

AD-HOC QUERY ON BORDER CONTROL

Requested by IE EMN NCP on 23rd September 2009

Compilation produced on 9th November 2009

Responses from Austria, Belgium, Czech Republic, Estonia, Finland, Germany, Hungary, Ireland, Latvia, Lithuania, Malta, the Netherlands, Poland, Portugal, Slovak Republic, Slovenia, Spain, Sweden, United Kingdom (19 in Total)

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1. Background Information

To date the Border Control function in Ireland is carried out by Police officers to whom the additional function of immigration officer has been assigned. Staff can be detectives or uniformed personnel. None are civilians and there is no outsourcing of any border control operations.

2. RESPONSES

		Wider Dissemination? ¹	Q1 In your Member State who carries out border control function (police, army, other uniformed service)? Q2 Are any of the functions of an immigration officer or border guard carried out by civilian contractors?
	Austria	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that their response is not disseminated further.
	Belgium	Yes	Q1. Border control functions in Belgium are carried out by Federal police units stationed at the external border posts. Civilian police staff is employed in these units, but only for administrative tasks, not for border control functions. Q2. Civilian contractors have no role with regards to border checks, but they do have a role when it comes to border surveillance: CCTV surveillance at the border and security functions, including preventing the breaching of the external enclosure at air and sea border posts,

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			are taken care of by civilian security companies, supported by the police units present and by regional civil servants in some regional airports. Police tasks remain in the hands of police units exclusively: when security staff intercepts illegal immigrants for example, police officers will take over. Also in the ports of Oostende and Zeebrugge, the United Kingdom Border Agency is present on a daily basis with technical means - such as CO2 detection - or detection dog teams for checks on departures towards the U.K. Technical detection equipment is also being used on port terminals by private surveillance agencies in the prevention of criminal activity in general, and illegal migration in particular (CCTV, CO2-detection, heart beat detection, passive millimetric wave). Upon detection of any (possible) suspect, police border guards are being informed and will take over.
	Bulgaria	Yes	
	Cyprus	Yes	
	Czech Republic	Yes	1) Border control in the Czech Republic is carried out by the Police, more specifically by the Alien Police Service. 2) No.
	Denmark	Yes	
	Estonia	Yes	1. In Estonia the Board of Border Guard carries out the border control function. The Board of Border Guard is an armed state authority in the area of governance of the Ministry of the Interior . 2. No.
	Finland	Yes	1. In the sense of Council Regulation 562/2006 the Finnish Border Guard is responsible for border control functions with the help of Police and Customs. 2. No.
	France	Yes	
	Germany	Yes	In Germany, the Federal Police carry out the task of border protection. In this area the Federal Police cooperate closely with Germany's state police forces and other state and federal security agencies. Civilian contractors do not perform any functions of an immigration officer or border guard. ²
	Greece	Yes	
	Hungary	Yes	Q1: In Hungary border control is executed by Police (Office of Border Policing) in the external border of the EU. Q2: In the connection of border policing the functions are executed by the police professional staff. None are civilians and there is no outsourcing of any border control operations.
	Ireland	Yes	To date the Border Control function in Ireland is carried out by Police officers to whom the additional function of immigration officer has been assigned. Staff can be detectives or uniformed personnel.

² Further information regarding the Federal Police can be found at

http://www.en.bmi.bund.de/Internet/Content/Common/Anlagen/Broschueren/2006/Bundespolizei_en.templateId=raw.property=publicationFile.pdf/Bundespolizei_en.pdf

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			None are civilians and there is no outsourcing of any border control operations.
	Italy	Yes	
	Latvia	Yes	The Border Control function in Latvia is carried out by Border Guard. There are no civilian contractors who perform any functions of Border Guard.
	Lithuania	Yes	In Lithuania border control is carried out by the State border guard service (http://www.pasienis.lt/lit/English). Police only exercises control over legal stay of aliens in Lithuania. No border control operations/functions have been outsourced.
	Luxembourg	Yes	
	Malta	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that their response is not disseminated further.
	Netherlands		Q1:Royal Netherlands Marechaussee (Royal Constabulary), police with a military status serving under the Ministry of Defence, carries out the border control at all Border Crossing Points, except for the port of Rotterdam. The Seaport Police is responsible for border control as well as police tasks in the port of Rotterdam Q2:None of the activities of the Royal Constabulary or Seaport Police are carried out by civilian contractors.
	Poland	Yes	Q1.Border control function is carried out by the Border Guard. Q2 No. Civilian contractors do not carry out functions of immigration officer/border guard.
	Portugal	Yes	Q1 - Border control functions are carried out by immigration officers of the Serviço de Estrangeiros e Fronteiras (SEF). SEF is a security service organised vertically under the Ministry of Home Affairs. Its fundamental objectives includes border control of persons, leave to stay and the activities of foreigners in Portugal, as well as the promotion of measures and actions related to these activities and migratory flows. SEF has also criminal competences on smuggling, human trafficking and other associated crimes. Q2 – No.
	Romania	Yes	
	Slovak Republic	Yes	To date the Border Control function in Slovakia is carried out by Police officers. None of the functions of an immigration officer or border guard are carried out by civilian contractors.
	Slovenia	Yes	Police carry out border control. None of immigration officer functions are carried out by civilian contractors.
	Spain	Yes	Q1. In Spain the General Commissariat for Alien Affairs and Borders (Comisaría General de Extranjería y Fronteras), part of the General Directorate of the Police and the Civil Guard (Dirección General de la Policía y de la Guardia Civil), is charged with border control. The Police and the Civil Guard – armed institution of a military nature – are the State Security Forces responsible for border-related matters: <ul style="list-style-type: none"> - The National Police Force holds competencies related with issuing Foreigner Identification Cards; controlling arrivals and exits of both Spanish and foreign nationals from Spain; preventing, pursuing and investigating illegal migrant smuggling gangs and, in

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			<p>general, police functions dealing with aliens, refuge, asylum and immigration.</p> <ul style="list-style-type: none"> - The Civil Guard holds competencies related with protecting and keeping surveillance over land routes, coasts, borders, ports, airports and centres and installations which due to their significance so require. <p>Q2. None of the functions concerning alien affairs and borders are carried out by civilian staff.</p>
	Sweden	Yes	<p>Q1: In Sweden, the “Boarder Police” carries out the border control function.</p> <p>Q2: In Sweden, no functions of an immigration office or boarder guard are carried out by any “civilian contactors”. The Police (including the “Boarder Police”) are responsible for these matters: The Central Boarder Control Unit within the Police manage Swedish boarder control matters with aim to (amongst other matters) prevent illegal trade/business, illegal migration and trafficking. Within the National Police Board, the Central Boarder Control Unit is responsible for matters concerning Aliens Law and coordinates it’s national work in this field with the Police Authorities (pursuant to the Police Act, each county constitutes a police district), the Swedish Migration Board, the Swedish Customs and the Swedish Coast Guard.</p>
	United Kingdom	Yes	<p>Q1. The UK Border Agency employs civilians to carry out its tasks. It was formed in 2008 and brings together the work previously carried out by the Border and Immigration Agency, customs detection work at the border from Her Majesty's Revenue & Customs, and UK Visa Services from the Foreign & Commonwealth Office.</p> <p>Q2. The UK Border Agency outsources a small part of its immigration workload in the fields of detention, escorting, interception (freight search and dog handling teams) and entry clearance.</p>
