



Support is our mission



WORKING ARRANGEMENT

BETWEEN

THE EUROPEAN ASYLUM SUPPORT OFFICE (EASO)

AND

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

The European Asylum Support Office, hereinafter referred to as EASO;

and

The European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union, hereinafter referred to as Frontex;

Henceforth jointly referred to as 'the Parties',

Having regard to Regulation (EU) 439/2010 of the European Parliament and of the Council of 19 May 2010, establishing a European Asylum Support Office, in particular Article 52 thereof,

Having regard to Council Regulation (EC) 2007/2004 of 26 October 2004, as last amended, establishing a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union, in particular Article 13 thereof,

WHEREAS

(1) The development of an Area of Freedom, Security and Justice requires effective management of the external borders, safeguarding free movement within the EU, providing international protection to those in need whilst at the same time providing channels for legal migration and mobility;

(2) The Stockholm Programme stresses that for the further development of the integrated management of the external borders and for the development of a Common European Asylum System it is essential that the activities of Frontex and EASO are coordinated when it comes to the reception of migrants at the EU's external borders and to the identification of those in need of international protection;

(3) The Council in its Conclusions of 8 March 2012 on a Common Framework for genuine and practical solidarity towards Member States facing particular pressures on their asylum systems, including through mixed migration flows and its Conclusions of 26-27 April 2012 on the EU Action on Migratory Pressures, as well as the Commission Communication on enhanced intra-EU solidarity in the field of asylum (COM (2011) 835 final, 2.12.2011) recalled the important contribution that both Agencies can make, in particular, with regard to Member States subject to particular pressure;

(4) In line with their respective mandates EASO and Frontex cooperation can improve operational support and capacity-building in border management and international protection through coordinated and tailor made actions addressing the Member states' specific needs, and avoid duplication and promote synergies;

(5) Strengthened coordination between the parties aiming at providing rapid support to a Member State that is subject to particular pressure or that is facing large mixed migration flows ensures cost-effectiveness and represents an added value response at European level;

(6) Closer cooperation between the parties allows enhanced collection, exchange and production of information on migration and international protection;

(7) Frontex and EASO's mandates are fully complementary in order to establish a proper EU Inter-agency cooperation mechanism supporting from an operational and capacity building perspective the EU Migration, Asylum and Border Management Policies, including cooperation with Third Countries in line with their respective legal basis and the role of the European Commission.

HAVE AGREED on the following working arrangement:

CHAPTER I: PURPOSE

Article 1 Purpose

The purpose of the working arrangement is to establish a cooperation framework covering the relevant areas of common work and interest, setting the objectives and principles of such cooperation.

CHAPTER II: OPERATIONAL COOPERATION

Article 2 Operations

The Parties will endeavour to cooperate and coordinate their assessments and operational responses when assisting Member States, especially in situations where Member States are subject to particular pressure in their asylum systems and facing particular influx or mixed migratory flows at their external borders, in particular in view of deployment of European Border Guard teams and/or Asylum Support Teams.

The Parties will timely inform each other on their planned operations, in view of coordinating their operational activities.

After consultation and prior agreement, the Parties may request each other's expertise and support in every phase of the operations in accordance with their respective mandate.

Article 3 Expert Pools

The Parties will exchange information on the profiles and compositions of the expert pools as well as share best practices on the functioning of the respective pools. This exchange will not include personal data, unless duly justified and in accordance with Regulation (EC) 45/2001.

The Parties will also explore the possibilities for establishing common or mixed teams from the pools with border management and asylum experts, however fully respecting the provisions of the Regulations applicable to both Parties.

CHAPTER III: INFORMATION AND ANALYSIS

Article 4 Information exchange and risk analysis

The Parties will hold consultations on and exchange their analytical reports, where relevant to the other Party's mandate.

The Parties will explore possibilities of cooperating in collecting and producing joint statistics as well as in drafting of analytical reports on issues of mutual interest. The Parties will exchange best practices and methodologies on data collection and exchange, as well as on information gathering and on sharing and production of statistics.

Article 5 Country of Origin Information

The Parties will exchange information and products on Country of Origin Information and Third Country Monitoring, including exchange of methodologies and best practices in developing such information and products.

Whenever the situation requires and following prior consultations, the Parties will engage in establishing and implementing specific mechanisms for joint Third Country Monitoring.

Article 6 Early warning

The Parties will hold consultations to align the development of their respective activities in the field of Early Warning.

In the scope of Article 4 of this Working Arrangement the Parties will exchange information and analysis with a view to strengthen preparedness and to substantiate coordinated operations.

CHAPTER IV: CAPACITY BUILDING

Article 7 Training

The Parties will exchange training strategies and plans, including e-learning methodologies, training management and didactics.

The Parties will hold consultations on the development of training materials and the implementation of trainings and will explore the possibilities of mutual participation in training programmes and activities.

Article 8 Technical cooperation

In the interest of their respective mandates, the Parties may request each other's technical cooperation in the development and implementation of specific activities.

Such activities shall be subject to individual project documents mutually agreed upon on a case-by-case basis by the Parties.

Article 9 Research

The Parties will hold consultations to explore the possibility of cooperation in research of relevance to improving understanding of migration, borders, asylum and international protection and its management.

CHAPTER V: HORIZONTAL COOPERATION

Article 10 Work programmes

The Parties will consult on activities of common interest to be reflected in their annual work programmes. For this purpose, the Parties agree to share their work programmes prior to their adoption.

Article 11 Reciprocal representation

The Parties will facilitate representation at meetings, networks and working parties organised by each other in matters of common interest.

Article 12 Consultative Fora

The Parties will invite each other to become members of their respective Consultative Forum.

The Parties will exchange best practices on their consultation activities with the view to streamline the said activities, where relevant.

Article 13 Cooperation with other partners

The Parties will endeavour to inform each other on relations with their partners, in particular other EU Bodies, such as EUROPOL and FRA, Third Countries and International Organizations in connection with activities relevant to each other's mandate.

Article 14 General affairs and administration

The Parties will exchange best practices in general affairs and administration.

Article 15

Cooperation plan

The Working Arrangement may be complemented by a cooperation plan defining concrete activities as well as timelines for implementation, whenever this is deemed necessary.

Article 16

Confidentiality and data protection

Each Party undertakes to keep confidential any information, document or other material communicated to it as confidential by the other Party, not to disclose it to third parties without a prior written consent of the disclosing Party, and not to use any such information for any purpose other than the implementation of this Working Arrangement.

For the purpose of this Arrangement exchange of European Union (EU) classified information is limited up to the level RESTRICTED / RESTREINT UE. Each Party commits to respect all security measures related to the protection of EU classified information.

If, within the process of cooperation the Parties agree that they need to exchange EU classified information above this level, a separate Memorandum of Understanding establishing detailed procedural rules has to be concluded.

Personal data will be processed in accordance with Regulation (EC) 45/2001.

Access to documents will be processed in accordance with Regulation (EC) 1049/2001.

CHAPTER VI: FINAL PROVISIONS

Article 17 Contact Points

For the implementation of this Working Arrangement, Frontex contact point is the Senior External Relations Officer in charge of cooperation with EU bodies and international organisations.

For the implementation of this Working Arrangement, EASO contact point is the Head of the Centre for Operational Support.

Article 18 Evaluation of the cooperation and settlement of disputes

The Parties will meet at least once a year to evaluate the overall cooperation between them and to define the activities of the cooperation plan.

All disputes which may emerge in connection with the interpretation or application of the present Working Arrangement will be settled by means of consultations and negotiations between representatives of the Parties.

Article 19 Expenses

The Parties will bear their own expenses arising in the course of the implementation of the present Working Arrangement, unless otherwise agreed on a case-by-case basis.

Article 20 Amendments and supplements

This Working Arrangement may be amended and supplemented at any time by mutual consent between the Parties. All the amendments and supplements must be in writing.

The Parties will enter into consultations with respect to the amendments and supplements of this Working Arrangement at the request of either of them.

The Management Boards of Frontex and EASO will be informed of these amendments and supplements before they are adopted.

**Article 21
Termination**

The Working Arrangement may be terminated in writing by either of the Parties with a six-month notice.

**Article 22
Entry into force**

This Working Arrangement shall enter into force on the day following its signature by both Parties

Done at Warsaw on 26 September 2012.

For EASO

For Frontex

Signed on 26-09-2012

Signed on 26-09-2012

Dr. Robert K. Visser
Executive Director

Mr Ilkka Laitinen
Executive Director