



Home Affairs Committee

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Rt Hon Robert Jenrick MP
Immigration Minister
Home Office
London
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21 September 2023

Dear Robert,

Frontex working arrangement with the UK

I am writing to you following recent media reports that the UK is close to concluding a “working arrangement” with the EU’s Border and Coast Guard Agency (“Frontex”). We note that before it concludes the working arrangement, Frontex must provide the European Parliament with “detailed information [on] ... its envisaged content”. In the interests of transparency, we would be grateful for a response to the following questions before you conclude the working arrangement and ask that you send us a copy of the final agreed text.

- 1) What is the scope, nature and purpose of the cooperation envisaged and how do you anticipate that it will contribute to a reduction in Channel crossings and to wider efforts to stem the flow of irregular migrants to the UK.
- 2) Please clarify whether the working arrangement will include provision for:
 - technical and operational assistance in relation to border management and returns and, if so, how this will be delivered;
 - the deployment of Frontex staff in the UK and their involvement in operations carried out in the UK (on land, or in the sea or air), such as search and rescue operations;
 - Frontex involvement in coordinating operational cooperation with EU countries neighbouring the UK, such as France and Belgium;
 - the inward and outward posting of liaison officers and, if so, their main tasks and functions;
 - the exchange of classified information;
 - UK access to the EU’s Border Surveillance system (“Eurosir”); and
 - the participation as observers of UK Border Force officers in operational activities undertaken by Frontex at the EU’s external borders or in return operations coordinated by Frontex.
- 3) We note that any technical and operational assistance provided by Frontex to third countries must ensure compliance with the EU Charter of Fundamental Rights and with international law, including international protection and the principle of non-refoulement.
 - How will this be reflected in the working arrangement with the UK?

- Will Frontex's fundamental rights officer and monitors be able to carry out on-the-spot visits to any joint operations involving the UK?
- 4) We would welcome details of the funding arrangements for any activities based on the working arrangement.
- Will the UK be required to make a financial contribution to Frontex?
- 5) Noting the absence of a returns agreement with the EU or with individual EU Member States following the UK's exit from the EU, do you anticipate that the conclusion of a working arrangement with Frontex will pave the way for such agreements?
- Please update us on the progress you are making in initiating negotiations.
- 6) Please clarify how you intend to inform Parliament of activities undertaken with Frontex under the working arrangement (once in force).
- Will you be submitting regular reports and updates?
- 7) Finally, please confirm when you expect the working arrangement to be concluded and to take effect.

I am copying this letter to Sir William Cash MP, Chair of the House of Commons European Scrutiny Committee and Dr George Wilson, Clerk to the House of Commons European Scrutiny Committee, Lord Ricketts, Chair of the House of Lords European Affairs Committee and Jarek Wisniewski, Clerk to the House of Lords European Affairs Committee.

We would appreciate a response to our questions by Monday 16 October 2023.

Yours sincerely,

A handwritten signature in dark ink, reading "Diana Johnson". The signature is fluid and cursive, with the first name "Diana" and the last name "Johnson" clearly distinguishable.

Dame Diana Johnson MP

Cc: Sir William Cash CH, Chair, European Scrutiny Committee
Dr George Wilson, Clerk, European Scrutiny Committee
Lord Ricketts, Chair of the House of Lords European Affairs Committee
Jarek Wisniewski, Clerk, European Affairs Committee