The Eastern Partnership Panel on Migration, Mobility, and Integrated Border Management is happy to present you the issue of the “Experts Speaking” rubric dedicated to integrated border management (IBM). This time we asked our experts who participated in the Panel Meeting on IBM in Minsk to explore the concept of European IBM, its main components, and key success factors of development and implementation of IBM strategic documents in Ukraine.

The cornerstone of IBM

The cornerstone of IBM is cooperation. Cooperation is not the same thing as working together. It may even mean working far from your partner, not looking at each other, but looking at and serving people who cross the border, knowing that your partner will always support you. For me, this is the best IBM concept.

Levels of cooperation in European IBM

Potential transnational threats must be clearly identified, and cross-border organised crime must be combated consistently without compromise. In this context, cross-cooperation and information exchange are very important elements of the European Union's IBM concept, which facilitates the coordination and cooperation between all relevant authorities and organisations in the fields of border control, surveillance and management in achieving the jointly defined objectives and standards in terms of open but at the same time secure borders. This applies within the respective border law enforcement agencies (intra-agency cooperation), as well as between other involved governmental departments and agencies of a country (inter-agency cooperation), as well as across borders in a bilateral and multi-lateral context (international cooperation).

EU member states’ IBM agencies enhanced cooperation at local, regional and multinational levels, inter alia, is based on the following steps:

- Enhanced cooperation between border law enforcement officials on both sides of the border at local level, which focuses on facilitating day-to-day communication and coordinating necessary activities. It ranges from comprehensive information management until to the development of processes to solve challenges in terms of possible cross-border operational intervention (e.g., ‘hot pursuit’) in order to facilitate legitimate cross-border movements.
Close cooperation between EU member states as well as to non-EU countries at bilateral or multilateral level in line with the EU IBM regulatory frameworks in general, and control standards, information management, cross-border cooperation and green and blue border surveillance policies in particular, especially as they relate to prevent irregular migration and combat cross-border organised crime. Bilateral/multilateral cooperation includes regular meetings between neighbouring EU member states and non-EU countries’ IBM services at the local, regional and central level to elaborate on IBM-related issues and identified challenges.

EU Member States’ cooperation is focusing on IBM-related issues in a multinational dimension. Relevant information is exchanged continuously and more easily through multinational cooperation. Regular seminars organised on a multinational level help to enhance confidence building and the creation of an informal network of border service officials from sister agencies, which are facilitating trustful contacts and working relationships.

In addition, neighbouring EU Member States developed bilateral or multilateral agreements or arrangements between relevant border law enforcement agencies as they facilitate clear communication and the exchange of information, as well as define methodologies of work and coordinated action, in particular when special departments/units are taking over the responsibility in cases of transnational threats, terrorism, cross-border organised crime and smuggling of goods that constitute a threat to society.

The safety and security of the EU free movement area are two of the key priorities of the EU, and they are facilitated by adequate and operationally available border and coast guard capabilities. Safety and security are further enhanced by collaboration among EU institutions and agencies, national border and migration management authorities and law enforcement within the Schengen Area. In addition, they are strengthened through partnerships with non-EU countries. This collective effort constitutes the European Integrated Border Management (EIBM). It is underpinned by legislation, policies and their implementation at national and European levels.

EIBM is operationalised on the basis of the Technical and Operational EIBM Strategy (TO EIBM). TO EIBM was developed this year by Frontex together with representatives of EU Member States in a consultative and inclusive process. It will now be implemented at the national level.

The main objectives of the new Strategy are to reduce vulnerability while reinforcing safety, security and the well-functioning of the EU external borders, and to sustain the capabilities of the European Border and Coast Guard. This means Frontex and the national authorities will, together, be ready for the future. The Strategy is central to the shared responsibility principle of the implementation of EIBM.

The shared responsibility principle does not mean that the Agency will replace Member States in their primary responsibility of controlling the EU external borders. Instead, it will provide Frontex with the
possibility to coordinate, reinforce and assess the activities and measures of the national authorities.

The purpose of TO EIBM is to operationalise EIBM in a comprehensive manner at the EU and national levels. It strives to boost strengths and mitigate weaknesses associated with the management of the EU's external borders today, and, at the same time, to prepare for the challenges of tomorrow. Bringing together the competent authorities of MS/SAC and Frontex, the European Border and Coast Guard Agency, TO EIBM is designed to ensure the long-term efficiency of the EBCG as a multilevel entity. Exchange of information and collaboration on consular activities, as well as the training of officers and cooperation with the border authorities in countries neighbouring the EU are also key. Taken together, these measures allow for coping with a rapidly shifting environment across the EU and dynamic situation at the external border associated with changing migration pressure and cross-border criminality in different forms and facets.

State of play of the IBM concept in Ukraine

The EU IBM model fits very well also for the EaP countries, but it needs to be tailored to each country's needs as resources, jurisdiction, the border security situations as well as local conditions are different.

On 30 January 2019, the Cabinet of Ministers of Ukraine approved a decree on establishing the IBM Inter-Ministerial Working Group (IMWG) at political level. The creation of IMWG allowed establishing an efficient mechanism of IBM policy coordination at strategic level, which will provide a coherent approach towards the external borders security in accordance with to the best European standards and practices. The IBM strategy up to 2025 was adopted by the decree of the Cabinet of Ministers of Ukraine on 24 July 2019 (published in September 2019), to which implementation the EU, including EUAM will provide its assistance, including pilot projects at the selected land, maritime and air border crossing points (BCPs), namely testing the feasibility of the new procedures all over the Ukrainian BCPs. On 20 November 2019, the Government has approved an Action Plan for 2020-2022 for the Implementation of the IBM Strategy.

The key lessons learned from the previous IBM strategy drafting processes from 2015 and 2018 were that they were too much focused on the State Border Guard Service and other agencies were not properly connected to the drafting procedure. All the relevant stakeholders should be involved and with a feeling of co-ownership. For this reason, the new IBM strategy entails a comprehensive approach. The new IBM strategy is based on the latest legal framework of IBM in line with European Border and Coast Guard regulation and FRONTEX training programmes. In the new IBM Strategy, trade facilitation-related activities and a more active role of the Customs Service was included.

The key success factors include inter-agency cooperation starting from the drafting stage, through the implementation process, until the joint evaluation of performance. The support of external EU experts is significant added value. In this case an EU High-Level Expert team consisting of very experienced experts were deployed and they established very close cooperation also with the other EU players in this field including EUAM Ukraine, Frontex, EUBAM Moldova and Ukraine, EU Delegation and EU Support Group to Ukraine. This concept, based on the EU integrated approach, proved to be very successful. However, regardless of the external expertise
needed it is important to note that ultimately local ownership is the key to success. In addition, proper founding mechanism and monitoring system, described above shall not be forgotten.

Currently, Ukrainian border guards and customs services are implementing some pilot projects and new approaches to bring the Ukrainian border processes closer to EU standards within the framework of the European integration processes, as well as to improve the security and comfort of border crossing for people.

One of the strategic goals is the implementation of IBM. It will allow closer and more effective engagement with the various agencies and services involved in border management. This applies both to the state authorities of Ukraine, which require better coordination and interaction, as well as international coordination with the relevant services of the neighbouring countries of the EU. On the one hand, such cooperation, exchange of information and experience will enhance security. On the other hand, border crossing conditions for people should be improved.

In order to fully implement the IBM approach, Ukraine has already adopted an appropriate strategy, jointly developed by respective stakeholders including civil society representatives. The implementation of the strategy will enhance border security, promote international cooperation, the use of advanced technologies for effective border control, and help to build a "border with a human face." The strategy also envisages horizontal interaction between different agencies and institutions engaged in border management. Some partner countries have already started to practice horizontal cooperation and coordination, which is reflected in the current approaches to their border policy. However, legal and institutional frameworks for such cooperation should be improved.

THANK YOU FOR YOUR INTEREST!
You can find materials of the recent Panel Meeting on IBM at the following link.

We also cordially invite you to subscribe to our News Digest, which is released by Panel team on a monthly basis. The document covers the most important migration developments in the EaP region and the EU, and periodically presents opinion pieces by our experts as well as brief analytical overviews of relevant reports.

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