

**Memorandum of Understanding ("MoU")**  
**between**  
**the European Border and Coast Guard Agency (Frontex)**  
**and**  
**the Ministry of Interior of the Republic of Bulgaria - Chief Directorate "Border Police"**  
**regarding**  
**the hosting of a Frontex Liaison Officer in the Republic of Bulgaria**

The Ministry of Interior of the Republic of Bulgaria - Chief Directorate "Border Police", hereinafter referred to as "Authority", represented by Chief Commissioner Mr Svetlan Kichikov, Director, also representing for the purposes of the MoU other national authorities competent for border management, return and coast guard to the extent that they carry out border control tasks,

and

the European Border and Coast Guard Agency (hereinafter "Frontex"), represented by Mr Fabrice Leggeri, Executive Director,

Hereinafter jointly referred to as "Parties".

Having regard to the European Border and Coast Guard Regulation<sup>1</sup> (hereinafter "Regulation"), in particular Article 12 thereof,

Having regard to Management Board Decision 14/2017 of 13 June 2017 on the deployment of Frontex Liaison Officers to Member States, in particular Article 9 thereof,

HAVE AGREED on the following arrangements regarding the hosting of a Frontex Liaison Officer in Bulgaria.

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<sup>1</sup> Regulation (EU) 2016/1624 of 14 September 2016 on the European Border and Coast Guard (OJ L 251, 16.09.2016, p. 1).

## **Article 1**

### **Appointment of Liaison Officer and Point of Contact**

1. The name and personal details as well as the date and expected duration of the deployment of the appointed Liaison Officer shall be notified in writing to the Authority no later than one month before his/her deployment.

Frontex shall promptly inform the Authority of any temporary or permanent replacement.

2. The Authority shall designate a Point of Contact in relation to the implementation of this MoU.

## **Article 2**

### **Tasks of the Liaison Officer**

The tasks of the Liaison Officer shall conform to the provisions of Article 12 of the Regulation and to the Management Board Decision 14/2017 of 13 June 2017.

## **Article 3**

### **Office space**

1. The Authority shall make available an office space for the use of the Liaison Officer in a condition suitable for office accommodation in its Headquarters in Sofia located at the address: [REDACTED] Sofia - BULGARIA.
2. The description, total surface and layout plan of the office space, as well as the inventory of the furniture, fittings and equipment made available by the Authority are detailed in the Annex that has been countersigned by the Parties and shall form an integral part of this MoU.
3. Frontex assumes full responsibility for using the assigned premises with due diligence.
4. Frontex shall be liable for all damages to the office space, furniture, fittings and equipment found to have occurred during its occupation or upon return of the office space, except where deterioration is clearly due to normal wear and tear and except if damages are caused by circumstances out of Frontex's effective control (accident, natural disaster, etc.).
5. The Authority shall guarantee that the allocated office space meets the national regulations on health and safety and shall guarantee the proper maintenance and repairs are made to respective installations and systems to that end whenever required.
6. The Authority shall ensure the coverage of a mobile network signal allowing uninterrupted voice and data communication in the office space.
7. The Authority shall respect the inviolability of the office space used by the Liaison Officer.

## **Article 4**

### **Information and Communication Technology (ICT) equipment and Information Systems Security**

1. Frontex shall provide to its Liaison Officer a configured portable ICT equipment (personal computers) as well as additional ICT equipment including but not limited to the docking station, screen, keyboard, mouse, mobile or multifunctional printer and printer supplies.
2. The Authority shall provide electricity (power source) for standard portable and office ICT equipment (including uninterrupted power supply and surge protection).
3. The Authority shall provide reliable wired Internet access, allowing any traffic to Frontex public IP addresses range for at least 3 Frontex ICT devices such as personal computers and peripherals with Ethernet RJ45 connectors. The wired Internet connection shall ensure at least 2Mbps symmetric bandwidth available for Frontex use.
4. If for any reason Frontex decides to use independent Internet line instead of the Internet access provided by the Authority, the Authority shall acquire a dedicated line fulfilling Frontex requirements and allow the necessary installation terminated in Frontex Liaison Office.
5. The Authority shall also ensure the hands-on assistance of its IT staff, to support the Liaison Officer, in particular unpacking/packing of the Frontex ICT equipment using provided materials, installation/de-installation of the pre-configured Frontex ICT equipment for the office opening/closure or implementing minor configuration changes in cases of incidents that cannot be fully handled remotely from Frontex Headquarters.
6. In any case, the support of local IT staff of the Authority shall be limited to the minimum, requested by Frontex in written, following instructions provided by Frontex and remotely assisted by Frontex ICT personnel.
7. Both Parties agree not to interfere with the ICT equipment of each other, including (dis)connecting cables or equipment unless in case of mutual consent and authorisation or in the case of an emergency.
8. Upon the availability of the equipment and facilities, the Authority shall occasionally make its audio-video conferencing service available for the Liaison Officer in order to communicate with Frontex Headquarters. The procedure to book the use of such service will be communicated by the Authority to the Liaison Officer.
9. If requested, the Authority shall provide the local telephone line supporting incoming and outgoing calls exclusively available for the Liaison Officer.

## **Article 5**

### **Facilities and services**

1. The Authority shall make existing facilities (e.g. canteen/bar) and services (e.g. security, cleaning, maintenance and repair) within its premises available for the use of the Liaison Officer.
2. The Authority shall make available, upon request, a designated meeting room for events organised by the Liaison Officer. He/she shall request such rooms following the Authority's

existing rules. The Authority shall facilitate visitors' access pursuant to the applicable internal rules.

3. The Authority shall make available a parking space in a secured car-park area.

## **Article 6**

### **Access to premises**

1. Without prejudice to specific restrictions that may be imposed by the Authority on specific sensitive areas, the Liaison Officer shall have access rights to the premises of the Authority, that are required for the proper performance of his/her duties.
2. The following security arrangements shall apply:
  - a) the Liaison Officer shall conform to the Authority's specific access control regime;
  - b) the Liaison Officer shall receive upon his/her arrival information on the access control related security rules applicable in the Authority's premises;
  - c) details on the access rights granted shall be communicated to the Liaison Officer;
  - d) the Authority may require the Liaison Officer to undersign an individual commitment on security. Such a commitment should receive a pre-approval by the Frontex Executive Director.
3. The previous paragraphs apply also to other law enforcement, migration, border management and return authorities, including those performing coast guard functions to the extent that they carry out border control tasks.

## **Article 7**

### **Access to relevant operational facilities**

1. The Authority shall ensure access to operational facilities to the extent that they are necessary for the Liaison Officer to perform his/her tasks, including but not limited to:
  - a) border crossing points and other facilities involved in border control activities;
  - b) places of disembarkation of persons apprehended or rescued;
  - c) locations where other activities following border control take place;
  - d) reception, identification, detention centres and other similar facilities;
  - e) departure and stopover points of return operations such as holding facilities at airports.
2. The previous paragraph applies also to law enforcement and other migration, border management and return authorities, including those performing coast guard functions to the extent that they carry out border control tasks.

## **Article 8**

### **Access to Senior Management**

1. The Liaison Officer shall have access to the Senior Management of national authorities competent for border management, law enforcement, return and coast guard functions to the extent that they carry out border control tasks.
2. The procedure for access to the Senior Management shall be communicated by the Authority to the Liaison Officer.

## **Article 9**

### **Access to information**

1. The Authority shall ensure that the Liaison Officer has regular access to all the necessary information regarding the situation, trends, possible threats at the external borders, cross-border crime and terrorism within the context of border management, as well as in the field of return or other statistical and operational data aimed at supporting the monitoring of illegal migration and risk analysis.
2. The Authority shall ensure that the Liaison Officer has access to relevant information aimed at supporting the vulnerability assessment, in particular as regards technical equipment, staff and to the extent possible, the financial resources available at national level to carry out border control and contingency plans.
3. Requests shall be addressed in writing (preferably by e-mail) to the Authority's Point of Contact and must be complied with, as a general rule, within 15 working days from the request.
4. The Authority's Point of Contact shall also, upon a justified request of the Liaison Officer in urgent cases or unforeseen circumstances, provide him/her, without delay, with all relevant information above mentioned.
5. Paragraphs 1 to 4 apply also to other national authorities competent for border management, law enforcement, return and coast guard functions to the extent that they carry out border control tasks.

## **Article 10**

### **Security of information exchange**

1. The exchange of information between the Parties may include sensitive non-classified and national and EU classified information.
2. The Parties exchange classified information pursuant to the Agreement between the Member States of the European Union, meeting within the Council, regarding the protection of classified information exchanged in the interests of the European Union concluded on 4 May 2011, Council Decision 2013/488 EU and Commission Decision (EU, Euratom) 2015/444.

3. The Liaison Officer shall have a valid security clearance at a level not lower than SECRET UE/EU SECRET.

## **Article 11**

### **Communication channels**

1. Without prejudice to the existing communication channels, the Liaison Officer shall act as an interface between the national authorities and Frontex and will complement and facilitate this communication.
2. The Liaison Officer shall keep the Point of Contact of the Authority informed of the contacts held with the national authorities responsible for border management, law enforcement and return, including those performing coast guard functions to the extent that they carry out border control tasks.
3. Depending on the type of information, sensitivity and urgency, the following channels shall be used for the reciprocal exchange of information:
  - a) regular and ad hoc meetings;
  - b) standard template sent via email;
  - c) ad hoc information sent via email/sms/other means;
  - d) classified information shall be transmitted by communication systems adopted by the Parties pursuant to the Agreement and legal basis referred to in Article 10(2).

## **Article 12**

### **Participation and/or contribution to the organisation of meetings, training activities, workshops, seminars and other activities**

1. If the Authority considers it of mutual benefit and relevant for the performance of his/her tasks, it will include the Liaison Officer in invitations to any meetings, training activities, workshops, seminars and other similar activities.
2. The Liaison Officer shall keep the Point of Contact of the Authority informed of any meetings, workshops, seminars and other activities he/she is planning to organise or those to which the national authorities have invited him/her.

## **Article 13**

### **Distribution of costs**

1. All costs related to the use of the office space and common spaces referred to in Article 3, shall be borne by the Authority.
2. All other costs related to the Liaison Officer, including entitlements, allowances, missions, rentals, interpretation or translation services shall be borne by Frontex. Frontex's financial

contribution to the Authority for the running costs derived from the use of the office space, as well as the costs related to Information and Communication Technology, shall be regulated by a separate arrangement.

#### **Article 14**

##### **Privileges and immunities**

1. In accordance with the Article 59 of the Regulation, Protocol (No 7) on the Privileges and Immunities of the European Union shall apply to the Liaison Officer.
2. In accordance with the Article 3(3) of the MB Decision 14/2017, the specific conditions already applicable to other EU staff deployed in Bulgaria (according to an existing seat agreement with an EU Agency having a seat in that Member State or, where applicable, an EU Representation) will apply by analogy to the Frontex Liaison Officer.
3. The Authority shall facilitate that the respective procedure is concluded expeditiously.

#### **Article 15**

##### **Disputes resolution**

In case a dispute arises between the Parties on the content or the implementation of this MoU, the Parties shall settle this dispute among themselves. A dispute must be notified in writing from the originating Party to the other.

#### **Article 16**

##### **Amendments**

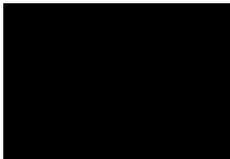
1. Either Party may request amendment to this MoU. Any amendment to this MoU shall be done in writing and shall be effective when duly signed by both Parties.
2. In particular, this MoU shall be reviewed for potential improvements following experience gathered with its implementation.

**Article 17**  
**Entry into force**

This MoU shall enter into force on the day following the signature by both Parties.

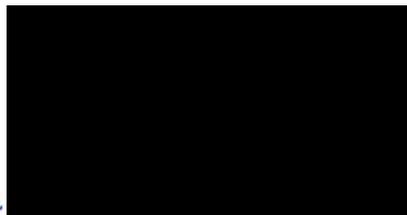
Signed in Warsaw on 13 June 2018 in two originals in English language,

For the European Border and Coast  
Guard Agency (Frontex)



Fabrice Leggeri  
Frontex Executive Director

For the Ministry of Interior of the  
Republic of Bulgaria - Chief  
Directorate "Border Police"



Svetlan Kichikov  
Chief Commissioner  
Director of Chief Directorate "Border  
Police"

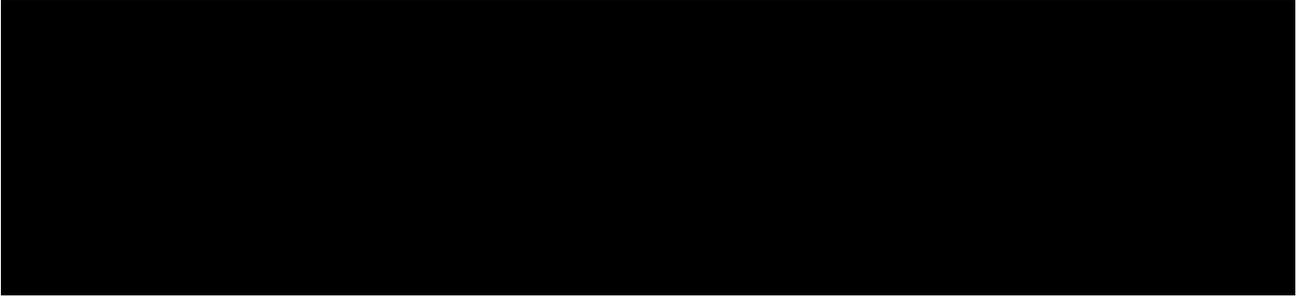
**Annex: Description and layout plan of the office space offered by the Authority**

## ANNEX

### Description and layout plan of the office space offered by the Authority

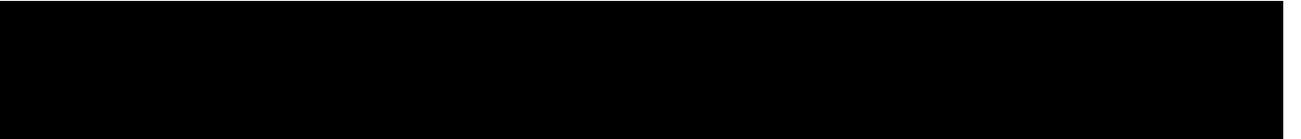
#### Description of the office space

The space designated by the Ministry of Interior of the Republic of Bulgaria - Chief Directorate "Border Police" for the use of the Liaison Officer comprises one office space, amounting approximately to 16,20 m<sup>2</sup> of office space.



The office is equipped with:

- Computer desk with dimensions: (L/W/H in mm) - 1400/700/750 - 1 item
- Assistant desk with dimensions: (L/W/H in mm) - 1000/600/750 - 1 item
- Work chair rotating with armrests - 1 item



- Meeting table for 4 persons - 1 item
- Visitors' chairs - 4 items
- High cabinet with five shelves (minimum clear height 325 mm) with dimensions: (L/W/H in mm) - 800/350/1900 - 1 item
- Storage lockable units - 2 items
- Drawer pedestal - 1 item
- Bin - 1 item
- Blinds - 3 items
- Standing lamp- 1 item
- Desktop lamp - 1 item
- Extension cords - 2 items

- White board with markers and magnets - 1 item
- Flip chart - 1 item
- Landline phone - 1 item
- Standing metal hanger - 1 item.

### **Layout of the office space**

