

**From:** Press  
**Sent:** 06 August 2019 13:10  
**To:** [REDACTED] personal data  
**Cc:** Press  
**Subject:** Incorrect information in recent article published in The Guardian  
**Importance:** High  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear Sir/Madam,

We are writing to express the disquiet of Frontex, the European Border and Coast Guard, at the incorrect information expressed in the article "Once migrants on Mediterranean were saved by naval patrols. Now they have to watch as drones fly over", published in The Guardian on 4 August.

One of the agency's tasks is to monitor EU's external border and share the information on the situational picture with EU member states. In the Central Mediterranean Sea, Frontex uses planes (**not drones**) that stream video directly to the agency's headquarters in Warsaw.

We would like to clarify the incorrect information published by The Guardian one by one:

- 1) Frontex has surveillance drones that fly over Libya

This is not true. Frontex is not flying any drones at present. The agency ran a pilot project in the south Central Mediterranean that lasted for less than a month. The test has finished in June and drones are no longer used. We tested whether drones could be used for border surveillance, including search and rescue activities.

- 2) Photo of drone used to illustrate the article

The photo used to illustrate the article is a drone that has never been used in the Central Mediterranean.

- 3) "There is no ship to answer the SOS, just an unmanned aerial vehicle"; "The drones are not equipped for SAR"

This information is incorrect. People in distress at sea cannot be saved by planes. Planes provide information on the location and situation of a boat in distress. The surveillance planes are manned, they can answer SOS signals and communicate with the maritime rescue centers responsible for coordinating SAR operations.

The planes used by Frontex for monitoring the Mediterranean, operate according to the Eurosur Regulation (Regulation (EU) No 1052/2013 of the European Parliament and of the Council), if they spot a boat in distress they operate according to Search and Rescue conventions.

8) There are no available mission instructions for drone operators

The instructions that the operators follow are according to international law. Specifically the IAMSAR Manual (International Aeronautical and Maritime Search and Rescue Manual), regulations by the International Civil Aviation Organization and International Maritime Organization.

9) "A drone operator has to take actions intended to search, rescue and disembark those rescued at safe port"

This is incorrect. It is never a drone operator or a pilot assessing whether a vessel is in distress and where it should be disembarked.

In the case of the two planes used by Frontex to monitor the Central Mediterranean, the video is live-streamed to the agency's headquarters, where a group of experts, including maritime surveillance experts, analyse the image and make an initial assessment whether a case can be qualified as SAR based on certain parameters (number of people on board, condition on boat, distance from shore, presence of life vests, weather conditions). This initial assessment is communicated to the maritime search and rescue center (MRCC) for further action.

10) Accountability

Frontex reports on its activities to the European Parliament and the Council, and that the two institutions are actively involved in the Agency's work, exercising supervision. For example, the Agency's Management Board is obliged to share Frontex' annual activity report and annual/multiannual work programs with the European Parliament and the Council, who may choose to invite the executive director to report on his tasks and any matter related to the activities of the Agency. The Management Board comprises heads of border and coast guards from all EU Member States and Schengen Associated Countries and two representatives from the European Commission.

Moreover, as defined in the founding Regulation of Frontex, the Agency submits to the European Parliament and the Council general risk analyses and, at least once a year, transmits the results of the vulnerability assessment. Frontex is also accountable to national border guard authorities sitting on the Agency's Management Board.

The agency's Fundamental Rights Officer also briefs the Frontex Management Board on any incidents on a regular basis.

**For your background:**

**From:** Press  
**Sent:** 25 March 2021 15:02  
**To:** Press  
**Subject:** FW: Additional information related to your PAD request

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

FYI

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**From:** Press  
**Sent:** 25 March 2021 14:58  
**To:** [REDACTED] personal data  
**Cc:** [REDACTED] personal data  
**Subject:** Additional information related to your PAD request

Dear [REDACTED] personal data

In response to your PAD application from 26 February, we would like to provide you with additional information related to the organisation of the annual European Border and Coast Guard Day.

As stated in the response from Frontex's Transparency Office on 22 March, the question about the expenses was forwarded to the Frontex Media and PR Office. We regret that you did not give us the opportunity to provide additional information before publishing an article that presented a false picture of the type of information Frontex is providing you.

Nevertheless, below please find additional background information on the event, cost of dinners and an explanation why Frontex stopped to organise the European Border and Coast Guard Day in 2019.

The European Day for Border Guards (ED4BG) and later the European Border and Coast Guard Day (EBCG Day), was an event that had been organised on an annual basis by Frontex. Its core function was to build and strengthen the European cooperation between various law enforcement authorities dealing with border control, related coast guard functions and similar activities in the Schengen Area.

The idea behind the EBCG Day was to present the European and international border guard community with an opportunity to share experiences and best practices. It provided a forum for topical discussion, exchange of views between key border-management players, Council and European Commission representatives, practitioners and academics. The first ED4BG was organised in May 2010 on the fifth anniversary of the agency and has provided since then an opportunity to communicate about Frontex activities and bring border and coast guard officers together once a year.

Here are some of topics discussed in recent years:

In 2016, the programme included panel discussions about the future of border management, a new mandate for Frontex, an inter-agency response to the unprecedented migratory pressure at the EU's external borders and the Frontex's role in the returns of migrants.

2017 was the first event since Frontex became the European Border and Coast Guard Agency, gaining a wider set of tools and responsibilities to support member states at EU's external borders. The programme included four panels whose topics were related to Frontex's transformation, including a new way forward for border management, a new approach to European Integrated

**From:** Press  
**Sent:** 30 April 2021 11:32  
**To:** [REDACTED] personal data  
**Cc:** [REDACTED] personal data  
**Subject:** Re: Press request/ DER SPIEGEL  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear [REDACTED] *personal data*,

Could you kindly forward the following letter to the editor-in-chief/managing editor of *Der Spiegel*, as well as the managing editors of the media outlets that have collaborated with you on this?

*Dear Sir or Madam,*

*The article you published this week about Frontex purposely misrepresents the role of our agency in rescuing lives in the Central Mediterranean and is an affront to the people of our agency who often put their own lives and well-being on the line to save people at sea.*

*As we have pointed out to the authors, in any potential search and rescue, the priority for Frontex is to save lives. In the Central Mediterranean region this means that any time a Frontex plane spots a boat in distress, it immediately alerts the national rescue centres in the region: Italy, Malta, Libya and Tunisia. All four are internationally recognised MRCCs.*

*Frontex does not coordinate search and rescue operations. Under international law, this is the job of the national rescue centres. They are the ones who decide which boats or planes in the area are called upon to come to the rescue and they maintain operational contact with boats involved. We have emphasised this point in several contacts with your journalists over the years, but your magazine continues to ignore this basic fact.*

*In an emergency, where lives are at stake, we try to deliver the information in any way possible to the people involved in the rescue operation. This includes emails but also phone calls, messages and, in extreme cases, mayday and radio calls in the blind. The radio calls in the blind are often picked up by NGO vessels in the vicinity. Last time it happened last week with the vessel *Ocean Viking*, which we guided towards a boat in distress.*

*This emergency contact via other non-standard channels is especially important in cases where a language barrier exists. It allows the rescues to communicate more quickly at a time where every second counts and lives are on the line.*

*The authors of this article also ignored a very important fact to falsely indicate that only Frontex communicates with the Libyan rescue centre. The poorly kept secret seems to be that some*

**From:** Press  
**Sent:** 24 January 2020 10:48  
**To:** [REDACTED] personal data  
**Cc:** Press  
**Subject:** Reaction to article "Europe's migration crisis seen from orbit"

**Categories:** [REDACTED] personal data

Dear [REDACTED] personal data,

We are contacting you with regard to the article "Europe's migration crisis seen from orbit" published in Politico on 19 January.

The article implies that the European Union does not use Earth Observation capabilities for saving lives at sea.

As a matter of fact, earth observation data is a key element in the EU's efforts to protect Europe's external borders and to save people in distress at sea.

We would like to clarify the role of Frontex in monitoring EU's external borders and explain how the agency uses earth observation tools to save people in distress at sea, fight against cross-border crime and to improve the internal security of the EU.

Frontex continuously develops and improves surveillance capabilities by using state-of-the art technologies, including machine learning and processing of big data.

One of the agency's tasks is to monitor EU's external border and share the information on the situational picture with EU member states.

Frontex has developed a set of surveillance tools under Eurosur Fusion Services, which allow the agency and the Member States to monitor external EU borders and pre-frontier area, including the Mediterranean Sea. These services include vessel detection, surveillance of an area of interest, pre-frontier and coastal monitoring and other.

Frontex has been a part of the Copernicus Programme since 2015, when the Delegation Agreement between Frontex and the European Commission on the Implementation of the Border Surveillance Component of the Copernicus Security Service was signed.

Copernicus data allow Frontex to achieve its primary objective – to increase situational awareness at European external borders by mapping, monitoring and providing risk assessments.

For the provision of these products, Frontex mainly uses optical and radar satellites and in situ data. The actual provision of the products is done in cooperation with several external partners, including the European Maritime Safety Agency (EMSA), the EU Satellite Centre (SatCen), the European Fisheries Control Agency (EFCA) as well as commercial partners.

We are surprised that a publication as well respected as Politico did not present the EU's efforts when it comes to satellite surveillance.

We remain at your disposal for any additional information and will be happy to work together in the future,

**From:** Press  
**Sent:** 12 August 2019 15:28  
**To:** [REDACTED] personal data  
**Cc:** Press  
**Subject:** Incorrect information in recent article published in Correctiv

Dear Sir/Madam,

We are writing to express the disquiet of Frontex, the European Border and Coast Guard, at the incorrect information expressed in the article "Frontex: Die Überwacher überwachen", published in Correctiv on 4 August.

The article contains a series of false statements and we would like to clarify them one by one.

**1) Lack of accountability when it comes to respect for fundamental rights**

*"Kaum einer kann noch kontrollieren, ob die Agentur die Grundrechte von Flüchtlingen achtet. Ob sie wirklich versucht, auf See Menschenleben zu retten."*

Fundamental rights are at the core of all the agency's activities. They are integrated into the Frontex Codes of Conduct, the Common Core Curricula for border guards, specialised training for border surveillance officers or officers conducting forced return operations.

The Code of Conduct obliges every officer who has a reason to believe fundamental rights of any person were violated, either by witnessing such violation directly, or by hearing about it, to report this immediately to Frontex in form of a Serious Incident Report.

All reports related to potential violation of fundamental rights are immediately passed on to the agency and Fundamental Rights Office, an independent body established to advise the agency and monitor compliance with fundamental rights in all its activities.

Frontex officers did write such reports in the past and the agency immediately contacted the authorities of the countries concerned and informed the European Commission. It should be noted however that while the agency can suspend an officer deployed by Frontex, it does not have the authority over the national border police forces nor does it have the power to conduct investigations in the EU Member States.

Another such measure is the complaints mechanism which allows anyone who believes their rights have been violated by a Frontex deployed officer to lodge a complaint.

All those measures – specific guidelines for officers, training, monitoring by independent experts, the Fundamental Rights Office and Consultative Forum (an independent advisory body on fundamental rights comprised of European and international organisations and NGOs) are intended to make sure the appropriate checks and balances are in place.

As to the second part of your statement related to search and rescue, so far this year, between January and July, the European Border and Coast Guard Agency contributed to the rescue of 15469 persons in all our sea operations. This includes 5521 people in operation Indalo (Spain), 8374 in operation Poseidon Sea and 1601 in operation Themis. This data includes all forms of contribution – detection, interception and direct involvement of Frontex assets.

Search and Rescue is a legal obligation. International law obliges all vessels to provide assistance to any persons found in distress, making search and rescue (SAR) a priority for everyone operating at sea. SAR is a specific objective of the operational plan of every Frontex joint maritime operation. For this reason,

*Frontex to publish and/or make available the requested documents prior to this deadline - thus during the first week of January 2018 - would be considered by us a positive step towards greater transparency, and would certainly make us reconsider our decision to challenge Frontex's confirmatory decision before the General Court.*

*We would therefore like to request from Frontex a confirmation on whether this is indeed something it would be willing to do, or whether its refusal to disclose this information will still stand on the 1 January 2018."*

In the said call to [REDACTED] *personal data*, the Frontex officer informed [REDACTED] *personal data* about the fact that Frontex conducts a case-by-case examination of every application for public access to documents according to the Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents. He also informed [REDACTED] *personal data* that the agency would not be able to release information about ongoing operational activities.

Furthermore, to assist [REDACTED] *personal data*, the Frontex officer informed him that he could specify his query so that it could be handled by the Frontex Press Office as a request for information. Frontex never offered to leak any information.

#### **5) Meeting with Fundamental Rights Officer**

Frontex's Fundamental Rights Officer, representing an independent body established to advise the agency and monitor compliance with fundamental rights in all its activities, invited the authors of the article for a meeting in January 2019. She gave them an interview on the work of the Fundamental Rights Office and the measure the agency has to monitor potential fundamental rights violations. The Fundamental Rights Officer asked the authors to submit the draft article to her to make sure that everything she said was represented in a factual way. They agreed in writing that the draft will be shared. Unfortunately, the authors did not submit the draft version to the Fundamental Rights Officer.

#### **6) Accusations related to lack of accountability**

The European Border and Coast Guard Agency is a European Union body and as such it is fully accountable to all relevant European institutions: Frontex reports on its activities to the European Parliament and the Council, and the two institutions exercise supervision. The agency's Executive Director regularly attends hearings at the European Parliament and European Council meetings. Furthermore, the European Court of Auditors and the European Ombudsman oversee the agency's budget and its functioning.

Frontex is governed by the Management Board comprising heads of border authorities from all EU Member States and Schengen Associated Countries as well as two representatives from the European Commission.

The agency's Fundamental Rights Officer also briefs the Frontex Management Board on any incidents on a regular basis.

**10) Frontex coordinates (...) dealing with newly arrived refugees in EU countries and other countries**

This information is false. The agency does not replace border control duty of the individual EU member states, but provides additional assistance to Member States in the identification and registration of migrants, but works under the command of national authorities. Just like on board of every vessel, helicopter, aircraft and patrol car deployed by Frontex a national border police/coast guard officer is always present, officers deployed by Frontex to the hotspots work under the command of the national team leader.

**11) Since last year, Frontex has not only received images from its own reconnaissance satellites and from the defense, aerospace company Airbus, but also from reconnaissance drones.**

This information is incorrect. Frontex does not own satellites. It can use satellite images for monitoring purposes and acquires them via the Copernicus Programme managed by the European Commission and from the EU SATCen. Furthermore it is important to stress that Frontex is not flying any drones at present and does not receive any information from drones. The agency merely tested the possible use of drones in Italy and in Greece and the tests finished in June.

The quality of the article would have been considerably improved had the authors dedicated more time to scrutiny of the Frontex Regulation governing the agency's activities and the regular publicly available information on its operations

Frontex Press Office stands ready to assist researchers and journalists with any queries which might help the public to better understand the agency's work.

For the reasons stated above, we request that you correct the original article and publish a factual version within the next 24 hours.

Kind regards,  
Frontex Press Office



**From:** [REDACTED] personal data  
**Sent:** 22 January 2020 16:10  
**To:** [REDACTED] personal data  
**Cc:** Press  
**Subject:** Letter of concern - HesaMag

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear [REDACTED] personal data

We are extremely concerned by the number of false statements and inaccuracies contained in the article, "Frontex, keeping a forceful watch at the borders of Fortress Europe". We ask you to correct the article to reflect the following issues:

- [REDACTED] *personal data*, who accompanied the journalists to the operational area in Albania, made it very clear that she cannot be quoted. Her request was ignored by the journalist who not only quotes her by name (spelled wrongly, by the way), but she is also quoted as a spokesperson (p. 33 and p.34).
- Prior to the embedment of your journalists on board of our patrol car, [REDACTED] *personal data* made it clear to the journalists that no personal data of the officers nor any sensitive information related to the Frontex operation can be photographed. To our great disappointment, the article includes a photo of our officer with his name and badge fully visible. This must be blurred.
- On the same note, someone's identity documents photographed in the Albanian officer's booth are fully visible. Please note this constitutes a serious violation of personal data of the owner of this document. This also needs to be blurred.

Furthermore, we are concerned with the high number of **factual** mistakes, namely:

- On p. 35 the author writes "With his blue armband, [REDACTED] *personal data* seems happy with his current job, which gives him more responsibility." It is **not true as only Frontex -deployed officers coming from either EU Member States and Schengen Associated Countries can legally wear blue armbands with EU and Frontex logos**. None of the Albanian officers delegated to work with Frontex deployed officers can wear Frontex or EU insignias or armbands – we are not sure why the journalist wrote so, as it is clear from the photos illustrating your article that the Albanian officer is NOT wearing such armband.
- Title on p. 35 mentions *643 agents*. **The number is incorrect**. At the time of the interview, Frontex had about 1400 officers (agents) coming from EU Member States at the external borders of the EU. Presumably, the journalist referred to the number of *employees* (staff members) working at the headquarters in Warsaw, Poland.
- On p. 35 the author writes "*This change gave rise to the reform adopted in 2016 by the European Council of heads of state or government. This was a real turning point in the prerogatives of Frontex, then reaffirmed in October 2018 by a new reform along these lines.*" **This is also wrong**, as the latest regulation 2019/1896 has been adopted on 13 **November 2019**. There was no reform introduced in October 2018
- On p. 36 the author links tenders held by Frontex specifically with technology. **This is not correct**: if you look on our website you will see that many of them relate to day-to-day activities of the agency such as: provision of postal services for Frontex, space Planning & Workplace

This is surprising as the author spent a lot of time with us both in Albania and in Warsaw and I believe we showed ourselves open enough to answer questions and provide information to your magazine.

Quoting of the person who accompanied the journalist to the operational area who explicitly said she is not authorised to talk on the record or publishing personal details of our officers and of a document at the border crossing point violates the agreements made prior to giving the journalist access to an area which otherwise is not open to the media for exactly the reasons listed above.

We would be grateful if you corrected as soon as possible the mistakes in your article and blurred the personal data on the photos in the online version.

[REDACTED] personal data

[REDACTED] personal data

**From:** [REDACTED] personal data  
**Sent:** Monday, January 20, 2020 2:38 PM  
**To:** Press <[Press@frontex.europa.eu](mailto:Press@frontex.europa.eu)>  
**Subject:** published article on Frontex

Dear Sir/ Madam,

I'm the deputy editor of the magazine *HesaMag*, published by the European Trade Union Institute in Brussels. Our latest issue was on the subject of migrant workers in Europe and there was an article about Frontex, for which some of your staff gave interviews. I just wanted to notify you that the issue is now out and that I would be happy to send you a copy if you provide me with an address. Otherwise, you can read the PDF version online here: <https://www.etui.org/Publications2/Periodicals/HesaMag-20-Migrant-workers-in-Fortress-Europe>

Kind regards,

[REDACTED] personal data

European  
Trade Union Institute  
Bd du Roi Albert II, 5

**From:** Press  
**Sent:** 09 August 2019 09:49  
**To:** Observer Readers  
**Cc:** Press  
**Subject:** RE: your email

Dear [REDACTED] personal data,

Thank you for your response.  
Please see our replies below,

Best wishes,

[REDACTED] personal data  
Frontex press office

**The article does not say Frontex flies surveillance drones over Libya. It states that Frontex surveillance drones are flying over waters off Libya. The waters off Libya are part of the south Mediterranean.**

**Have I understood correctly: you state that Frontex tested drones for less than a month, ending in June, and no longer uses drones.**

Frontex tested drones in Italy in the south Central Mediterranean for less than month and currently does not use drones.

**I am advised that the provider of a drone has stated in a public document that its drone had been deployed in December 2018. Are you saying that the deployment of that drone had nothing to do with Frontex and EMSA, or that you do not regard that deployment as relevant to answering a question about use of drones over the waters of the south Central Mediterranean?**

**Do you intend to convey that Frontex no longer uses drones in the south Central Mediterranean?**

Correct. Please see the reply above.

**Do you mean to convey that the contract involving Frontex and relating to drones was for the test only, and is complete?**

**Which model of drone was used for the test?**

**Was the test successful?**

**Will further contracts for the acquisition and use of drones follow?**

The European Border and Coast Guard Agency ran two tests involving drones.

As already explained before, currently Frontex is not using any drones and is not receiving any information, including livestreaming, from drones.

2) Photo of drone used to illustrate the article

The photo used to illustrate the article is a drone that has never been used in the Central Mediterranean.

**I am advised that the photo is of a Heron TP drone (Israel Aerospace Industries Limited or IAI).**

I am also advised that on 30 November 2018, the European Commission answered a European Parliament question ("Long-distance drones for monitoring the Mediterranean") as follows -

**Has a drone of the type shown in the photo which has been used to illustrate the article been used by Frontex or EMAS anywhere?**

No.

**Can you send a photo, and provide the specific model name and manufacturer's name, of the drone that has been used by Frontex and/or EMAS in the south and Central Mediterranean, for tests or otherwise?**

As explained above, the drone used for the tests was a Falco Evo.

3) "There is no ship to answer the SOS, just an unmanned aerial vehicle"; "The drones are not equipped for SAR"

This information is incorrect. People in distress at sea cannot be saved by planes. Planes provide information on the location and situation of a boat in distress. The surveillance planes are manned, they can answer SOS signals and communicate with the maritime rescue centers responsible for coordinating SAR operations. Our aircraft are equipped with sensors that are able to capture the position of all nearby vessels. In this way, when communicating about a boat in distress to the relevant maritime search and rescue coordination center, we are able to let them know what vessels are nearby to allow for an even faster reaction and rescue.

It is crucial to understand that Search and Rescue (SAR) consists of two elements: search— monitoring and locating a vessel in distress, and rescue —the action performed to save people at risk at sea.

In the vast majority of SAR operations, planes are tasked with surveillance and determining the exact location of a boat in distress. If a plane spots a vessel in distress, it immediately informs the relevant maritime rescue coordination center that sends the closest and most capable vessel to perform the rescue.

**Noting the two elements you describe in (3) above - search and rescue - in relation to the statement "so far this year, the agency contributed to the rescue of more than 8000 people in all its sea operations", can you advise -**

**How many discrete operations Frontex has contributed to so far this year?**

The agency is conducting regular sea surveillance according to a daily and weekly schedule that is agreed with EU member states. The aim of the surveillance flights is border control, search and rescue, contributing to combatting cross-border crime (detecting drugs or people smuggling), illegal fisheries or oil pollution. See above section on coast guard functions. When it comes to the number of flights, please specify the area and operation you are referring to.

**Of those, in how many was the Frontex contribution to search - for example, through the provision of surveillance, information, video, coordinates and the like - and in how many was the Frontex contribution to rescue - for example, through the provision of vessels and/or helicopters which took part in removing people from other vessels or the water and transporting them to land?**

So far this year, between January and July, the European Border and Coast Guard Agency contributed to the rescue of 15469 persons in all our sea operations. These include 5521 people in operation Indalo (Spain), 8374 in operation Poseidon Sea and 1601 in operation Themis. This data includes all forms of contribution – detection, interception and direct involvement of Frontex assets.

**Please specify which of the operations were conducted as part of Themis and which as part of the EU naval mission Operation Sophia (also known as EUNAVFORMED)?**

Please contact EUNAVFOR Med for this information.

6) Frontex is using drones that were used for combat missions in Gaza

This is not true. As explained before, Frontex was testing drones none of which was armed. They were used for monitoring, there were no weapons, only cameras.

**That is understood, and I do not believe that a reasonable reader would understand the article to be conveying otherwise. However, I will review the article to check that no reasonable reader could understand the relevant sections to convey the meaning that the drones deployed by Frontex for surveillance were armed as the same or similar drones might be when they are deployed over Gaza.**

7) Drones operate in a legally grey zone

European Parliament and the Council, who may choose to invite the executive director to report on his tasks and any matter related to the activities of the Agency. The Management Board comprises heads of border and coast guards from all EU Member States and Schengen Associated Countries and two representatives from the European Commission.

Moreover, as defined in the founding Regulation of Frontex, the Agency submits to the European Parliament and the Council general risk analyses and, at least once a year, transmits the results of the vulnerability assessment. Frontex is also accountable to national border guard authorities sitting on the Agency's Management Board.

The agency's Fundamental Rights Officer also briefs the Frontex Management Board on any incidents on a regular basis.

### **Understood.**

**Does Frontex dispute that an online archive of all Frontex operations was recently removed?**

**If it was not removed, please provide the url to it.**

**If it was removed, why was it removed and will it be made available again?**

We have changed the layout of the website for readers to navigate the page easier. The information about the operations was not removed. Documents related to our operations are available under the following link in a form of reports: <https://frontex.europa.eu/about-frontex/key-documents/> and Frontex Evaluation Reports on our website: <https://frontex.europa.eu/about-frontex/key-documents/?category=frontex-evaluation-reports> We are always ready to provide additional information if needed, email addresses and phone contacts to the press office can be found on the website.

### **For your background:**

If the Frontex plane spots a boat in distress, it immediately informs the relevant national authorities responsible for search and rescue. Incidents related to boats in distress are reported in line with the international conventions to the responsible maritime rescue coordination center. Frontex, in order to enhance the situational awareness and for a rescue to happen even faster in case of a boat in distress, communicates this information also to the neighbouring coordination centers and operation Sophia. The SAR coordinator has a list of all available assets with the capability to rescue lives and will dispatch the closest or most capable one immediately.

It is important to underline that SAR operations are always coordinated by the national Maritime Rescue Coordination Centres (MRCC). The MRCC orders vessels that are either the closest to the incident or the most capable ones (due to the specialised training of the crew, or the vessels specifications, etc.) to assist in the rescue. These may include national, commercial or military vessels, vessels deployed by Frontex, private boats and other.

We are disappointed that a publication as well respected as The Guardian did not take the trouble to read the available information on the agency's surveillance activities in the Central Mediterranean.

This is not true. Frontex is not flying any drones at present. The agency ran a pilot project in the south Central Mediterranean that lasted for less than a month. The test has finished in June and drones are no longer used. We tested whether drones could be used for border surveillance, including search and rescue activities.

**The article does not say Frontex flies surveillance drones over Libya. It states that Frontex surveillance drones are flying over waters off Libya. The waters off Libya are part of the south Mediterranean.**

**Have I understood correctly: you state that Frontex tested drones for less than a month, ending in June, and no longer uses drones.**

**I am advised that the provider of a drone has stated in a public document that its drone had been deployed in December 2018. Are you saying that the deployment of that drone had nothing to do with Frontex and EMSA, or that you do not regard that deployment as relevant to answering a question about use of drones over the waters of the south Central Mediterranean?**

**Do you intend to convey that Frontex no longer uses drones in the south Central Mediterranean?**

**Do you mean to convey that the contract involving Frontex and relating to drones was for the test only, and is complete?**

**Which model of drone was used for the test?**

**Was the test successful?**

**Will further contracts for the acquisition and use of drones follow?**

**I am advised that two other contracts relating to drones involve EMSA. Is that correct?**

**I am also advised that EMSA and Frontex have an interagency agreement regarding intelligence sharing on border surveillance. Is that correct?**

**If correct, consistent with material on your website that, I am advised, makes clear that EMSA and Frontex assets stream video to the Frontex situation centre, would it be correct to say that Frontex, while itself no longer using drones, has access to video collected by EMSA with its pilotless aerial vehicles?**

2) Photo of drone used to illustrate the article

It is crucial to understand that Search and Rescue (SAR) consists of two elements: search – monitoring and locating a vessel in distress, and rescue – the action performed to save people at risk at sea.

In the vast majority of SAR operations, planes are tasked with surveillance and determining the exact location of a boat in distress. If a plane spots a vessel in distress, it immediately informs the relevant maritime rescue coordination center that sends the closest and most capable vessel to perform the rescue.

#### 4) Frontex replaced vessels with drones

Frontex's presence in Central Mediterranean remains significant and by no means is it limited to using of aircraft: at the moment, Frontex deploys eight vessels, two helicopters, two aircraft and nearly 200 officers to assist Italy with border control as part of operation Themis in the Central Mediterranean.

Please note that the two planes are not deployed instead, but on top of other means.

Thanks to using aerial surveillance Frontex has actually increased its monitoring capacities as the planes can cover larger area than vessels, and locate the exact position of a boat in distress much faster.

**As I understand the article, the issue is not much the question of the area Frontex might choose to monitor from the air as the area within which Frontex can mount on-water rescue missions. Has operation Themis increased the area in which on-water rescue missions can be mounted?**

#### 5) Switch to drones is an effort to monitor the Mediterranean without being pulled into rescue missions

This information is false. In fact, the European Border and Coast Guard Agency has never before patrolled so close to Libyan territorial waters.



**surveillance were armed as the same or similar drones might be when they are deployed over Gaza.**

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7) Drones operate in a legally grey zone

The planes used by Frontex for monitoring the Mediterranean, operate according to the Eurosur Regulation (Regulation (EU) No 1052/2013 of the European Parliament and of the Council), if they spot a boat in distress they operate according to Search and Rescue conventions.

**Can you please specify what parts of the cited Regulation the aerial vehicles used by Frontex for monitoring the Mediterranean are operated under? It is only by having the relevant details that I will be able to test with the journalists and their expert sources the use of the term "legally grey zone".**

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8) There are no available mission instructions for drone operators

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The instructions that the operators follow are according to international law. Specifically the IAMSAR Manual (International Aeronautical and Maritime Search and Rescue Manual), regulations by the International Civil Aviation Organization and International Maritime Organization.

**Which parts of the manual and regulations are understood by Frontex to relate to drone operations?**

9) "A drone operator has to take actions intended to search, rescue and disembark those rescued at safe port"

This is incorrect. It is never a drone operator or a pilot assessing whether a vessel is in distress and where it should be disembarked.

In the case of the two planes used by Frontex to monitor the Central Mediterranean, the video is live-streamed to the agency's headquarters, where a group of experts, including maritime surveillance

**For your background:**

If the Frontex plane spots a boat in distress, it immediately informs the relevant national authorities responsible for search and rescue. Incidents related to boats in distress are reported in line with the international conventions to the responsible maritime rescue coordination center. Frontex, in order to enhance the situational awareness and for a rescue to happen even faster in case of a boat in distress, communicates this information also to the neighbouring coordination centers and operation Sophia. The SAR coordinator has a list of all available assets with the capability to rescue lives and will dispatch the closest or most capable one immediately.

It is important to underline that SAR operations are always coordinated by the national Maritime Rescue Coordination Centres (MRCC). The MRCC orders vessels that are either the closest to the incident or the most capable ones (due to the specialised training of the crew, or the vessels specifications, etc.) to assist in the rescue. These may include national, commercial or military vessels, vessels deployed by Frontex, private boats and other.

We are disappointed that a publication as well respected as The Guardian did not take the trouble to read the available information on the agency's surveillance activities in the Central Mediterranean.

For the reasons stated above, we request that you correct the original article and publish a factual version within the next 24 hours.

Yours faithfully,

Frontex Press Office

Personal Data