” Martin shrugs. It is not for border guards to decide who gets a visa and who does not. “Of course anyone is free to re-apply as often as they wish.”

The Polish operation on this sector of the border is necessarily a large one, with 407 staff responsible for policing just 21.6 km of frontier. Frontex’s role here is not merely to plug gaps in the line, because, in truth, there are none; there seems little doubt that Straż Graniczna could manage Terespol very well by themselves – or even better, since one of the acknowledged keys to the efficient screening of migrants is the ability to speak Russian, a skill not possessed by many Frontex guest officers.

In an example of good practice at an individual border point, over 90 percent of the border guards at Terespol already speak Russian; those that do not are offered language classes, which are also available in Georgian.

Frontex does, however, add value in other ways. “The opportunity to exchange information and knowledge with guest officer colleagues from other countries is really useful to us,” says Lt-Col Grytczuk. “We could not operate efficiently in a vacuum.” The skills brought to Terespol by Guest Officer specialists in, for example, document forgery or stolen vehicle identification, are particularly welcome.

On a formal level, the Border Guard headquarters in Terespol also hosts a Frontex focal point office as part of Frontex joint operations, where data from the border is regularly and meticulously fed into the JORA system (Joint Operations Reporting Application) for analysis back in Warsaw. Just as important, however, is the ability of guest officers to exploit what Grytczuk calls, “the informal Frontex network,” which often supplements official channels with quick tips on the latest in document fraud or concealment.

Martin, a stalwart of the EBGT who completes three pool missions a year, is a strong believer in the value of this informal, social border guard network. “You always meet someone you know, wherever you go,” he says. Diana Jungi, project manager of Joint Operation Focal Points agrees: “Guest Officers are like a large family now”. It may be an unintended consequence of the pooling system, but the benefits are real and more than apparent to Lt-Col Grytczuk and his team.
The 1985 Schengen Accord was signed on board the Princess Marie-Astrid on the Moselle river near the town of Schengen, where the territories of France, Germany and Luxembourg meet.
The organisation now known as Frontex grew out of the Schengen Accord of 1985, when five European states (Belgium, France, Germany, Luxembourg and the Netherlands) agreed to abolish their internal borders. The Schengen Accord, although signed independently of the European Union framework, was nevertheless the first and most direct application of one of the founding principles of the European Community, laid down in the Treaty of Rome in 1957: that there should be no restriction on the free movement of goods, services, capital and people.

The creation of a single external border brought with it a need to coordinate how that border was managed. The driver of this change was not immigration so much as organised crime, which of course has no respect for national boundaries. As the Schengen area expanded – by 2014, there were 26 member countries – police and judicial cooperation between them increased exponentially, until in 1999, under the Treaty of Amsterdam, the concept was finally incorporated into the EU framework.

This led to the creation of a body called the External Borders Practitioners (EBP) Common Unit, which was tasked with overseeing common border management operations via half a dozen new ‘ad hoc’ centres on border control, which were located across the EU from Finland to Spain.

With the European Union rapidly expanding eastwards, and in order to improve the efficiency of the EBP Common Unit, these ad hoc centres were further drawn together by a European Council Regulation in 2004, which created a new institution headquartered in Warsaw: the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union – a name that was rapidly shortened to Frontex.
Evolution, after all, is in the nature of an organisation like Frontex, because the challenges on Europe’s borders are also constantly evolving.

The learning curve was steep during the fledgling agency’s first five years. The expansion of the EU and the geographical extension of its eastern borders coincided with a period of heightened terrorism and a number of wars, leading to unprecedented flows of refugees from Afghanistan, Iraq, Syria and elsewhere in the Middle East, Africa and Asia.

Meanwhile, Frontex faced a barrage of criticism. Some politicians were sceptical: they suspected that the creation of Frontex implied a loss of sovereignty over their national borders. Other criticisms focused not on border control at all, but on areas such as visa policy, asylum, detention, immigration and other issues beyond Frontex’s remit. The agency became something of a scapegoat for anti-border protestors, blamed for unpopular policies and laws created either by the member states that Frontex serves or the Commission to which it answers.

April 2007 saw the establishment, following a European Council amendment to the 2004 founding Regulation, of RABITs (Rapid Border Intervention Teams), the first of which was deployed in 2010 along the River Evros on the Greek-Turkish land border. The Evros region had become a major hotspot for irregular migration.

Frontex continues to evolve as an agency. The Regulation has been amended twice, once in 2007 and again in 2011, as the need for greater transparency and accountability emerged, and as the role expected of the agency changed and clarified. Further amendments seem a certainty. Evolution, after all, is in the nature of an organisation like Frontex, because the challenges on Europe’s borders are also constantly evolving. The agency has had to grow fast. In five years, its staff expanded from around 30 people to more than 300, while its annual budget, even though constrained by economic force majeure, grew from €19 million in 2006 to around €82 million in 2013. In 2009, a newly-confident Frontex began to make long-term plans in a way it had not done before, and produced its first multi-annual plan for the agency’s development over the period 2010-2013. Four main areas of activity were identified as being crucial for the agency’s development over the long term, and singled out for improvement: Knowledge, Response, Interoperability and Performance.

As the first multi-annual plan came to a close, what had Frontex achieved in these key areas – and what was the opinion of Frontex staff members themselves?
The importance of screening and debriefing

By far the most useful source of intelligence for Frontex’s Risk Analysis Unit (RAU), according to Antonio Saccone, head of Operational Analysis and Evaluation, is the migrants themselves as they arrive in Europe, fresh from, typically, long journeys across multiple third-country borders, often in the care of organised smuggling gangs. "Statistics on migrants, their nationalities and identities, are relatively easy to collect, but we know very little from statistics about how these people reached the border."

The migrants may be able to elucidate the precise departure and arrival points used by the smugglers, the addresses of safe houses, the routes they prefer, the size and type of boats used to cross the sea, the prices paid to facilitators, and much more besides. Helping the national authorities to dismantle the smuggling networks has been a Frontex priority since its inception – and information of this sort can be vital for police on the trail of the big players. Gleaning this information is a job that falls to debriefers; specialist officers deployed to operations.

Debriefing migrants in a timely manner has also proved vital at a local level. In one celebrated incident, on the River Evros on the Greek-Turkish land border in 2011, the lives of a migrant family were saved when it emerged from an interview that they had been abandoned by the smugglers on a certain rock in mid-stream: information the local police would never have obtained in time, if at all.

But what of the smugglers who had left them there? The debriefers were eventually able to establish the timings and the precise departure point on the far side of the river favoured by this particular gang. Armed police were deployed in ambush, and several smugglers, who were also armed, were arrested.

“The importance of debriefing has been well understood since at least 2007, but we weren’t very good at it then,” says Saccone. “To begin with we requested debriefing specialists from the member states, but the quality of the officers we received was very mixed.” In 2009, in a bid to raise standards and harmonise debriefing techniques, Frontex created a taskforce of EU border experts, who were charged with collating best practices from around Europe, notably from the UK, Malta and Italy.

The skills deemed essential in a good debriefer were identified. “Set questions are no good. Every conversation is unique. The information they offer is all voluntary, informal. It helps if debriefers don’t wear uniforms; and they must never ask for migrants’ names, ever – because it is the information, not their identity, that matters.”
Frontex designed a two-week training course for debriefers, which includes mock interviews, and an exam at the end of the fortnight.

“The exam is tough, and not everyone passes,” says Saccone. “But our capacity is steadily increasing, and we are expanding. We have set the standard for best practice in debriefing techniques – and we are increasingly finding that member states’ border services are trying to match that standard.”

From 2009, Frontex began to develop its first reference material designed for on-the-spot use by debriefers, including the types of information they should focus on eliciting, the commonest indicators of useful knowledge, and so on, with the ambitious aim of establishing a standard operating procedure right across Europe. “A migrant should expect to be treated exactly the same, wherever they might arrive on the EU’s borders,” says Saccone. “That’s the goal – and we have had good results over the last two years.”

As a part of this streamlining effort, it was decided to separate off the screening process at the border – the establishment of a migrant’s identity and country of origin – from the more detailed business of debriefing. This apparently simple task is more complicated than it first sounds. Migrants are often undocumented and can have all sorts of reasons to conceal their identities or their origins.

Until 2011, Frontex was limited in what it could do with the data collected by its screeners and debriefers. Under an amendment to the founding regulation in that year, however, Frontex was empowered to make much greater use of it. For example, information on a person suspected, by local border authorities, of being involved in cross-border crime, such as smuggling or trafficking, can now be analysed and securely transmitted on a case-by-case basis to EU law enforcement agencies, including Europol. At the same time, this information must remain carefully protected, in line with European data protection legislation and Frontex’s duty to safeguard personal data.

Frontex can also use personal data to enhance its own risk analyses, the results of which are depersonalised, and it is not permitted to conduct its own investigations, which remains a matter for member state police authorities.

It takes skill, experience, and often the services of a first-class interpreter to establish whether a migrant is telling the truth. Dorte, a guest officer from Denmark, perhaps exemplifies what it takes to be a good screener. A policewoman of 20 years, she has worked on various international assignments for Interpol and UN missions, including on local police training missions in Sarajevo and southern Afghanistan. “You develop a kind of sixth sense for when people are not telling you the truth,” she says, between screening sessions in the interview office, a dedicated mobile office on the dockside at Mytilini.

“...We have set the standard for best practice in debriefing techniques – and we are increasingly finding that member states’ border services are trying to match that standard.”
Interviews with migrants can yield vital intelligence on routes and people-smuggling networks.

Working as a guest officer in someone else’s country also brings its challenges. Dorte is accompanied in the mobile office by a Greek immigration officer; the principle that Frontex coordinates support rather than replaces the local system is strictly adhered to. “I often ask myself how it would be if a Greek policeman came to Denmark and told me what to do,” she says, out of earshot of her Greek colleague. “The Greeks may have different ways of doing things. But it is their way, and that must be respected. It is important to suggest, not tell. And we are all learning. The more we operate together, the better we get.”

In Frontex’s Nerve Centre: The Primary Role of Strategic Risk Analysis

The founding regulation of 2004 requires all Frontex’s work to be intelligence-driven. The ability to spot trends in migratory routes allows Frontex to anticipate where borders are likely to come under most pressure – and over the years such foreknowledge has proved vital both for planning and for the cost-efficient allocation of resources.

Of central importance to Frontex, therefore, is the Risk Analysis Unit, where data is gathered and turned into useable knowledge, “action points” for distribution both to individual member states and to Frontex’s operational planners.

As a collection point for data on migration trends, RAU is unique. Staffed by some 40 people, and with an operating budget of €1.4 million a year, RAU collates information from multiple sources: EU and Schengen countries, open sources, NGOs, UN and EU agencies, international bodies and officers deployed in joint operations. RAU also processes more sensitive data in collaboration with Europol, Interpol, and national risk analysis units from around the EU, known as FRAN – the Frontex Risk Analysis Network.

“Information-sharing is crucial,” says Antonio Saccone. “We cannot replace the intelligence-gathering operations of member states: that is not part of our mandate. But we can add value by processing the information in a different, more holistic way, and coming up with strategic predictions and passing these back to the member states, who would not necessarily make those predictions on their own.”

RAU can also tailor its data to the specific needs of member states engaged in the latest, Frontex-planned joint operation – a service that it also conscientiously promotes to other stakeholders.

“We are just one node in a security network. We can help other nodes to do their work better, but we are not the brain, and there are limits to what we can do. Knowing the nature of an im-
migration phenomenon is the start of managing it – but we are only as good as the information we have, and information-sharing will always be a two-way process,” Saccone underlines.

Frontex’s risk assessment system is of course not fool-proof. Like everyone else, RAU was wrong-footed by the Arab Spring revolutions of 2011. “We saw no change in migratory patterns that might have warned us,” says Saccone, “as we did not have access to the right sources of information from the region.” But he remains convinced that a longer and broader view of migratory trends – as well as of other behaviour patterns involving, for instance, smuggling and trafficking – is vital to the planning and execution of the EU’s border security.

At the heart of the Warsaw HQ sits the Frontex Situation Centre (FSC), which provides a constant information feed, not only for RAU but for the whole agency and beyond.

A windowless room filled with computers and wall-sized electronic maps of Europe, FSC has something of the atmosphere of the bridge of a state-of-the-art cargo ship. The FSC monitoring team works 12 hours a day, seven days a week; their mission is to produce a picture of the overall situation on the frontiers – the European Situational Picture, or ESP – that is as accurate and up-to-date as possible.

“Our work is governed by what we call the five rights,” explains the Belgian head of unit, Dirk
Cayucos – traditional wooden fishing boats, here seen moored in Senegal – have been used for countless dangerous sea crossings to the Canary Islands.
Van de Ryse. “We aim to provide the right information to the right place and to the right person, at the right time, in the right format.”

The ever-changing wall maps give the FSC team a panoramic overview of the continent, and what is happening on its external frontiers. On one of these maps, the FSC “dashboard,” recent or significant incidents affecting ongoing joint operations flash up as ALERT symbols that the operators can zoom in on for more detailed information with the press of a button. Most of the raw data comes from border guards in the field, reporting via a new system known as JORA (Joint Operations Reporting Application), which by 2013 had 1,900 users at around 300 border crossing points in addition to other operational personnel.

JORA has had an important streamlining effect in the way that incidents arising from Frontex operations are processed. Before JORA, in 2011, FSC was able to process data from only six of the 16 Frontex operations carried out in that year. The task took 27 officers a total of 808 work days. In 2012, by contrast, FSC handled the data processing of all 17 Frontex operations carried out over the year, a task that took just 20 officers fewer than 138 workdays to complete.

“The change to JORA has certainly been huge... At FSC we talk about the Excel system we used to use as our ‘mediaeval times,’” Van de Ryse remembers.
The FSC map visualisation and dashboard software allows the team to visualise and “drill down” into the data in new ways, enabling Frontex to quickly answer specific information requests from national border services or other concerned actors: which crossing point detected the most stolen trucks in June? What proportion of the illicit traffic apprehended in the Strait of Gibraltar is connected to drugs? This new data-processing capability, furthermore, is equally available to all JORA’s users, and this, too, is new – an exercise in the “democratisation of intelligence,” as Van de Ryse puts it. In line with this ethos of accessibility, FSC provides services via its online portal FOSS, the Frontex One-Stop-Shop. The number of registered FOSS users is growing fast: there were over 4,000 of them by early 2013, and they downloaded over 8,500 documents every month.

On top of this daily workload, FSC also manages data streams for the EU’s integrated surveillance system, Eurosur — a pan-European platform linking the bloc’s border authorities via communication nodes to create a comprehensive situational picture. Since Eurosur came into use in 2013, FSC has been responsible for handling surveillance information, adding detailed weather forecasts, additional meteorological data and other services to keep the member states informed.

While JORA provides a ‘live’ data stream for operations, the analytical work of RAU requires a more advanced tool - CIRAM.

The Common Integrated Risk Analysis Model was originally developed by a European Council Expert Group in 2002 and was taken over by Frontex in 2005. It has gone through several alterations since then, although the basic model for collecting, processing and disseminating information has been kept intentionally simple.

The most recent development, according to Antonio Saccone, head of Operational Analysis, has been the adoption of a “management” approach to risk analysis that defines risk in specific terms of “threat, vulnerability and impact.” Say, for example, Frontex learns that an unusual number of migrants from a sub-Saharan source country – let us call it ‘Azania’ – have been sighted in a town known as a people-smuggling nexus point on the coast of Libya. How serious is this “threat” – high, medium, or low – and how likely is it that the smugglers will organise a sea crossing to Europe undetected?

Second, how ‘vulnerable’ is the border crossing at this point? What are the natural conditions? For instance, a rough, winter sea state in the Mediterranean makes southern Italy less susceptible to illegal entry than in the summer. What are the economic and social ‘pull-factors’ in Italy compared to, say, Spain? And what means are there in northern Libya for dealing with this risk before it develops?

And third, what would be the impact – from critical to low – if an influx of Azanians took
place? Could an attempted crossing lead to loss of life? Is the receiving border service sufficiently manned and equipped to cope with the influx? What are the implications for the internal security of the receiving state, at a given time?

“It’s about the establishment of methodology,” says Saccone. “CIRAM has laid down the common indicators of migration and encourages member states to describe them in the same language. For instance, what actually constitutes illegal entry? Different member states have different criteria.”

Introducing a common methodology remains a work in progress, in part because different member states have such different policing priorities and risk analysis cultures. Some states have big teams of well-funded analysts; others have reduced their risk analysis almost to a “one-man unit... it can be very low rent.” RAU has produced a number of publications designed to support the establishment of CIRAM, including Guidelines for Risk Analysis Units, which are regularly updated. RAU also produces a publicly available Annual Risk Analysis that delineates trends in migratory patterns and cross-border criminal activity with the specific intention of helping member states prioritise the allocation of resources.

Saccone gives several examples of the practical application of CIRAM. The Canary Islands cayuco crisis of 2006-7, for instance, was largely solved when Spain interceded with fishing authorities in Mauritania and Senegal to prevent fishermen from selling their boats or cayucos. “We were able to tell the Spanish that the people interested in those boats were almost certainly criminals, because the local fishing industry was in crisis, thanks to over-fishing by fleets from the Far East.”

On the Italian island of Lampedusa in April 2013, local border authorities reported a sudden increase in the numbers of migrants coming from the coast near Tripoli – even though Lampedusa is three times further from Libya than from the coast of Tunisia and that the most popular migrant departure point from Libya was not Tripoli but Benghazi. Why? The reason, RAU was able to ascertain, was that the local authorities were in crisis, and had stopped patrolling. The dinghies arriving at Lampedusa were all of the same type, seven metres long, and white – and they tended to arrive at the same time each day, a detail pointing to a high level of criminal organisation.

In 2011, RAU analysis of migrant origins found that there were more Algerians trying to reach Europe through Greece than via the traditional route directly across Spain. The Greek authorities were at first mystified by this apparent anomaly, although the explanation was simple: Turkey’s no-visa policy for the citizens of several North African countries, combined with the availability of direct flights to Ankara from Casablanca on Turkish Airlines.
Twelve Seconds to Decide

FRONTEX: An evolutionary concept
MORE, AND FASTER:  
THE FOCUS ON ‘RESPONSE CAPACITY’

Border crises tend to develop fast. Perhaps the greatest innovation in Frontex’s ability to respond to them, therefore, was the establishment of Rapid Border Intervention Teams, known as RABITs. The principle was first put to the test in 2010 on the Greek-Turkish land border. In the first half of that year, some 13,800 illegal border crossings were logged. By October, the flow across the most vulnerable section of the border, along the River Evros, had risen to 350 migrants a day. The Greek authorities, overwhelmed by these numbers, turned to the EU for help.

What was happening in Greece was clearly a European problem, and not just because of the numbers appearing at the south-eastern borders of the Schengen area. Europe’s commitment to the rule of law and fundamental rights also needed bolstering. When genuine asylum seekers cannot be identified and separated from straightforward economic migrants because the administrative system is overloaded, the moral and legal foundations upon which the EU stands are called into question.

In response to the Greek request, Frontex was requested to deploy RABITs for the first time. Border guards from 26 European countries came to Greece’s aid, in what became known as Joint Operation RABIT 2010 – the spear-point of the ongoing regional Operation Poseidon Land. The specialisations of the officers deployed were varied and included experts in false documents, first and second-line border control, and stolen-vehicle detection. They brought with them items of specialist equipment such as thermo-vision vans (TVVs), helicopters and patrol vehicles, as well as general logistical and administrative support including buses, vans and mobile offices.

Operation RABIT worked: control was restored and all migrants were processed and recorded in line with procedures. By December 2010, illegal entries at the Greek-Turkish land border had fallen and the operation was extended until March 2011.

Irregular migration from the east was not halted, however. The route later shifted to the Turkish-Bulgarian land border further north, and back to the Greek-Turkish sea borders in the Aegean. Frontex had to respond, and respond quickly.

“We had to react to this somehow,” recalls the agency’s executive director, Ilkka Laitinen. “Fortunately we were prepared and could use the existing structures.” Frontex again deployed assets, this time to the Bulgarian border, while the original Poseidon Sea operation was revived to cover Greek waters.
The RABIT concept was based on a ‘fire-fighting’ principle, according to which specialist border-guard teams were levied from member states as the need arose. The achievements along the River Evros, however, were tempered by the migrants’ northern route shift, which demonstrated a need to have intervention teams on permanent stand-by, to avoid the logistical and political delays inherent in a system dependent on ad-hoc requests to member states. This was one of the issues addressed in a 2011 amendment to the regulation that allowed Frontex to establish a permanent pool of border guard specialists from around the EU on which they could draw. European Border Guard Teams were born.

The RABIT members were among the officers incorporated into European Border Guard Teams, or EBGTs. After EBGT selection, border guards receive specialist training from Frontex. Thirteen job ‘profiles’ were identified, ranging from border surveillance to false document detection and detection of stolen vehicles.
The original plan was to have 1,850 well-trained specialists ready for deployment, although that target has been well surpassed: in September 2013, Frontex had almost 2,500 EBGT-registered border guards on its books. But on top of the standard pool were a handful of experts cherry-picked to become a new breed of border guard – Seconded Guest Officers (SGOs).

With the introduction of this new category of guest officer the maximum posting was extended from one to six months, giving them time where necessary to learn the particularities of their posting. Frontex is now authorised to deploy these SGOs wherever they are needed, whereas previously the destination of a guest officer was the subject of potentially lengthy negotiations with the national border service they came from. And, thanks to the criteria laid out by the EBGT training programme, there is now a greater degree of consistency in the quality of the guards deployed in joint operations. And though the first batch of SGOs was small, it is an instrument expected to grow in the years to come.

A measure of the pooling system’s success, according to Rustamas Liubajevas, the head of the Pooled Resources Unit (PRU) at Frontex, has been the establishment of a palpable esprit de corps among EBGT members – a spirit that Liubajevas carefully fosters. “I went to an annual EBGT day in Sweden recently, and there was a strong feeling among the attendees that they were privileged to be there,” he says.

“The real point of pooling is the flexibility it brings,” says Liubajevas. “We had to have that because the situation on the borders itself is so fluid.” PRU’s role is principally logistical. Organising who and what goes where is a complex task. “We can’t give the member states orders,”
Twelve Seconds to Decide

FRONTEX: An evolutionary concept
Liubajevas explains, “but we can direct them through ‘soft’ measures such as the identification of standard operating procedures.” Maintaining a dialogue with the member states is critical. And to help manage the assets, PRU have developed a new IT system, an ‘e-platform’ known as OPERA.

PRU’s role is not confined to the allocation of personnel. Each year, the Frontex Management Board sets the minimum quantity and type of assets – vehicles, aircraft, vessels and other equipment – to be contributed by each member state, and operational requirements are set in consultation with the Joint Operations Unit. EU recession neither diminished the continent’s appeal to migrants, nor dimmed an appreciation in European capitals that the Schengen system is unworkable without secure exterior borders. “Joint Operations are completely different compared to ten years ago,” says Liubajevas (who has worked for Frontex since 2005). “There is much more trust among the member states now, and much more willingness to cooperate.”

Although Frontex is empowered to acquire its own equipment when necessary, rather than being forced to rely on the goodwill of the member states for hardware, it wasn’t until 2013 that PRU launched its first targeted acquisition project, which involved buying in support services for aerial surveillance. “It is possible in future that operational gaps will be filled by Frontex-leased assets – although our budgets for now remain very small,” says Liubajevas.

Until then, all assets remain the property of the member states contributing them.

In May 2013, the coastguard patrols off Lesvos were assisted by a thermo-vision van deployed via Frontex, but belonging to and manned by the Slovenian border service. Stationed for eight hours each night on the cliffs above Lepetimnos, overlooking an 8 km stretch of sea between Greece and Turkey, the van’s roof-mounted infrared cameras are capable of picking out a dinghy long before it has reached EU waters; the heat signature-spotting capability of this technology has the added advantage that it is unaffected by fog. Any suspicious activity detected is quickly passed back to Hellenic Coast Guard HQ in Piraeus via a Greek liaison officer working alongside the Slovenes, as well as directly to the boat crews patrolling below, buying precious time for them to arrive on station.

The crew of the Slovene TVV, one of 12 formerly used to patrol the land border with Croatia, recall how they drove the vehicle all the way to Lesvos from Ljubljiana, and how scared they were of something happening to it on the road. The TVVs look like ordinary transit vans when their cameras are packed away, yet they cost as much as €500,000 each. The greatest challenge of their work, they say, is staying alert throughout the long nights.
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There are periods of boredom in this kind of surveillance work. But Michael Dimou, the Greek liaison officer, is not in doubt about its importance to the hard-pressed coast guard, who in effect can leave policing this stretch of the coast to the guest officers from Slovenia.

TVVs, despite their high capital cost, have proved economically as well as operationally efficient in joint operations; their use is likely to grow in future. According to Julian Quiles, the Frontex officer responsible for Operation Poseidon Sea, the increasing use of TVVs since 2005 has been driven as much by economic necessity as by proof of their efficacy. “There has been a definite change in how and what we deploy – for example, from expensive air assets towards land-based surveillance platforms, which are ultimately far more cost-efficient. We have had to evolve our modus operandi for practical reasons... Adaptation is central to all we do at Frontex.”

“We learnt a lot from the RABIT deployment,” Liubajevas insists. “It was the first and last of its type and although we’d run regular deployment exercises there’s nothing like the real thing. You just don’t know what the reality is till it happens. The cyclical process of evaluation and feeding back lessons learnt into operational planning is something that really pays off over time. It’s how best practice is distilled.”
Twelve Seconds to Decide

FRONTEX: An evolutionary concept
Streamlining the System: Why ‘Interoperability’ Matters

When Frontex began its mission, there was astonishingly little international cooperation in the sphere of external border control. “It wasn’t just international cooperation that was lacking in the early days,” recalls Georgios Vourekas, head of the Sea Borders Sector, who joined Frontex in its nascent years. “We also had to deal with internal rivalries among member state authorities.”

A Frontex study, MEDSEA in 2006, found that among the eight EU countries along the Mediterranean seaboard, responsibility for maritime issues was shared by 30 government ministries and 50 different authorities. “There were no standard operating procedures regarding border control. The technologies used by the member states overlapped, or were incompatible. It was chaos – and it wasn’t sustainable.”

Frontex was not the first organisation to identify the problem. The seeds of a pan-European border surveillance information-exchange system, later dubbed Eurosur, were already being planted in Brussels before Frontex was even launched.

The Eurosur concept, still embryonic at that stage, relied entirely on information sharing on a common platform combining common systems; the essence of interoperability in action. But it was not until the Eurosur Regulation of 2013 that Frontex was formally tasked with making it happen.

Interoperability, in Vourekas’s view, has been the key to establishing the new spirit of cooperation. “The concept begins with the exchange of information,” says Vourekas. “When information is shared, a relationship of trust begins.”

Until the mid-2000s, member state expertise in border control was jealously guarded; the nub of Frontex’s achievement is that it is now pooled. “We asked the member states for their specialists, and clustered them, to their home countries’ mutual advantage. That is the key to the interoperability principle. Mutual trust unlocks joint potential, and brings huge cost savings in terms of staffing and asset allocation.”

The collection, collation and redistribution of data from joint operations at the borders via the JORA system and the new Frontex Situation Centre dashboard – the screen of which is open on his desktop computer as we speak – are, he says, a prime example of interoperability in action: a powerful analytical tool that is already assisting the EPN, the maritime European Patrols Network that polices the Mediterranean and Black Sea year-round.

The EPN has started developing a common real-time video system as well as a secure telecoms
system in line with existing technology in the member states. It has also experimented with a common satellite-positioning system, the Frontex Positioning System or FPS, "so we always know where the assets are." Operational budgeting and planning has been greatly enhanced by FPS, which incorporates a financial tracking system that continually calculates the deployment costs of an asset, even while it is on operation. "The EPN concept is based on a successful model of regional cooperation that is being studied by the US Coast Guard for application in the Gulf of Mexico," Vourekas adds.

It is, of course, not easy to ensure cooperation between member states. "It is like dancing a ballet: putting one step wrong can spell disaster," says Vourekas. Frontex, he points out, is a tiny organisation for the task it has been set. "Just look at NATO. They have an entire directorate, a thousand people, working on the administration of the STANAG [Standardisation Agreement]. Yet I run my office with a staff of 20 - can you imagine? That is a big challenge."

The coordination of physical assets is, of course, only one part of Frontex's role. The successful application of the interoperability principle also requires good human relationships between the member states' authorities - and it is perhaps in this regard that the agency really adds value. Frontex has emerged not just as a nexus for border guard expertise, but also as a unique forum for the exchange of ideas and experience: a place where the community can forge professional relationships.
“In this way, capacity-building and the sharing of knowledge and best practices become automatic.”

forum for the exchange of ideas and experience: a place where the community can forge professional relationships, in short. The European Day for Border Guards (ED4BG), for example, organised in the second half of May each year by Frontex in Warsaw, has become a popular date in the border guard calendar.

Such specialist conferences, Frontex has found, provide valuable forums for the exchange of experience and new techniques and serve as an important crucible in the search for excellence.

Ties within the informal, social Frontex network are strengthening all the time, with important consequences for EU border operations in general. As Frontex’s Border Guard Basic Training manual puts it: “Border guards’ human interoperability can be seen in two dimensions... In its traditional (narrow) meaning, border guards must be able to work together on joint operations, side by side. In the often forgotten meaning in a wider sense, all border guards are working together even when they are carrying out their own work at their own border posts.”

Interoperability is, in part, about the establishment of an esprit de corps. International friendships are struck every time Frontex deploys an expert from one member state to another to provide additional support – and they take back with them, and are likely to absorb, the new methods and ideas they have seen.

“In this way, capacity-building and the sharing of knowledge and best practices become automatic,” says Antonio Saccone, head of Operational Analysis in the Risk Analysis Unit. “It is not even seen by the officers themselves at the time. It is a body of joint knowledge which grows all the time, and so makes the border guards more effective. Best practice is now snowballing.”
ON ANY DAY IN EUROPE:

At the Air Border
It is 5.45 am, but the guest officers on the early first-line shift at Lisbon airport have been up for an hour already, preparing to receive passengers from the first flight of the morning, due in any minute from Guinea-Bissau. They are here as a part of Joint Action Lusitania, a two-week operation closely focused on document fraud. Some 95 percent of all document fraud in Portugal is detected at this airport – there were 631 cases in 2012, out of a passenger total of 14 million – and the vast majority of them involved West Africans, above all from the troubled former Portuguese colony of Guinea-Bissau.

The starkly-lit arrivals concourse does not remain empty for long. “Get ready. Here they come,” says Jan Karl Hoilund, a Danish police officer seconded to Frontex, as, far down the echoing hallway, a pair of glass doors hisses open and the first wave of passengers appears, surging out towards passport control. The officers, four of them, spread out in a line that seems improbably thin. The jokes and joshing of a few minutes ago are suddenly forgotten. There will likely be at least one passenger from this flight attempting to enter Europe on false papers. So far during Lusitania, the border guards have intercepted between three and five fraudsters every day.

The first case is uncovered in less than ten minutes: a young man with a Senegalese passport
Senior Deputy-Inspector Rui Melro, of the SEF’s 140-strong airport team, shows me a collection of fake Mexican passports recovered from a group of Chinese passengers whose unusual travel itinerary had aroused his officers’ suspicions: they appeared to be travelling from Morocco via Lisbon to Haiti. Belonging to a smuggling gang who specialized in slipping false documents to clients transiting through Lisbon, the passports were found concealed in a hollowed-out copy of a novel by Paulo Coelho, and wrapped in such a way as to evade detection by x-ray machinery. The variety of tricks applied in this business is, says Melro, “staggering.”

Air operations like this one, explains Nuno Ladeiro, a Portuguese officer working for Frontex’s air borders sector, are always short: Lusitania is scheduled to last for just two weeks. This is largely because it never takes long for news of the extra passport checks to get back to the facilitators, who are adept at adjusting their routes, and techniques, to evade detection.

The heart of the SEF offices is the ‘laboratory,’ which contains an array of microscopes, multi-wavelength light readers and other specialist equipment necessary in the detection of forgery. The lab’s proudest possession is its extensive collection of fraudulent documents intercepted at the airport, which are kept to hand both for reference and for training purposes. Counterfeit visas, forged passports, doctored photographs, imposters using stolen documents: the permutations of deception are almost limitless.

A magnifying glass, produced from one of the officer’s pockets, seals the young man’s fate: the residency permit is a fake. It looks fine to the naked eye, but under magnification the details of the background printing show signs that it has been produced using an ink-jet printer. The suspect Senegalese/Gambian/Guinean is courteously but firmly escorted to the nearby offices of SEF, the Serviço de Estrangeiros e Fronteiras, for processing. ‘There are many questions about this man that we will likely never be able to answer, but from here on it’s purely an administrative matter,’ says Hoilund. ‘He will be passed to the immigration authorities and – if he does not claim asylum – refused entry.’

The early morning is the busiest time for Lisbon airport. The queue for passport control, visible through the plate glass window of the SEF office’s second-line interview area, almost fills the arrivals hall. In the passport booths, Portuguese officers work side-by-side with those deployed in the framework of the Frontex-coordinated joint action.
Portugal’s membership of Schengen has turned their airport into one of the EU’s front lines in dealing with irregular migration flows. As elsewhere on Europe’s external borders, this appears to be on the increase at Lisbon, where the number of fraudulent documents seized has risen in each of the last three years.

Migrants to Lisbon traditionally came from former Portuguese colonies – Brazil, Angola, Mozambique and Cape Verde, as well as Guinea-Bissau – but the area they come from is far wider now. And though most arrivals are routine, irregular migrants arrive from Eastern Europe, from Asia, and from all over Africa (particularly, during the Arab Spring, from the Maghreb).

“This is the entrance to the Netherlands, right here,” says one Portuguese officer. But he has no regrets or misgivings about this. Indeed, he thought that Schengen was “the greatest thing to have happened to Europe in half a century.”

Their workload is greatly assisted by technology. Automisation, the guards all agree, has led to enormous changes in the way the border is managed. Even in the first line, passport details once had to be entered into the national database by typewriter; these days the data is uploaded using scanners and auto-fill software. A bank of electronic border gates is also popular for helping to reduce pressure in the main queue. The self-service system, according to Melro, can reduce passport processing time to just seven seconds per passenger.
“I call it the electronic border,” says Ladeiro. “I am pro-IT but we are still very far from a point where machines can replace people in this job, as some people think. It is important to strike the right balance between machines and eyes-on.”

Joint Action Lusitania, and the presence of extra guest officers, seems genuinely popular with the SEF men, and not only because extra staff are useful when things are busy. “At air borders it is vital to have good relations between all the services,” says Valentijn Schoofs, a Belgian expert on passport forgery. “And Frontex exchange programmes, or joint actions like this one, are brilliant for creating those.”

Back in the SEF office, another forgery suspect is brought in, this time off a flight from Senegal. The Schengen visa his passport contains is a real one. But, under the lab’s microscope there are tell-tale signs that the original has been erased and re-imaged. The new photograph corresponds to the one on the passport’s personal data page, but that, too, is a substitute for the original. It is likely that this passport has been used before, by another person attempting to enter Europe. “Talk about recycling!” says Jan Karl Hoilund. “The problem is that we have no idea who this guy really is.”

It is a common enough occurrence at Lisbon airport, which, through accident of geography, looks certain to remain one of the busiest illegal entry points into Europe from Africa in the years to come.
Frontex today groups specialists in such varied fields as counter-forgery, border surveillance, dog-handling, stolen car tracking, countering the smuggling and trafficking of people, border guard training, and the research, development and application of new technologies on our borders.

If the early years of Frontex were partly an exercise in identifying where and how such an organisation could add value, the later ones have been a period of consolidation, of building up different areas of expertise. Frontex today groups specialists in such varied fields as counter-forgery, border surveillance, dog-handling, stolen car tracking, countering the smuggling and trafficking of people, border guard training, and the research, development and application of new technologies on our borders. The following section explores progress in these specialisms in greater detail.
Rainer Brenner, a Senior Training Officer at Frontex, began his career in 1988 with the German Federal Police, as a border guard on the Iron Curtain that used to split his country in two. “If someone had said to me then that one day there would be no borders at all within Europe, I’d have said ‘go and see a doctor,’” he says. A Frontex staffer since 2006, Brenner these days is a passionate champion of the Common Core Curriculum (CCC), the training cornerstone for EU border guards everywhere.

Basic training, he says, is the foundation of capacity-building, the bedrock of interoperability: “Our goal is to create a European border-service culture of the highest quality possible, with harmonised standards and operating procedures, and which applies those high standards equally everywhere. Training is key. It is what makes joint operations possible.”

There is also, he insists, a strong supra-political dimension to his job. “Border guards do far more than just check passports. For me, it is a question of humanity to help people if necessary; my role is to make sure border guards have the right attitude to the job. A border guard is like an ambassador for humanity, the first person a traveller sees when they arrive in Europe.”

The CCC pre-dates Frontex: it was first endorsed in 2003 by the EU Council of Ministers. The first version was “pretty rudimentary” according to Brenner. It has been updated twice since, most recently in 2012 under Frontex supervision, and in published form it now runs to some 270 pages. Its length perhaps testifies to the complexity and surprising variety of skills required of different border guards, from mountain rescue techniques to human rights awareness.

“Frontex,” Brenner makes clear, “does not in principle train border guards on behalf of the member states. Our role is to define the standards and develop the training, but it is up to the member states to implement them within their national systems. Only in rare cases do we train ‘end users’ directly, such as members of the European Border Guard Teams.”

By applying the so-called ‘multiplier’ approach – by which, after training, border guards return to their member states to act as local trainers and pass on their new skills or knowledge – as well as by providing translated versions of the various training tools, Frontex ensures that all border guard officers have access to relevant learning in their mother tongue in a harmonised, pan-European manner.

The training unit does, however, organise some 200 ‘training activities’ a year, interfacing with a pan-European network of ‘partnership academies.’ These are also run along the ‘train the trainer’ principle but are directed towards EBGT members to ensure interoperability.
Qualifications are graded, from basic standards through to mid-level training that may include specialist skills, such as dog handling, stolen vehicle identification, or language training. Mid-level training is targeted at shift leaders, unit commanders and similar ranks. Meanwhile, a higher qualification is also possible via a Joint Masters in Strategic Border Management, for more senior officers. Set in motion by the EU policies of life-long learning, the professional qualifications gained in one EU country must be valid and recognisable in every other member state. “It is obviously vital for interoperability that border guard qualifications are comparable throughout the EU,” says Brenner.

Under the Schengen Accord, member states remain responsible for policing their stretch of external border. Under the EU’s SchEval (Schengen Evaluation) mechanism, therefore, the border services of states hoping to join Schengen are carefully assessed before they can join and are monitored regularly afterwards. The standard of border service in existing Schengen members is also carefully and continuously monitored. Since 2009, at the request of the EU Council of Ministers, voiced by the Working Party for Schengen Matters, Frontex has been closely involved in the training of the evaluators. “They realised that they had no set of common standards against which they could objectively compare the performance of applicant and participating states,” explains Brenner. “It is vital that whoever conducts the evaluation, and wherever it is carried out, the standards applied, and therefore the results, will always be consistent.”

Learning how to evaluate a border service objectively is an arduous task. The course includes two and a half days of theoretical training focusing on how to evaluate objectively, followed by a two-and-a-half-day mock evaluation at an actual BCP, all under the eyes of other trainers and mentors; the trainees are also taught administration procedures, such as how to draft a report to the Council of Ministers. “This is still a work in progress,” acknowledges Brenner. “We are still building up the pool of qualified evaluators. But it is essential work. In the end, the success of Schengen is dependent on the quality of its external border control.”
Stolen vehicle specialists deployed by Frontex assist the authorities on the Slovenian frontier. Some 1.2m cars are stolen in Europe every year.
There are some 250 million cars on the roads of Europe, about a quarter of all the cars in the world. Of the 60 million new cars manufactured every year, furthermore, almost a third are built in the EU. Europe has one of the highest densities of vehicles per capita in the world; Western Europe has the highest proportion of 'premier marque' cars. As one of the most conspicuous symbols of prosperity, cars have always been targeted by thieves. Some 1.2 million of them, worth an estimated €6 billion on the black market, are stolen every year; and some 30 to 40 percent of these vehicles are stolen to order, by international criminal gangs.

Efforts to combat car theft, including by Frontex, caused the overall level of car crime in the EU to decrease by 23 percent between 2007 and 2010. In Bulgaria, however, it increased by 8 percent, and in Romania by 39 percent. Even with the overall drop in the EU, in other words, international car theft remains a massive and successful criminal enterprise.

Like migrant-smuggling gangs, trans-border car thieves also have their preferred routes and destinations, but are just as clever at adapting their modus operandi to stay one step ahead of the authorities. For instance, the thieves no longer target the expensive premier brands as they used almost exclusively to do. In France in 2012, a sharp uptick in the theft of medium-class compact cars was reported.

The eastward expansion of the EU from 2004 gave international car thieves vastly more opportunities. Europol statistics show the main destinations for stolen cars in 2012 were Russia, Kazakhstan, Tajikistan and Belarus. The main route was the border between Poland and Ukraine, followed by the southern route into the Western Balkans. German makes such as Volkswagen, Mercedes and BMW were the most frequently targeted. Although a third, new route, principally for luxury cars, has opened up into North Africa from Spain, the clandestine export of stolen vehicles is a crime detected chiefly at the eastern EU borders, according to Isaac de Toro Mezquita, who joined Frontex in 2008 and has worked on developing training for the EU’s border guard response ever since.

A former military policeman with Spain’s Guardia Civil, Mezquita’s expertise in vehicles dates from the 1990s, when he was co-located with the Serbian police in Bosnia, as a part of the UN-mandated International Police Training Force. His experience there taught him how to spot car bombs as well as stolen vehicles. He explains how, as car defence systems have grown more sophisticated, thieves have become ever more technically adept at circumventing them. The thieves have developed software, easily deliverable through a laptop, that can overcome the
car manufacturers’ immobilisers and encryption codes. Sophisticated skeleton keys are readily available on the internet. “It’s not like the old days, when you could break into a car with a coat hanger and hot-wire the ignition with your fingers.”

The main technique for identifying a stolen vehicle at the border is surprisingly old-fashioned: it depends on a border guard’s ability to locate its unique Vehicle Identification Number (VIN) from its engine block or chassis, and match it against existing databases of stolen vehicles. “National databases exist, but there is no mega, EU-wide database that border guards can access quickly and easily enough,” says Mezquita.

Frontex’s most important contribution to the fight against car crime has probably been the development of standardised training: essentially, what to look for when trying to identify a stolen car, and how to find it. In the early days, Frontex ran its own training programmes, which produced two or three specialists in individual member states. But it was clear from the start that this system would never produce enough specialists fast enough. The costs of training directly the kinds of numbers needed were simply too great for an organisation like Frontex to bear.

The solution was a new training tool known as Adesvet (Advanced Detection of Stolen Vehicles Training). Since June 2013, Adesvet has been downloadable from the internet – although not by the general public: the information it contains is encrypted, and disseminated down to the national level, via locally secured intranets, on the ‘need to know’ principle. Adesvet contains basic information on, for example, where to find the VIN on a particular car model, and how to read it. Constantly updated, it also contains more sensitive details of, for instance, organised criminals’ latest concealment techniques.

Great care has been taken to make Adesvet user-friendly, to encourage busy border guards to access it in the field: “It’s wiki-style. That’s my philosophy,” says Mezquita. Like Wikipedia, the quality of Adesvet’s data depends on the contributions of its users: a collaborative approach that is intended to be self-sustaining. “My budget this year was €200,000, and there is no guarantee of any budget at all in the future,” says Mezquita, “so we were forced to design a system that can perpetuate itself.”

A key issue, Mezquita found, was that of language: “Our early training programmes were only in English. But if a border guard doesn’t
A border guard uses Adesvet to check a suspect vehicle.
speak English, they quickly lose interest and won’t use Adesvet as they should. This system is much better.”

As well as being user-powered and multilingual, Adesvet also has the advantage that it works on the multiplier principle under which the responsibility for training up more stolen vehicle specialists rests with member states rather than with Warsaw. And the evidence suggests that Adesvet is indeed working. Europe-wide, some 5,000 border guards were trained using Adesvet in 2012. In Croatia alone in that year, the extra training led to the detection of 147 stolen vehicles. The training is entirely paid for by the member states themselves: Frontex’s contribution is restricted to the provision of trainers where necessary.

Cheap and self-sustaining, Adesvet has won support in some unlikely places, including in Britain, where stolen vehicles are considered a police matter, not a border guard one. Yet the British police, Mezquita points out, have asked Frontex to cooperate with the British border service, and ACPO (the Association of Chief Police Officers) in Coventry has requested access to Adesvet.

“Adesvet is up and running, and I think will still be running long after I’ve gone,” says Mezquita. “I’m very proud of that achievement.”
Despite many advances in passport technology in recent years – and particularly since 9/11, which led to a heightening of all security measures – document fraud remains a serious problem at the external borders of, and also within, the EU and Schengen area. For example, in 2012 a total of 3,171 cases of fraudulent passports were recorded at the external border, with French and British passports being targeted the most. In addition, 2,132 cases of fraudulent visas/residence permits were detected, particularly those issued by France or Greece. Fraudulent documents tend to be mostly detected at airports (56 percent) being used by travellers arriving from a very wide range of departure airports in third countries, followed by land borders (39 percent) particularly from Ukraine and Albania, where counterfeit border-crossing stamps are frequently used to fabricate travel histories and extend periods of stay.

The threats that document fraud present are multi-faceted. Firstly, document fraud potentially enables criminals and terrorists to enter and then move freely within the Schengen area, with obvious implications for the security of its member states; and secondly, it bolsters black markets and leads to the abuse of social services in the countries where migrants with false identities eventually settle. Ultimately, document fraud limits the ability of any state to effectively manage its legitimate communities.

Until very recently, there was no EU-level analysis of document fraud trends. To address this gap, in early 2012, Frontex established the European Union Document-Fraud Risk Analysis Network (EDF-RAN). Much work was initially done to standardise terms and definitions used in the complex field of document fraud. Now, specialists from 29 countries meet periodically to exchange detailed standardised data and intelligence to describe detection points, nationalities of migrants, routes taken, documents used and – especially – the latest forgery techniques.

The reference manual project focusing on forged and counterfeit documents has been led since 2007 by Nuno Ladeiro, a deputy inspector of border guards seconded from Portugal.

“In 2007, we were still developing our own forms, and were very limited in what we could achieve,” he recalls. The turning point – Ladeiro calls it, “the beginning of a snowball” – was Operation Hammer, a “framework joint operation” concentrated on airports that lasted for five months over the winter of 2008.

Frontex joint support teams were deployed to 189 locations, including 115 airports. “Thanks to the Frontex regulation, migration was the first area of operations where it became legal for an

“Biometric technology has made passports much harder and more expensive to forge. But still – anything can be forged. A good document forger is like a great artist.”

Nuno Ladeiro, project manager of the reference manual
detected being used to enter the EU/Schengen area in 2013
EU police officer to exert authority in a member state other than his own," says Ladeiro. A vast amount of knowledge was gained – and subsequently shared – particularly pertaining to the preference of smugglers for the EU’s smaller airports, and the significant role played by low-cost airlines. Some 760 irregular migrants were detected, and 71 cases of document fraud.

Document fraud, statistics show, is often most prevalent in societies where law and order has broken down the most – which typically means from countries recovering from, or still afflicted by, armed conflict. Hence Operation Hammer was preceded by the smaller Operation Zarathustra, which spotlighted air arrivals from Central Asia, and by the 14-nation Operation Zorba, another air operation focused on the Western Balkans, in 2010. Operation Silence concentrated on documents of passengers from the Horn of Africa, and Operation Longstop on those from Sri Lanka. The lessons of these operations, culminating in Operation Hammer, which proved Frontex’s ability to deploy guest officers to pressure points at short notice with a high level of international cooperation, are now being applied Europe-wide, according to Ladeiro. “It is a new concept, this mega-cooperation of joint operations. But there is a need for it.”

The year 2008 saw the publication of the first ever documentation reference manual, a DVD that attempts to archive all the forms of identification used by travellers around the world. It has been constantly updated ever since, and by 2013 contained around 9,000 different documents and stamps, and ran to a thousand pages.

“Most countries have at least three types of passport,” explains Nuno Ladeiro. “Some countries have 30 types of driving licence. And residence permits are a world in themselves. Trying to keep a library like this up to date is a full-time job that will likely never be complete – although I think we are 80 percent of the way there now.”

Tools like this manual do exist at the national level, while the EU has operated an image-archiving system, FADO (False and Authentic Documents Online), since the late 1990s. Frontex’s achievement is to have exploited these assets in order to create something new. “The added value is in the exchange of data and in making that data far more accessible to border guards on the front line,” says Ladeiro, adding that the Frontex database is used, “everywhere, right down to street cops on highway patrol.” There are also plans to distribute the manual to border services outside the EU.

The process of standardising EU passports, and improving their safeguards, is an ongoing one. For instance, in the past a special transparent layer was widely used to cover vital data on a paper substrate, but it transpired that this was easily opened and therefore far from tamper-proof. The photograph remains the key. These days the image is generally burned onto the
A Treasury of Best Practice

Passport fraud on entry at external borders (EU/SA) in 2013

- Imposter / Look-Alike: 26%
- Forged-Biopage: 15%
- Counterfeit: 14%
- Unspecified Type of Forgery: 10%
- Image Substitution: 9%
- Fraudulently Obtained: 7%
- New Biopage: 5%
- Mutilated: 5%
- Page Substitution: 4%
- Other: 3%
- Stolen Blank: 2%

substrate by laser, so it can not be replaced or tampered with, although this means of identification can still be circumvented. During the 2000s there was a marked increase in 'look-alike' fraud, often involving stolen passports. This, according to Ladeiro, illustrates the growing professionalism of the people smugglers – because it takes an extensive and well-organised network to match up the image in a stolen passport with a would-be impostor.

New technology has proved a particularly critical tool in counter-fraud. In consultation with Frontex, Interpol and national border services, passport technology is constantly being developed. At major airports, travellers are already familiar with ABC (Automated Border Control) gates, and are growing used to presenting their e-passports (passports containing a chip).

But, says Ladeiro, while today’s e-passports contain digitised biometrics in the form of facial images or fingerprint, they still have the familiar ‘paper’ format. As security threats continually change with new technology, the future may one day see digital passports, perhaps as a mobile app or a credit-card-sized electronic device.

“Ten years ago we were seeing passports with the name scratched out and overwritten by hand, or false photographs glued in any old how,” says Ladeiro. “It’s a different world today. Biometric technology has made passports much harder and more expensive to forge, which has put the business more in the hands of organised criminal networks. But still – anything can be forged. A good document forger is like a great artist.”
HUMAN TRAFFICKING

Trafficking in Human Beings, or THB, is a deeply emotive issue everywhere. The victims tend to be the weakest and most vulnerable – young women, children, the very poor. In the EU, a high media profile and widespread public concern have made the eradication of this darkest of trades a priority for Europe’s leaders. In 2011, the European Commission launched a new strategy for the years 2012-2016 with a directive designed to improve detection rates, increase prosecutions, enhance cooperation among law enforcement agencies, and a number of other measures.

A key problem in the campaign against THB, however – one that has also been identified by Europol – is the lack of accurate data on the trade, without which it has proved very difficult to strategise effectively. Spotting a trafficking victim at the border is notoriously difficult. The line between people-trafficking and people-smuggling – the difference being that smugglers are paid to get people across borders while traffickers seek to exploit them afterwards – is often a fine one. One well-publicised instance occurred in Portugal in 2004 when police found that forced labourers were being smuggled in from Africa to work on seven new stadiums that had to be finished in a great hurry ahead of the UEFA European Football Championship. It is also often the case that trafficking starts with smuggling and migrants may only later find out the truth about their smugglers.

At one of the many border guard conferences that Frontex organises, an Italian officer reported a recent uptick in very young children being trafficked from Africa. These babies, the officer said, were often heavily sedated before arriving at border control. He and his colleagues had learnt how to spot the signs of sedation – the use of a pram was usually the first indicator – and now, whenever suspicious, request that the ‘mother’ wakes up her child before letting them pass.

When the victims of trafficking are themselves unaware that they are the victims of crime – even after they have reached their final destinations, or in the case of very small children – many instances of THB naturally go undetected. This means that no one knows for sure how many people are trafficking each year. But it is a global problem. The United Nations Office on Drugs and Crime’s 2012 Global Report of Trafficking in Persons noted that worldwide, victims of 136 nationalities were detected in 118 countries between 2007 and 2010. At the global level, trafficking for the purpose of sexual exploitation accounted for 58 percent of all trafficking cases detected, while trafficking for forced labour 36 percent. For Europe and Central Asia, though, the percentage of sex-trade victims was reported to be 62 percent (and the proportion of
ESTIMATED VALUE OF THB FOR SEXUAL EXPLOITATION IN EUROPE

€2.5 billion PER YEAR

ESTIMATED NUMBER OF VICTIMS:

170 000

Source: UNODC, Trafficking in Persons to Europe for Sexual Exploitation, www.unodc.org
forced labour victims correspondingly lower, at 31 percent). Around 16 percent of those trafficked into Europe are children.

These figures give only the roughest indication of the scale of the problem, however. Prompted by a European Commission action plan, a new drive to collate better data at EU level was launched in 2012: the first, vital step, perhaps, in the mobilisation of an EU-wide campaign against THB.

Frontex has taken a pro-active role in that mobilisation. In response to the EC’s 2011 directive, the Frontex Training Unit developed an EU-wide counter-THB training manual, which was published in 2012. Drawing on the expertise of 12 member states, as well as international organisations such as the European Police College, IOM and UNHCR, the manual represents the first ever attempt to standardise internationally the techniques and skills required to detect this most elusive of crimes. The training programme, designed to complement schemes that already exist in member states, is based on what Yordanka Minkova, the project coordinator, calls “the three Ps” of THB: prevention, protection and prosecution.

“Before now there was virtually no training on international trafficking in many member states,” she says. “Their capacity was too variable. This manual is the first step in setting a common standard. But it is only a first step.

Frontex can’t do everything – and it is clear that a lot more integration is still required.”

The manual is complemented by other publications, such as the Handbook on Risk Profiles, the first edition of which appeared in 2011. Pocket-sized, solidly bound, and with a handy colour-coded country-by-country thumb index, the handbook is specifically designed for use by hard-pressed border guards working in the field.

Useful though these publications are, there is no doubt that there is still much work to be done in the fight to eradicate THB. The crime has been singled out by European policy-makers for special attention: there is a concerted push to stamp out modern slavery, involving many EU agencies and international bodies. An EU Anti-Trafficking Coordinator presides over a multi-agency front to tackle the crime through clear strategic priorities: prevention, protection and prosecution. The word protection comes first for a reason – the victim comes first. In the case of children, however, such clear lines can easily blur. Victim protection is a must, but for officers on duty it can be vexing.

Jan Karl Hoilund, a police detective on a four-year secondment from Denmark, is particularly frustrated by the EU’s approach to minors at the border. “The legislation is inadequate, and there is a remarkable absence of guidelines and best practices in it, leading to a myriad of interpretations among border guards... We are paranoid
“They tell you that out there life is different and you want to leave, you apply for a job, you give your passport to someone who promises to find you a good job and then makes you a prostitute. You dream of being independent, but they lock you up, you are alone with no money. You believe that nothing could happen to you... and then you just disappear.
OPEN YOUR EYES!”
about child abuse in the EU. At the border posts in many countries you can’t even interview a child without the presence of a trained specialist or a representative of social services or NGOs. But that can mean a wait of two or three hours, by which time the trafficker, who may be behind the child in the queue, is long gone.”

The rules surrounding Eurodac, the EU’s fingerprint database of asylum seekers and irregular border-crossers, forbid taking the prints of anyone under 14, which Hoilund thinks may need revision. “In some countries these children are bussed to a camp for processing – and then they often just disappear. Why don’t we register these children for their own protection? Children travelling alone are generally given an airline crew escort, but there are, due to lack of staff and procedures, often no authority checks at all on who they are handed over to at the other end. Finding the right balance between guaranteeing freedom of movement and providing security to vulnerable children is difficult.”

The interview of a child, Hoilund acknowledges, is a controversial and “damn difficult” business. A workshop on child-trafficking, organised by Frontex in Dublin, underlined that there are, “5,000 ways of dealing with kids... knowing what questions to ask them is a personal thing that comes from gut instinct and experience; it’s a difficult thing to teach.”
With so much emphasis on new technology at the frontiers, dog-handler training seems an unlikely specialism for Frontex to have developed since 2007. As every border guard knows, however, there are instances where a well-trained dog can outperform technology due to its mobility and lack of dependency on circumstances and environment.

During Joint Operation Minerva, which targeted migrants smuggled into Spain by ferry from Morocco, sniffer dogs detected 120 people who had been missed by standard detection technology. Some machines, such as heartbeat detectors, require silence to work at full capacity: a requirement that limits their efficacy in a busy ferry terminal.

Development of Standards and Training for EU Border Guard Canine Teams is a Frontex project led by Radu Anton, a Romanian border guard who joined Frontex as a national expert in 2007. For four years before that, one of his tasks was to coordinate the dog training service at the Romanian Border Police HQ, which had at that stage 300 trained dogs at its disposal – considerably more than the EU average per member state. However, the original idea for an EU-level dog training centre was not Romanian but Latvian. It was another by-product of the EU’s eastward expansion in 2004. To begin with, in 2007, there were just six member states involved, most of them East European. Today there are 39 states signed up, whose dog handlers are trained in any of 49 training centres across Europe.

Anton’s mission is to establish a deployable pool of dogs and dog trainers, trained to a common standard, with a particular emphasis on upholding both human and animal rights, in line with EU norms. “It is not acceptable to use a dog to chase a fugitive unless the individual represents a danger,” explains Anton. “It would be technically possible, and cheaper, to train a dog in multiple tasks: use of force, search and rescue, detection of narcotics, etc. But combining use of force with search and rescue, for example, increases the chances of innocent people getting hurt during operations. We advocate careful assessment of the impact that combined specialisations may have.”

Using the right breed for the job is another important principle: small spaniels are more appropriate for car searches, big German or Dutch shepherd dogs are better for patrolling a land border where they may risk being stabbed or shot at by smugglers. The environment also has to be taken into account: a dog from Finland, used to the cold, is unlikely to perform at full capacity immediately after arriving in Greece or Spain, and vice versa.
There are, he says, marked cultural differences within the EU in the way that dogs are trained and deployed; using them in the wrong way can profoundly damage the international image of the EU as a place that upholds fundamental human rights. “How do we view our borders, and what are we to do there? We apply and uphold the law. This is something that has to be calibrated so we can build canine teams to support this mission, and this mission only.”

Anton launched an eight-week training course for EU border guard canine team instructors. “We’ve had 19 candidates for the instructor course,” he says, “and not all of them passed the first assessment. The standards and our expectations are high as much has been invested in order to build and certify the elite of canine instructors in Europe.”

As Anton learned from the leading experts of the project, the key to dog training is to change the mindset of the dog through positive reinforcement. “You have to make them willing to do something, by rewarding them, rather than forcing them to do it through punishment. The dog will try to please you so the training becomes fun.”

Under Frontex rules, the use of spiked collars or electric prods is strictly banned. Patrol dogs also have to be trained to “let go” once the apprehension of a fugitive has been achieved: “Otherwise it could be construed as torture, under European law.”

Anton’s main challenge now is to support member states so that Erasmus-like programmes can be initiated in this field of expertise. Dogs, he insists, have huge unexploited potential. “Frontex could one day deploy at the borders canine teams for other specialisations such as detecting explosives or weapons. This is beyond Frontex’s remit for now, but there could be a time when cross-border criminality will change enough for Frontex’s spectrum of assistance to be widened.”

He acknowledges, also, that there are gaps in the EU border-guard dog pack: “I agree, there is an increased need for canine teams at the borders, but quantity cannot solve the problem. We need quality and that is the key element of Frontex’s canine team training project.”
The research and development of new technology is critical to EU border security, and looks certain to play an increasing role as passenger traffic increases in coming decades, above all through Europe’s airports. Globally, over the next 20 years, air passenger numbers are predicted to rise by 4 percent a year. By 2031, an expected 12 billion people will take to the skies, more than double the present number – and 2.8 billion of these future passengers will take off or land at a European airport.

Processing such large numbers of people already presents some significant challenges. A border service must strike a balance between ensuring collective security and ensuring the convenience of the passengers passing through; and some large airports – such as Heathrow, Europe’s largest, with 70 million arrivals and departures every year – are already struggling. But, as Edgar Beugels, the Dutch head of Frontex’s Research & Development Unit points out, there are political and financial limits to the number of extra border guards that any member state can employ. New technology, he believes, offers the EU the best chance to make up any future shortfall. “At present we are trying to push a haystack through a sieve to find a needle,” he explains. “And how good is an overworked border guard really going to be after an hour or two in a booth? Or on a Monday morning after a big weekend? People are human.” Technology, he argues, offers ways of removing the passengers of no interest from the queue – in other words, it can make the “haystack” smaller – which in turn improves the performance and detection rates of the border guards. Machinery, he says, is also much cheaper in the long run.

The most obvious application of this theory is already visible in many of Europe’s airports: the Automated Border Control gates, or e-gates, where passports are checked by scanners and identities verified by machines rather than people. The first e-gates appeared at Portugal’s Faro airport in 2008, and are becoming increasingly common across the continent. The efficiency of these machines depends in large part upon the standardisation of the EU passport, a process that is still not complete. Machine-readable biometric data has been included in some EU passports since 2005, but is not foreseen to be included in all of them until 2015.

Biometric data is also becoming more sophisticated – for example, it can include details of the passport holder’s eye, for cross-checking by an iris recognition machine – but again, not all EU passports are the same. The second generation EU passport, for instance, contains fingerprints – unlike the first generation passport – but still no iris data. In parallel with advancing passport technology, in 2012, the European Commission launched the Visa Information System (VIS), a Schengen instrument designed to streamline the
Roll-out, by 2015, of a pan-European system for the exchange of visa data – which will eventually include fingerprints – between member states.

Frontex’s role is to help the member states share experience on the rollout of the system, while establishing a set of common procedures in this newly automated environment. “Cashpoint machines were scary at first, but the public went through a learning process – that is, they copied the person in front of them in the queue – and cashpoints are fully accepted today. We can help speed up this process by ensuring that a passport is always entered into an ABC machine in the same way, at whatever airport you may be at.”

There will be changes for the way border guards operate, too. The ABC machines, as Beugels says, are automated rather than automatic. “No border will ever be 100-percent secure. Technology can only help: it will likely never replace people entirely.” ABC machines, in other words, require human oversight. In future, border guards will probably operate more like customs officers – hawk-eyed spotters of anomalies rather than frontline passport-checkers. “There are questions in this regard that have still to be resolved. How many ABC gates can one border guard oversee? What happens to passengers for whom ABCs are not suitable – those in wheelchairs, or the visually impaired? Best practice, a standard set of operating procedures, needs to be established for every eventuality.”

Technology has an important role to play on external land and sea borders, too. The southern Spanish coast, for instance, is already guarded by a high-tech early warning system known as SIVE (Sistema Integrado de Vigilancia Exterior). There are 44 SIVE stations, each equipped with an optronic eye, TVV and ARPA (Automatic Radar Plotting Aid), and all of them are connected to Madrid. Under the umbrella of the EU Eurosur programme, SIVE is now being trialled in Sardinia and Sicily. Very similar technology is also already in use along Finland’s external borders.

Julian Quiles, the Project Manager for Operation Poseidon Sea, is convinced that SIVE represents the future of EU border control, and could be extended to all vulnerable external borders as early as 2017. “It would cost a lot: maybe another €1 billion for the whole of Europe, including training, operation and maintenance. But it saves lives at sea and is highly efficient, and it will be cheaper in the end.”

Edgar Beugels has an even more futuristic vision: he can imagine a time when the external borders are routinely patrolled by RPAs – Remotely Piloted Aircraft. “RPAs can stay airborne for 24 hours at a time. They have great potential, particularly in the Mediterranean arena. The main issue is the operating cost. For now, it is too much for most civilian authorities to bear. But costs will come down in time.”

Frontex’s role is to help the member states share experience on the rollout of the system, while establishing a set of common procedures in this newly automated environment.
New technology will continue to revolutionise the way the EU’s borders are guarded
Frontex attaches great importance to ensuring highest standards on joint return flights.
It is a common EU policy to return migrants found to have overstayed their visas, to have failed the asylum application process, and for several other reasons besides – but the practice remains highly controversial, particularly when migrants are returned by force. EU-wide in 2013, some 160,000 people were returned to their countries of origin. Frontex itself does not and cannot make decisions to return people: that is entirely the business of the member states it serves. The founding regulation requires the agency to provide member states with support, including, upon request, “coordination or organisation of joint return operations.” Even then, the Frontex Joint Returns Operation Unit is directly involved in just two percent of the total number of migrant returns from Europe each year. On average, Frontex organises between three and four joint returns operations a month.

“When it comes to returns, Frontex acts as a middleman,” says John Bleeker, a Dutch border guard with 20 years’ experience of escorting deportees home – a job that he says has taken him to 89 countries. Bleeker explains the routine. Frontex might be contacted by immigration authorities in one member state who have organised a charter flight to take Nigerian returnees to Lagos. Frontex then offers to co-finance the operation and informs a number of other European countries with Nigerian nationals awaiting return. Half the seats on the plane are then reserved for Nigerians being returned from the organising member state, with the remaining seats parcelled out to returnees from six or seven other European states. “It is a useful and cost-effective service because many small countries don’t have the capacity to organise or finance return flights,” says Bleeker. In 2013, Frontex co-financed 39 joint return flights from the EU to third countries.

The support Frontex offers does not stop there. In 2011, as a leader of Project Attica, Bleeker helped train 150 Greek escorts at the national police academy, and assisted in the setting up of a Returns Coordination Office in Athens, a job that included building from scratch a working relationship with the third-country embassies involved.

Because the vast majority of return operations are conducted by member states at the national level, Frontex lays great importance on specialist training for escorts. The training puts strong emphasis on respect for human rights, which is of particular importance in the politically sensitive area of returns – as the governing EU directive makes abundantly clear. For instance, Frontex pointedly refuses to cooperate with some countries on returns, if they use full body restraints for instance, or other methods ruled out by Frontex guidelines.
NUMBER OF PEOPLE RETURNED BY EU MEMBER STATES

160,000

NUMBER OF PEOPLE RETURNED IN FRONTEX-COORDINATED OPERATIONS

2,150

Frontex has found that if a returns officer is properly trained, and adheres to best practices of the highest standards, the use of restraint becomes unnecessary. “I teach the younger trainees to try to put themselves in the returnee’s shoes,” Bleeker says. “It’s vital to treat them humanely. I let them make a phone call before boarding an aircraft. I make a point of shaking hands with them when we part at the other end, even if they have given me trouble – even if they have spat at me.”

The identification of best practice in the sphere of returns is, in fact, an obligation under the founding regulation. In 2009, Frontex produced a 24-page guide, *Best Practices for the Removal of Illegally Present Third-Country Nationals by Air*, which is notable not just for the amount of detail it goes into, but for the care and attention it pays to protecting the rights of returnees. The document contains advice on everything from seating plans aboard chartered return flights to dress codes, pocket money, luggage allowances, cutlery and even what catering respects the dietary requirements of various religious groups. “The returns process is always a difficult one, but getting the little things right can make things a lot easier,” says Bleeker. The importance Frontex attaches to human rights comes through clearly in the guide’s insistence that a doctor should always be present aboard return flights. A dedicated human rights monitor, adds Bleeker, is also usually on board.

As in other areas of Frontex activity, the identification of best practices in returns remains a work in progress, so the guide is constantly updated. In late 2013, the returns sector also published a new, formal code of conduct for escort officers.

The code sets high standards for returns at every stage. Drafted in close consultation with the Frontex Consultative Forum on Fundamental Rights as well as with the agency’s Fundamental Rights Officer and member state experts, it gathers the rules and best practices for return flights to ensure they are conducted in as humane a manner as possible. It also emphasises the obligation of all participants to report any violations, and the importance of human-rights monitors on board.

This way of doing things is getting results. According to John Bleeker, there has been a noticeable change in the general behaviour of returnees over the last five years: “Eighty percent of return operations these days are peaceful, and there is much less resistance. I think it is because we are consistent in the way we treat returnees, so they know better what to expect. They all know that the returns programme is professionally organised now. It’s not about the numbers of people we return: it’s all about the training, the establishment of common standards and best practice.”
Frontex understood from the outset the critical importance of upholding fundamental rights. This underlying principle was not always apparent to the public, however – and some even accused Frontex of being deliberately opaque in the way it operated, or even of being driven by a secret anti-immigrant agenda. NGOs, civil society organisations and pressure groups seemed to be queuing up to accuse Frontex of neglecting migrant rights. The perennial dichotomy of freedom and security, and the fine balance between the two, will always create detractors on both sides. To address these concerns, under the 2011 Amendment, a “consultative forum” (CF) was established, a body comprising 15 members from a variety of international bodies, EU agencies, governmental and non-governmental organisations, civil society and migrant-rights groups. Its role is to advise the Frontex Management Board on how to continuously improve its strategy on fundamental rights: another instance of the pursuit of best practice. The forum, headed by a Chair and Co-chair elected for a one-year term, met for the first time in October 2012, with a mandate to meet at least twice a year, and to publish a yearly report on its activities.

The Management Board also appointed Inmaculada Arnaez, a human rights lawyer from Bilbao with 15 years’ experience in Bosnia and South America, as the agency’s first Fundamental Rights Officer. “I liked the job from the vacancy notice because it gave the possibility to see operations in the field all the way up to the Brussels political arena,” she says. “My job is to mainstream fundamental rights and place them as the basis of border activities, not just to add them like parmesan cheese on top.”

The CF’s role is advisory; at a typical meeting, in May 2013, participants discussed issues that included fundamental rights training for border guards, and the setting up of a new code of conduct for forced return. “It is good for Frontex to embrace the principle of transparency, and to show a willingness to listen to the views of outsiders,” says Arnaez. The adoption of effective human rights safeguards is also, perhaps, the clearest possible illustration of Frontex’s growing maturity as an institution.

In Arnaez’s view, the agency’s initial difficulties in this area stemmed from the ambiguous language with which the Schengen Borders Code of 2006 was drafted in the first place. “The preamble says that border control “should help to combat illegal immigration.” But there is no such thing as ‘illegal’ immigration. It is not illegal to seek asylum, for instance. And why the defensive language, if asylum seekers are as welcome as we say they are; why must immigration be ‘combated’?"
Arnaez describes her new role as “mostly internal – at least for now.” She acts as an independent compliance officer for all Frontex operations, and reports back not only to the Management Board and consultative forum but also directly to bodies such as LIBE, the Committee on Civil Liberties, Justice and Human Affairs, as well as to the DROI, Human Rights committee of the European Parliament in Brussels. “I have an advisory and also a monitoring role,” she says. “I provide observations, and have added some precautionary measures to operational plans, particularly guidelines to guest officers involved in operations. So far, they have all been well received.”

Guest officers on deployment, and indeed all staff, are bound by the Frontex Code of Conduct, which emphasises the importance of respecting migrants’ fundamental rights, and lays out a set of obligatory behavioural standards. It also obliges all officers taking part in joint operations to report any instance of violations of fundamental rights they may witness. “So far I have seen no untoward incidents in the field that were caused by Frontex operational activity,” Arnaez adds.

In future, she suggests, her role might include more of a public liaison element – although not before the human rights component of Frontex operations has been given a chance to bed in. “To me this job is about trying to answer the question: what kind of a Europe do we Europeans really want? It is about upholding the essential humanitarian values and the rule of law – two of the founding principles of the EU after the Second World War.”
ON ANY DAY IN EUROPE:
At the Sea Border
The Greek island of Lesvos is just 8 km from Turkey, making it one of the greatest immigration pressure points on the EU's external frontier.
As the Aegean sun sets over the mountains of Lesvos, Captain Nikolas of the Greek Coast Guard noses his patrol boat out of Mytilini harbour at the start of another 12-hour shift. The boat, which is powered by two 3,000-horsepower engines and is capable of 44 knots, is quite unlike the small, pretty pastel fishing craft that jostle at their moorings along the quayside. The tourists dining on calamari in the waterside tavernas look on curiously as we pass.

This feels like the start of another pleasure trip, but it could not be more different. Some of the people recovered during a previous patrol are still to be found on the dockside beneath the Hotel Blue Sea that overlooks the harbour mouth: 30 migrants from, mostly, Afghanistan, Syria and Somalia. They will be screened by the authorities, with assistance from experts from other member states, before being transferred to the Greek police for debriefing, again with support from a debriefing team of member state experts.

At some points on its 320-km coastline, the island of Lesvos is just 8 km from the Turkish coast, making it an attractive proposition for the international people-smuggling industry. In the first half of 2013, indeed, the Greek islands of the eastern Aegean – Lesvos, Samos and Chios – were among the greatest immigration pressure points anywhere on the EU’s 51,000-km external frontier.

Captain Nikolas and his three-man crew are, unsurprisingly, exhausted. After 10 days of unusual quiet – the result of a Turkish naval exercise in the area, which deterred any smuggling operations – a fresh wave of backlogged migrants is still building. Some 70 were detected in the eastern Aegean just last night – and they are, they say, very likely to find more on this patrol.

In the first five months of 2013, the Greek Coast Guard recorded 119 incidents in the eastern Aegean, in the course of which 2,271 migrants were detected, and 27 suspected people-smugglers were arrested.

The captain peers at the screen of the coastal patrol vessel’s infrared scanning equipment, and talks about the nightly cat-and-mouse game he and his crew are forced to play.

He says the smugglers are clever and highly organised, forever varying the times and locations of their crossing points, probing the coast guard’s weak points, keeping them guessing. Apprehending these people is the coast guard’s highest priority. A week ago, a migrant boat was intercepted near Plomari on Lesvos’s south coast, fully 50 km from Turkey, off a part of the island where such boats have never been found before. It means that the local operational area has just been doubled, to 140

MYTILINI, LESVOS, JUNE 2013
37 036
LIVES SAVED AT SEA IN ONE YEAR
DURING SEARCH AND RESCUE OPERATIONS in Spain, Italy and Greece in 2013
km of coastline. And yet they still have only four Coastal Patrol Boats (CPBs) at their disposal.

Under international maritime law, a convention known as SOLAS (Safety of Life at Sea), all vessels are obliged to take anyone they rescue to a place of safety. The territorial line between Greece and Turkey, exactly half way across the narrow strait, is of critical importance, therefore. If a migrant is detected at a location over this line, they have effectively completed their attempt to enter the EU.

The smugglers sometimes ferry the migrants by speedboat all the way to the Lesvos coast, before hurriedly disembarking them and rushing back to Turkey. More often though, they launch a rubber dinghy, put one of the migrants in charge of the outboard, and point it in the direction of Lesvos. In these cases, the migrants are often given a knife and instructed to puncture their own boat as soon as they know they have been spotted by the coast guard: a way of ensuring that when they are rescued, they are logged as the beneficiaries of a search-and-rescue operation, seen as a further guarantee that they will be taken to a port in Greece.

Captain Nikolas has nothing but scorn for these knife-wielding “sinkers.” To a seaman, deliberately scuppering a craft that is typically crammed full of women and children is, “the worst crime; they are even worse than the smugglers.” Changes to Greek law mean that the sinkers, as well as the people-smugglers, can now be prosecuted; the practice fell into decline as a consequence, although it still happens.

In 13 years of patrolling these waters, remarkably, the captain says he has, “lost only one person in the course of a rescue – a girl who didn’t get out of the cabin in time before her boat sank.” The migrant voyage from Turkey, though short, is fraught with danger. In December 2012, Lesvos fishermen found 22 bodies at sea, after an overcrowded dinghy sank at night when the weather turned.

Experience has taught Captain Nikolas how to tell the difference between the types of migrant: the family groups or the economic migrants, typically young men between 18 and 20, from what he calls, “the real bad guys, the criminals.”

Despite his professionalism and the obvious pride he takes in his work, not all is well with the captain, or with his colleagues. The work pressure on the local coast guard is unrelenting, while spending cutbacks forced by the European banking crisis have had far-reaching impacts everywhere. The Greek economy was perhaps hit hardest of all by the economic crisis.

“All our boats and our crews are overworked,” says the captain. “Salaries are down 35 percent. We are undermanned, and spare parts for the boats are in short supply.”
The coast guard acknowledge that the external support of Frontex in these dire economic circumstances has been critical. The captain’s patrol boat, for instance, is one of several such Greek Coast Guard vessels that are co-financed by Frontex under the auspices of Operation Poseidon Sea – a joint operation coordinated by Frontex with the participation of 18 EU member states.

Of more immediate value to Captain Nikolas are the Frontex guest officers who operate in a supporting role. Coast guard vessels from Romania, Latvia and Malta have also been patrolling the waters around Lesvos this year. He is also able to call on the services of a thermo-vision van, supplied and manned, this month, by the Slovenian border service, which scans the strait each night from the cliff tops and reports any unusual activity to the patrols via the coast guard’s headquarters in Piraeus. Frontex has also provided experienced screeners and debriefers from Belgium and Denmark, as well as Arabic and Afghan interpreters from the UK, in support of both the coast guard and the police back on the island.

The level of international coordination involved in Operation Poseidon Sea is unprecedented. Its complexity illustrates the diversity of Frontex’s role. But this is of little consequence right now to Captain Nikolas and his crew. Darkness has fallen, and the only light on the bridge comes from the patrol boat’s panels and radar screens. Another gruelling night has begun.
More people are arriving in the EU by air than ever before: a major challenge for Frontex, now and in the future.
From its inception in 2005 and throughout its growth years and early trials to its maturity as a centre of border-control excellence, one thing at least has remained constant: at the helm has stood Executive Director Ilkka Laitinen. And in his office at Frontex’s Warsaw headquarters he has a clear view of the bigger picture as he prepares to bid farewell to Frontex.

In early 2014, Europe is emerging from a major global recession, European Parliamentary elections loom and the Stockholm Programme – the five-year justice and home affairs plan that had drawn the agency’s guidelines – is coming to an end, its successor yet unveiled. Like Stockholm, Article 76 of the Lisbon Treaty, which underpinned member states’ obligations towards their borders, was also due for evaluation. The times may be changing, but not the fundamentals in Laitinen’s view.

The agency has entered a period of consolidation after a period between 2005 and 2008 when as an institution he believes it was growing too fast and had exceeded its digestive capacity for the role it had taken on.
European Air Traffic in 2035

2012

2035

9.6 million

14.4 million

50% Increase

Source: Eurocontrol, Challenges of Growth 2035, www.eurocontrol.int

1 IFR movements, including domestic and international flights, as well as overflights
A working system of European border guarding is now in place, but the system still needs reinforcing. He wants more joint operations, more agreement on the criteria under which they operate, better processes, a more professional approach to all the challenges the EU faces at its border crossing points. In short, he wants to strengthen what Frontex has built.

His greatest worry, which he calls “a strategic risk,” is that European capitals may start regarding Frontex as a financial instrument – that is, as a means of accessing funds for border operations – rather than as the custodian of best practices and hub of expertise it has grown into. Frontex has proved itself a useful catalyst for improvement through information exchange, he says. But it is still only at step one of the necessary capacity building.

Nevertheless, he thinks, the level of member states’ participation in all Frontex projects is the agency’s most important performance indicator – and this, he believes, is succeeding largely because participation is based on volition. Even without the legal obligation to participate, he says, there is much less variation in member state support for Frontex than there was only a few years ago. The advent of Eurosur is a perfect example of this, says Laitinen.

But it is perhaps not Eurosur that has assured Frontex’s institutional future so much as the ever-growing number of people on the move around the world. Traffic across the EU’s external borders, which already stands at 700 million passenger movements annually, is predicted to grow by about four percent a year in the decade until 2023. By current trends, 98 percent of them are short-term visitors and only two percent are migrating – and of those, only 100-150,000 are doing so irregularly. How those percentages might change in future is unknown and world events are increasingly sudden and unpredictable.

It seems paradoxical, therefore, that the EU’s 140,000-strong border guard community is currently shrinking, not growing. The trend is to have fewer and fewer border guards watching more and more people, Laitinen observes. New technologies can help, but it is better processes, not technology, that will resolve the gap in the end.
It is sometimes suggested that the establishment of Frontex in 2005 was the first step towards the creation of a fully-fledged European Border Guard Service that could one day replace the existing member states’ services, although Laitinen treats this prediction with caution. The Lisbon Treaty is very clear that responsibility for the EU’s external borders rests with the member states that abut them, he points out. This is a constitutional question that would depend on the speed of integration and direction of Europe. But he has his doubts that an international European border service could ever do a better job than local ones.

Though guarded about a federalised border service, he pulls no punches when he describes the shortfalls in the EU’s policy on migration. Europe was caught out by the Arab Spring in 2011, he believes, and there is a strategic, operational risk that the EU failed to learn from: that the Middle East and North Africa remain volatile. But these are events. There is much to be done systemically too.

By way of example, he explains how the lack of control in the past created a situation where nobody now knows how many irregular ‘over-stayers’ are resident in the EU – an uncertainty that has alarmed the public and hampered the response of policy-makers. In time, he believes, the EU’s ‘smart borders’ initiative will help to establish the true number, which will in turn enable law makers to start formulating a clearer EU immigration policy.

The central problem, he believes, is that Europe’s leaders have still not resolved the over-arching dichotomy of freedom and security. At policy level, however, more clarity is needed from Brussels. Frontex is an operational agency, Laitinen says, but there is no comprehensive EU policy on immigration to implement. That lack of clear policy, he laments, has sometimes turned Frontex into a whipping-boy for the critics. Frontex is seen as an implementing agency, but it does not make policy. Yet as an operational agency it is also obliged to defend that lack of policy, and the malfunctioning processes that result.

That said, Laitinen has firm views on the kind of Europe he personally would like to live in. As a Finn born and raised close to the old Soviet frontier, he explains, he comes from a region instinctively opposed to oppressive border regimes; and he forcefully rejects the notion that the EU should become, or is becoming, a Fortress Europe.

The numbers speak for themselves, he says. Compared with the volume of legitimate travel, the number of irregular arrivals is tiny. Schengen was a pioneering project for freedom of movement, he believes, and that freedom is worth securing.
The ongoing arrival of irregular migrants means an effective border regime is essential, he insists, but this does not need to undermine European values and the law.

The purpose of surveillance, according to the Schengen Accord, is the prevention of illegal border crossing, he says firmly. It’s about fair process. It’s no good for anyone if there’s no control at the border.

Most of the increase in traffic is predicted to come through Europe’s airports. By whatever means the migrants come, however, and whatever flows there may be in the future, Frontex’s core objective will remain the same. Such massive traffic will require carefully calibrated backing processes, Laitinen insists. But the key word is control.