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ANNEX 2

**ANNEX**

*to the*

**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN  
PARLIAMENT AND THE COUNCIL**

**Model working arrangement as referred to in Regulation (EU) 2019/1896 of the  
European Parliament and of the Council of 13 November 2019 on the European Border  
and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624**

## ANNEX

### **on the exchange of information within the framework of EUROSUR as provided for in Article 73(4) of Regulation (EU) 2019/1896**

#### *Section 1*

##### *Subject matter*

This Annex applies to the exchange of information and cooperation within the framework of EUROSUR between the Sides, including for the purposes of situational awareness, risk analysis and to support the planning and conduct of border control operations.

#### *Section 2*

##### *Scope and purpose*

1. Information exchange and cooperation carried out as part of external border checks at authorised border crossing points and of external land, sea and air border surveillance, including the monitoring, detection, identification, tracking, prevention and interception of unauthorised border crossings for the purpose of detecting, preventing and combating irregular immigration and cross-border crime and contributing to ensuring the protection and saving the lives of migrants should take place in the framework of EUROSUR.
2. EUROSUR may only be used for legal or administrative measures taken up to the point of interception by the competent authorities, of cross-border criminal activities or unauthorised crossing by persons of the external borders.
3. The exchange of information provided for in this Annex covers only non-classified information.
4. Any exchange of classified information between the Sides should be set out in a separate administrative arrangement or agreement in accordance with point 5.1 of the working arrangement.

### Section 3

#### *Exchange of information in the framework of EUROSUR*

1. The Sides intend to use the framework of EUROSUR for the exchange of information and for operational cooperation in the field of border control, including for the purposes of situational awareness and risk analysis as well as supporting the planning and conduct of border control operations, taking into account existing information exchange and operational cooperation mechanisms.
2. [Third country authority] may be provided with access to EUROSUR data and information by Frontex to the extent necessary to carry out information exchange and cooperation under the working arrangement.
3. The exchange of information in the framework of EUROSUR, including the provision of information and products derived from EUROSUR fusion services, between the Sides may take place once the Sides have laid down detailed rules regarding the establishment and sharing of a specific situational picture in an operational plan agreed by the Sides, including on secure ways of exchanging this information via dedicated communication and information systems in accordance with the requirements laid down in the Commission Implementing Regulation (EU) 2021/581<sup>1</sup>.
4. The exchange of information in the framework of EUROSUR between the Sides may take place once the Sides lay down detailed rules regarding the establishment and sharing of a specific situational picture in a dedicated operational plan agreed by the Sides, including on secure ways of exchanging this information via dedicated communication and information systems.

### Section 4

#### *Sharing of EUROSUR information originating from third parties*

Frontex may share information derived from EUROSUR originating from an entity other than [third country authority] with [third country authority] only with the prior approval of the originating entity and only for as long as such approval is not revoked

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<sup>1</sup> Commission Implementing Regulation (EU) 2021/581 of 9 April 2021 on the situational pictures of the European Border Surveillance System (EUROSUR) (OJ L 124, 12.4.2021, p. 3, ELI: [http://data.europa.eu/eli/reg\\_impl/2021/581/oj](http://data.europa.eu/eli/reg_impl/2021/581/oj)).

## Section 5

### *EUROSUR coordination centre*

1. [Third country] may designate a single point of contact for the exchange of information and for cooperation in the framework of EUROSUR. That point of contact should assume the role of the [third country's] EUROSUR coordination centre.
2. [Third country]'s designated EUROSUR coordination centre should be identified in the operational plan of any specific situational picture, as referred to in Section 6 of this Annex.
3. [Third country]'s designated EUROSUR coordination centre should ensure the timely exchange of information with Frontex as well as the timely cooperation among all the authorities of [third country] responsible for border control at the national level.

## Section 6

### *Specific situational pictures*

1. The Sides may cooperate in the context of specific situational pictures to share information with each other in the framework of border management operations.
2. Specific situational pictures should be produced through the collection, evaluation, collation, analysis, interpretation, generation, visualisation and dissemination of information.
3. Specific situational pictures should consist of the following information layers, under which Frontex may process information originating from [third country]:
  - (a) an events layer that includes events and incidents related to unauthorised border crossings, cross-border crime and information on unauthorised secondary movements, for the purpose of understanding migratory trends, volume and routes;
  - (b) an operational layer that contains information on operations, including the deployment plan, area of operations, and the position, time, status and type of assets participating as provided for in the operational plans, if applicable; and
  - (c) an analysis layer that contains analysed information which is relevant for the purposes of the Regulation and, in particular, for the attribution of impact levels to the external border sections, such as imagery and geo-data, key developments and indicators, analytical reports and other relevant supporting information.

4. Specific situational pictures should allow for the identification and tracing of events, operations and corresponding analysis relating to situations where human lives are at risk.
5. Specific situational pictures should be established as part of the operational plan of each operation. The rules for establishing and sharing specific situational pictures should be included in the operational plan.

#### *Section 7*

##### *Provision of information and products derived from EUROSUR fusion services*

1. [Third country]'s designated EUROSUR coordination centre may request the transmission of information or products derived from the following EUROSUR fusion services to enhance an established specific situational picture:
  - (a) the selective monitoring of designated ports and coasts of [third country] which have been identified through risk analysis and information as being embarkation or transit points for vessels or other craft used for irregular immigration or cross-border crime;
  - (b) the tracking of vessels or other craft over high seas and the tracking of aircraft, where those vessels, other craft or aircraft are suspected of, or have been identified as, being used for irregular immigration or cross-border crime, including in the case of persons in distress at sea, with a view to transmitting that information to the relevant authorities that are competent for search and rescue operations;
  - (c) monitoring of designated areas in the maritime domain in order to detect, identify and track vessels and other craft being used for, or suspected of being used for, irregular immigration or cross-border crime, including in the case of persons in distress at sea with a view to transmitting that information to the relevant authorities that are competent for search and rescue operations;
  - (d) monitoring of designated areas of air borders in order to detect, identify and track aircraft and other forms of equipment being used for, or suspected of being used for, irregular immigration or cross-border crime;
  - (e) environmental assessment of designated areas in the maritime domain and at the external land and air borders in order to optimise monitoring and patrolling activities;
  - (f) selective monitoring of designated pre-frontier areas at the external borders which have been identified through risk analysis and information as being potential departure or transit areas for irregular immigration or cross-border crime;
  - (g) monitoring migratory flows from [third country] towards and within the Union in terms of trends, volume and routes;
  - (h) media monitoring, open-source intelligence and analysis of internet activities, for the purpose of preventing irregular immigration or cross-border crime;

- (i) analysis of information derived from large-scale information systems for the purpose of detecting changing routes and methods used for irregular immigration and cross-border crime.
2. Frontex may refuse a request for information and products derived from EUROSUR fusion services from [third country]'s EUROSUR coordination centre for technical, financial or operational reasons, including those related to fundamental rights. Frontex should notify [third country]'s EUROSUR coordination centre in due time of the reasons for such a refusal.

## *Section 8*

### *Data Protection*

1. The Sides should process personal data under this working arrangement in accordance with the terms set out in Annex [insert Annex reference].
2. The framework of EUROSUR should not be used for any exchange of information which may provide [third country] with data that could be used to identify persons or groups of persons whose application for international protection is under examination, or who are under a serious risk of being subjected to torture, inhuman and degrading treatment or punishment, or any other violation of fundamental rights.

## *Section 9*

### *Technical aspects*

1. The technical components of EUROSUR relevant to this working arrangement comprise a European component and an external component.

The European component comprises the Communication Network and the systems and networks used by Frontex for the establishment of specific situational pictures, reporting, situational awareness, risk analysis, and for supporting the planning and conduct of border control operations.

The external component is composed of the national systems and networks used by [third country] for the establishment of specific situational pictures, reporting, situational awareness, risk analysis, and for supporting the planning and conduct of border control operations, including the infrastructure, organisation, personnel and information resources needed to support it.

2. Each Side intends to:
  - (a) manage its respective technical components, where Frontex is responsible for managing the European component and [relevant third country authority] is responsible for managing the external component, including service management, ensuring the coordination of the connection of national systems and networks used for the establishment of specific situational pictures, reporting, situational awareness, risk analysis and for supporting the planning and conduct of border control operations;

- (b) comply with the technical standards established by Frontex; and
  - (c) ensure the data security of its technical component.
3. The Sides intend to use the external component for the following purposes:
- (a) exchanging data and information with other components; and
  - (b) supporting the establishment of specific situational pictures.
4. The Sides intend to specify the possible interconnection of the technical components in the detailed rules for the establishment of specific situational pictures in accordance with Section 3 point 4.

#### *Section 10*

#### *Observers*

When the Sides invite observers from other third countries; institutions, bodies, offices or agencies of the European Union; or international organisations to participate in each other's activities, they may allow those observers to exchange information in the framework of EUROSUR under the following conditions:

*[The specific rules to be established pursuant to point 2(b) of the Commission Recommendation on the model provisions for the exchange of information in the framework of EUROSUR in accordance with Article 76(2) of Regulation (EU) 2019/1896 should be inserted here]*