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Frontex at a Glance

What is Frontex?

Frontex is the EU border control agency. It helps the countries of Europe manage their borders and keep up with changing trends in border control.

The full name of Frontex is the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union. Frontex was established by Council Regulation (EC) 2007/2004 on 26 October, 2004 and has its headquarters in Warsaw, the capital of Poland.
What is Border Control?

Throughout the ages, civilisations, empires and nations have marked the boundaries of their territories to control the passage of people, to collect taxes and to defend their lands.

There are three types of border — land, sea and air (known in border control as green, blue and white borders, respectively). Green and blue borders refer to the land and sea boundaries between officially recognised Border Crossing Points (BCPs) on major roads and rail lines or at sea ports at which all legitimate crossings should take place. The green or blue borders may be monitored by modern surveillance technology or human patrols. The term ‘air borders’ is rather misleading, as the controls are not at the borders shown on maps: they are conducted at the passport-control booths at international airports.

It is at these border crossing points that Frontex does much of its work in assisting the Member States of the European Union to effectively manage their borders. Border guards make sure that people crossing the border have the necessary identification and the right to enter the country or territory.

This can be a time-consuming process and queues are not uncommon at BCPs during peak travel periods. That is why Frontex invests a lot of time and effort in seeking out new technology to improve the border crossing experience of travellers. The overwhelming majority of people crossing borders do so legally and with legitimate reasons, such as for holidays or business trips. These travellers want to get through with a minimum of fuss and delay. Others, however, try to bypass border controls either at BCPs by using false documents or hiding in vehicles, or between BCPs by crossing green or blue borders on foot or by boat without being checked. Modern border management is all about making the border tight enough to detect people abusing the system but fluid enough to let legitimate travellers through as quickly as possible. This is a huge task for border authorities, and one that Frontex was established to help them achieve.

In the modern world, checks are performed on all travellers crossing borders to ensure they meet all the requirements for legal entry. Border control also helps to combat cross-border crimes, such as trafficking in human beings and the smuggling of drugs and other goods. It prevents the import of illegal arms, counterfeit medicines and endangered species, among other things.

What is Border Control?

There is much more to border control than meets the eye.
What is Schengen?

The free movement of people is a central achievement of the EU. In order to advance this freedom the Member States agreed to create a free-travel area between them. Previously, crossing multiple borders caused delays and hampered the movement of people and goods within the Union. Therefore, the Member States decided to eliminate routine internal border controls. On 14 June 1985, in the village of Schengen in Luxembourg, an agreement was signed by five countries (Luxembourg, France, the Netherlands, Belgium and West Germany) that started one of the most significant changes in the history of border management: internal border controls between European countries were to be removed. The area inside the resulting external borders was named the Schengen Area.

The decision to remove internal border controls was also politically sensitive. Member States’ citizens valued their sovereignty — the right of each to control its own borders — but for the Schengen Area to work, all its members had to show trust and solidarity. To cultivate this spirit, strict rules were laid down for new countries to join the area. Before a new country can join, it has to have its readiness assessed by evaluators from the other Member States. These assessments include the quality of its border controls and visa systems, respect for human rights, police cooperation with other countries and protection of personal data, as well as judicial cooperation with other member countries.

In 2015, four countries were waiting to join the Schengen Area: Croatia, Cyprus, Bulgaria and Romania. After joining, each member country is evaluated at least every five years to ensure it maintains the necessary standards. But the removal of internal borders did not leave a single external border. What was left was a series of separate sea and land external borders, sometimes with several authorities having overlapping areas of responsibility. In all cases, Member States bordering non-EU countries remain responsible for controlling those borders. Frontex was set up to channel the practical solidarity shown by the EU with the countries most affected by migratory flows.
Schengen Borders Code

The Schengen Borders Code is a document outlining the rules and responsibilities for countries within the Schengen Area.

It requires all participating states to ‘remove all and any obstacles to the free movement of people and goods across borders’ within the area. Thus, road, rail and air passengers are free from ‘systematic’ passport checks. The code also prohibits systematic controls for customs and tax purposes, although security checks are still allowed and are carried out at airports, for instance. The Schengen Borders Code also specifies the conditions under which permission may be granted to enter the Schengen Area by crossing an external border. The requirements are:

- to possess a valid travel document;
- to possess a valid visa, if required;
- to have a justified purpose for your stay and to have sufficient funds to support yourself;
- to not have an alert issued on you in the Schengen Information System (a database of missing persons, criminal suspects and people barred from entering the Schengen Area, as well as listing stolen property, including travel documents, and other identified law-enforcement threats);
- to not be considered a threat to public policy, internal security, public health or the international relations of EU countries.

It also specifies that airlines and other carriers must check their passengers have the required travel documents (i.a. passport and visa) before boarding. All non-EU citizens wishing to enter the Schengen Area at an external border must have their passports stamped, although there are some exceptions (see box). In exceptional circumstances, if a Member State believes there is a serious threat to ‘public policy or internal security’, the Schengen Borders Code permits that country’s authorities to reinstate internal border controls for a limited period. This sometimes happens as a reaction to intense migrant flow or during large-scale sports events, such as the Olympics and international football championships, or high-level political events.

The Schengen Borders Code states that when performing their duties border guards must fully respect human dignity and may not discriminate against individuals on the grounds of sex, racial or ethnic origin, religion or belief, disability, age, or sexual orientation. Schengen countries are required to deploy appropriate staff and resources in sufficient numbers to ensure a ‘high and uniform level of control’ at their external borders. They must ensure that border guards are properly trained. EU and Schengen-Associated Countries also assist each other with the effective application of border controls.
Border Management: The Big Picture

Historically, border control meant control of the line between states. But the EU has a wider view of the issue, called Integrated Border Management (IBM).

The IBM concept reflects the fact that what happens at the border is only a small part of any journey. To be effective, border management has to cover the whole process, which starts long before the traveller reaches the border and may continue long afterwards. Knowledge, and to some extent control, of what happens before the border, in the country of departure and in countries of transit, as well as what happens inland once the border has been crossed, is also important. This is only possible if there is effective cooperation between the large number of people and institutions involved.

To maintain the balance between easing legitimate travel and policing the border, integrated border management requires all authorities concerned to work together as effectively as possible. This means cooperation not only between countries of the EU and Schengen Area but also across the external borders with the authorities of neighbouring states and countries of origin of travellers. There are three levels of coordination involved in the IBM concept: between services (border control, customs, police), between agencies (some countries have several authorities responsible for different aspects of border control) and between countries, whether within or beyond the EU/Schengen Area.

Border control — in the form of border checks and border surveillance as defined in the Schengen Borders Code — is one of the key elements of IBM and includes relevant risk analysis and intelligence on criminal groups and their methods. The other elements are: the detection and investigation of cross-border crime together with other law-enforcement authorities; the four-tier access-control model (see p. 14–17); inter-agency cooperation (between border guards, customs, police, national security and others, including cooperation with authorities in non-EU countries); and coordination of the Member States’ and EU’s activities.

By incorporating all these elements, the intention is to have control over the whole process of entering and staying in the EU/Schengen Area, not just the process of crossing the border, which only takes a few seconds in most cases.

Before reaching the border

When travellers arrive at a border crossing they should already have all the required documents. These may include a visa in addition to a valid passport and maybe a work permit or other supporting documents, depending on the type of visa presented. All the procedures needed to gain these documents fall within the scope of IBM and may involve liaison officers and document experts from EU/Schengen countries, as well as special training for officials of Schengen states working in consular posts overseas. Airports and other carriers also have an obligation to ensure that passengers have the necessary documents.

Crossing the border

On average, a border guard at an EU airport booth has just 12 seconds to decide whether someone has the right to enter. Although the most visible part of border control, document checks and database queries at border crossing points only form a tiny part of the whole IBM process.

After crossing the border

After travellers have entered the EU or Schengen Area they are still subject to border control. If they overstay their permitted limit, they may be subject to a return decision, which is also part of the integrated border management process. People found crossing the border without authorisation are interviewed and assessed on a case-by-case basis. If they wish to claim asylum, they are referred to the relevant national authority. Those without a legal right to stay can be repatriated under the national laws of EU/Schengen countries.
Border control itself is only one piece of the puzzle. IBM also includes the bigger picture at the EU level, in terms of visa policy, asylum policy, return operations for people found staying illegally and foreign policy to mention just a few factors.

Before people travel to the EU, they need to have all the necessary documents: passport, visa and other supporting documents. People-smuggling networks often provide migrants with false travel documents that enable them to enter the EU.

Cooperation with countries outside the EU, or ‘third countries’, is vital for effective border management. This cooperation ranges from the practical level, between police and other border-control services, to diplomatic and policy-level relations.

All documents are checked when a traveller leaves en route to Europe. This may involve officials from the Member States, as well as law enforcement agencies locally, airline staff and others.

Although the most visible part of border control is document checks, officers work to deter and detect offences such as human trafficking or smuggling of drugs, weapons, animals, plants and radioactive materials.

The ‘four-tier access-control model’
The full model of border control is best seen in terms of its four tiers:

Tier 1:
- Controls at the external land, sea and air borders (border checks and border surveillance).

Tier 2:
- Activities inside the EU/Schengen Area and between EU and Schengen countries: control measures within the territory, including detection, investigation and return of people overstaying the legal duration of their visa.

Tier 3:
- Controls at the external land, sea and air borders (border checks and border surveillance).

Tier 4:
- Activities in ‘third countries’: activities in countries outside the EU/Schengen Area, especially countries of origin and transit. This includes information gathered by immigration liaison officers of the Member States, as well as the work of consular staff in issuing visas.

Cooperation with neighbouring countries, i.e. those countries bordering the EU/Schengen Area, is an important element of effective border management. All travellers arriving at the EU external border have their documents checked. Border surveillance is carried out between authorised crossing points at the sea and land borders. Such surveillance might involve officers on patrol, specially trained dogs and specialist surveillance equipment.

Apart from document checks, many other activities are carried out at border crossing points. These range from inspections of animals and animal products, plants and agricultural produce to customs.

When people stay longer in the EU than legally entitled, they receive a ‘return decision’ saying they have to leave the EU. If following a return decision by a relevant authority of an EU country migrants fail to return to their country of origin, they might be forcibly repatriated. The situation at all border crossing points and the green and blue borders between them is monitored by the Member States and Frontex.
The Role of Frontex

Research & Development
Frontex keeps up with the latest developments in new technology in border surveillance, border control and information management. The agency shares this information with the border authorities in the Member States. The aim is to use technology to make legitimate travel as quick and efficient as possible and enhance border surveillance at the land and maritime borders. → see page 28

Analysing Data
In its daily work Frontex gathers and analyses data on irregular migration and then shares its findings with the Member States, the European Commission and other organisations. Its risk analysis reports identify trends in irregular migration at the EU’s external borders. → see page 20

Sharing Information
The Eurosur information sharing platform created by Frontex, which connects National Coordination Centres in individual countries, allows sharing information on the situation at the external borders among the Member States. Frontex uses the same network to upload updates from its joint operations. → see page 21

Operational Assistance
When one of the Member States needs assistance managing a vulnerable border area Frontex strengthens border control there by deploying border guards and technical equipment made available by the Member States. Such assistance coordinated by Frontex is called a joint operation. → see page 22

Combining Resources
Border authorities make some of their border guards and technical equipment available to Frontex for use in operations at the external borders. Frontex pools officers specialised in different areas of border control and equipment ranging from thermo-vision vans and patrol boats to aircraft. → see page 22

Rapid Response
When one of the Member States experiences a large and sudden increase in migratory pressure at its external border it can ask Frontex for the deployment of a rapid response team to the affected area. Members of such teams are trained by Frontex and can be deployed at short notice. → see page 22

Training
Creating a common framework for the training of Europe’s border guards is an important part of Frontex’s function. Working together with authorities in the Member States, Frontex develops training programs in areas ranging from the use of specialised equipment to combating trafficking in human beings. → see page 26

Joint Returns
Frontex assists countries with the return of people who have exhausted all legal possibilities of staying in Europe. When several countries have returnees to be repatriated to the same country, Frontex coordinates flights called Joint Return Operations. It also develops best practices and guidelines in this area to ensure all rights of the returnees are respected. → see page 24
Situation Monitoring
and Risk Analysis

There is more to border control than border surveillance and checking passports. In fact, border control cannot just rely on the document checks at the various crossing points and border surveillance between them. Effective border management also requires an accurate and timely picture of the external borders and an analysis of possible threats and vulnerabilities.

For the management of Europe’s borders to be consistent, timely information flow is key. For this reason, much of Frontex’s daily work is related to gathering, analysing and disseminating information about the situation at the external borders and identifying potential risks. While Frontex risk analysts concentrate on analysing the past and predicting future trends in migration, the Frontex Situation Centre’s (FSC) job is to focus on the present.

The FSC maintains the clearest possible picture of the most recent developments at EU borders. By constantly monitoring Frontex’s own operations, media sources and information from Member States’ border authorities, the FSC keeps the agency and its partners constantly up to date through daily reports, bulletins and alerts. This service is particularly important during joint operations and emergency situations. Once this information arrives at the agency, Frontex analyses the data and the information gathered and produces structured assessments of risks at the borders related to irregular migration and cross-border crime.

Frontex also created Eurosur, a framework that supports Member States by providing them with quicker access to useful information about what is happening at EU borders.

Frontex produces regular risk analysis reports on trends in irregular migration and cross-border crime, including new methods used by criminal groups. It also estimates likely future developments along with recommendations for action, which are then used in the planning of Frontex joint operations at the external borders and other activities.

Frontex creates detailed and specific risk analyses at the request of Member States and institutions such as the European Commission to assist decision making at the national and European level. In addition, Frontex prepares reports on specific aspects of border control, such as combating trafficking in human beings or the use of false documents.
Joint Operations at the Borders

When there is exceptional migratory pressure at one of the external borders, Frontex may assist the authorities of that country.

In such cases Frontex musters the resources of all member states willing to contribute border guards and technical equipment, and coordinates their deployment to a specific location – this maybe at a land or sea border or at any of the international airports. During a joint operation officers from Member States and Schengen-Associated Countries (SAC) patrol and conduct border checks, always together with officers from the country hosting the operation. All joint operations are carried out according to a clearly defined and legally binding operational plan which specifies its objectives and defines the area and the duration of the operation. The border guards deployed by the Member States to Frontex-coordinated joint operations, called guest officers, and the crews of vessels and aircraft work under the command of the hosting country, which has a leading operational role on the territory of its state. However, guest officers have full rights of border guards, including the right to intercept and detain irregular migrants.

In addition to border surveillance and border checks, in some operations Frontex may also deploy screeners who help to establish the nationalities of migrants and their protection needs, as well as debriefers who gather information voluntarily provided by migrants on the people smuggling networks. The behaviour of officers serving in joint operations is subject to a Code of Conduct, which ensures adherence to best practices in border control, the highest professional standards and respect for the fundamental rights of all involved.

Most costs of joint operations related to the deployment of border guards and technical equipment are covered by Frontex. Upon completion, every joint operation is evaluated in terms of its effectiveness against the objectives set in the operational plan.

The agency may also dispatch rapid response teams to assist Member States facing a situation of urgent and exceptional pressure at their borders.

Sea operations and search and rescue

Saving lives at sea is always the first priority. Consequently, every time a boat in distress is detected operational activities coordinated by Frontex are suspended. The national Search-And-Rescue (SAR) coordination centre takes operational command over, redirecting vessels and aircraft to the place of incident. Such SAR operations contribute to saving thousands of lives every year.
In addition to border control operations, Frontex also coordinates joint return operations (JROs).

When a third country national has exhausted all legal possibilities of staying in EU territory, either he has overstayed his visa, his residence permit has run out or his asylum application has been rejected, he can be repatriated to his country of origin on the basis of an individual return decision ordered by a judicial process of the Member State concerned.

In such cases the migrant receives an official notice to leave the EU country and if he does not do so voluntarily, he might be forcibly returned to his country on board a return flight organised by the national authorities.

Over 96% of return flights are organised by individual Member States. However, in situations when several Member States want to return migrants to the same country it is more efficient and cost effective to share the same flight. Such joint return flights, which are organised by one of the Member States, are coordinated and co-financed by Frontex. First the agency informs all Member States of the possibility of using a joint return flight to repatriate migrants to a specific country. Member States have several weeks to express interest. Once the list of returnees has been confirmed, migrants accompanied by escorting officers fly to the Member State organising the flight, where they board a chartered plane. Returnees accompanied by escorts fly together to their country of origin, where they are handed over to the national authorities.

Joint Return Operations

To ensure respect for dignity and rights of the returnees and the safety of all aboard, Frontex employees and escorts are subject to the Frontex Code of Conduct for Return Operations. In addition, escorts and Frontex employees who participate in JROs undergo special Frontex training. Over the years Frontex has also gathered valuable knowledge on how to organise returns, which it now shares as best practices with the member states. These include the obligatory presence of medical personnel and interpreters on return flights.
Training

Different countries have different needs and priorities when it comes to border control. Countries in the Schengen Area have different types of borders and different needs when it comes to border management. For example, Austria and Hungary have no sea borders, while Malta and Iceland have no land borders. With 22 Member States and four Schengen-Associated Countries, the Schengen Area has a diverse range of needs and approaches to border security. For these systems to work together some degree of harmonisation is required, not least in terms of training. Although the agency does not replace national training, it creates a training framework which allows border guards from different countries to work effectively together. This is of particular importance during joint operations, when having the same goals, methods and standards, and compatible terminology is of paramount importance. These include knowledge of human rights and its application in border control, recognition of vulnerable groups, sensitivity to cultural diversity, and good social and communication skills, to mention just a few.

For this reason Frontex, together with the Member States and other partners, has created a Common Core Curriculum (CCC) for all border guards, as well as mid- and high-level curricula for senior officers. The CCC consists of a general part and modules for sea, air and land borders, and has been translated into various EU languages. A mid-level course focuses on European cooperation, leadership and management, and fundamental rights. The European Joint Degree Study Programme, also developed by Frontex, is a professionally oriented 1.5-year master’s programme.

Frontex has also developed a wide range of training courses for specialist skills in border control. These include areas as diverse as language training, countering trafficking in human beings, detection of falsified documents and stolen vehicles, and training in interviewing irregular migrants to gather information about people-smuggling networks.

Partnership Academies

To help create high and common standards in border control in Europe, Frontex has developed a network of Partnership Academies. These are typically police or border guard academies in individual Member States which cooperate with Frontex in furthering its training goals. Frontex develops training programs and trains the trainers, who in turn deliver instruction to border guards from across Europe.

At Partnership Academies border guards receive both practical and theoretical training in skills such as sea or mountain survival, use of night vision goggles, identification of victims of trafficking in human beings, detection of forged documents and less technical but equally important fields, such as fundamental rights and ethics.

Best practices

One of the ways in which Frontex helps the Member States to achieve high and uniform standards in border management is through the collection of best practices. The agency identifies, collects and disseminates best practices in all areas of border management. Frontex produces manuals of best practices in areas as diverse as escorting returnees on joint return flights to Automated Border Control systems and passport checks at border crossing points. Promotion of best practices also plays an important role in the agency’s training activities.
Modern technology presents both opportunities and challenges for border control.

On the positive side, use of technology allows faster and more efficient passage for the travellers going through busy airports. Facial recognition technology and biometric passports can be harnessed to make life easier and safer at the border.

On the other hand, the techniques used by criminal groups to forge or falsify travel documents are also increasingly sophisticated and present border guards with a challenge.

Consequently, border technologies need to be sufficiently flexible to adapt to changing circumstances and diverse conditions across national borders, and meet specific needs of border guards at land, sea and air borders. In an EU with no internal border controls and with common external borders, another key challenge lies in the ability of different systems and national authorities to work together.

Technology is increasingly important in the two main fields of border management – border checks and border surveillance – and it is part of Frontex’s job to help Member States stay up to date. Frontex bridges the gap between the world of industry, research organisations and scientists and the work of border control by acting as an interface between the two. The agency does so by gathering information on the practical challenges faced at the border and transmitting it to those who conduct research in this area. At the same time, Frontex surveys the world of research and development and keeps border guards informed about relevant new developments.

Frontex participates in the definition and assessment of research projects focused on border surveillance funded by the European Commission. The agency also supports the application of new systems developed to facilitate crossing the EU borders by bona fide travellers, such as ABC.

However, there is more to Frontex’s research and development function than technology. Important social research subjects, such as ethics in border management, risk analysis methodology or how best to tackle corruption, are also within its remit.
Frontex's Partners

Frontex builds cooperation with border authorities in countries located beyond the EU and Schengen Area and with a wide range of European institutions and international organisations.

Cooperation with different partners, such as neighbouring countries, international organisations and NGOs, is a very important aspect of effective border management. Many Member States sign bilateral agreements with neighbouring countries that allow operational cooperation at the border. Frontex also cooperates with border authorities in third countries; it does so in line with EU external relations policy and on the basis of individual bilateral agreements called working arrangements. In the ten years of its existence, Frontex has signed 20 working arrangements with countries in Europe and beyond, including countries bordering the EU, such as Turkey, and the Western Balkans, and African countries, such as Nigeria and Cape Verde. These agreements provide the framework for cooperation in the different fields of activity covered by Frontex – from exchange of information and cooperation in the area of risk analysis to training, research and development and operational cooperation.

Frontex also has ties to law enforcement agencies, such as Europol and Interpol, for example in areas such as Trafficking in Human Beings and drug smuggling. Ultimately, borders are about people, including vulnerable groups that need to be recognised and protected. The Agency works with the European Asylum Support Office (EASO), the Office of the UN High Commissioner for Refugees (UNHCR), the International Organization for Migration (IOM) and a number of other organisations. In addition, Frontex has established close ties with the International Centre for Migration Policy Development (ICMPD) in the field of management of migratory flows. Frontex’s role in the development of the Eurosur information exchange platform, which foresees provision of different services (for the Member States (from detailed weather forecasts to systems allowing identification of vessels) requires close partnership with EMSA (the European Maritime Safety Agency), EUSC (the European Union Satellite Centre) and EFCA (The European Fisheries Control Agency).

Last, but not least, Frontex cooperates closely with the Fundamental Rights Agency (FRA) to promote fundamental rights in all aspects of border management.

Consultative Forum

The Consultative Forum advises the Management Board and the Executive Director on all fundamental rights matters related to border control, including development and implementation of Frontex’s fundamental rights strategy and codes of conduct for border guards. The Consultative Forum is made up of nongovernmental organisations, such as Amnesty International, European bodies (including FRA and EASO) and international organisations, such as the UNHCR.
Frontex’s Management Board

While the day-to-day management of Frontex is the responsibility of the Executive Director, Frontex’s Management Board oversees all the activities of the agency.

The Management Board is composed of two representatives of the European Commission and representatives of the heads of the border authorities of the 26 Member States that are signatories of the Schengen acquis. These 28 management board members have full voting rights.

The Board also comprises representatives from non-Schengen EU Member States the United Kingdom and Ireland, as well as Iceland, Lichtenstein, Norway and Switzerland (countries that are not EU members but which are associated with the implementation, application and development of the Schengen acquis), who have limited voting rights.

The Board meets five times a year and all meetings are convened by its Chairperson, who is elected for a four-year term by the management board members.

Among other things, the Board establishes the agency’s budget and verifies its execution, approves annual and multiannual programmes of work, ensures transparent decision-making procedures are in place, and appoints the Executive and Deputy Executive Directors.

Financial Accountability

Once the annual Frontex budget has been endorsed by the Management Board, it is presented to the European Commission and must be approved by the European Parliament and the European Council. Frontex is also legally required to report about each year’s activities and expenses to the European Parliament, the European Council, the Commission, the European Economic and Social Committee, and the Court of Auditors. In addition, every year the European Court of Auditors performs an audit of the final accounts from the previous year.