



EUROPEAN COMMISSION



DIRECTORATE-GENERAL FOR MIGRATION  
AND HOME AFFAIRS

## TERMS OF REFERENCE

between

**the Directorate-General for Migration and Home Affairs of the European  
Commission**

and

**the European Border and Coast Guard Agency**

regarding

**the role of the European Border and Coast Guard Agency in the parts of the  
Framework Programme for Research and Innovation which relate to border  
security**

The Directorate-General for Migration and Home Affairs of the European Commission, represented for the purposes of signing these Terms of Reference by Ms Monique PARIAT, Director General of Directorate-General for Migration and Home Affairs (hereinafter referred to as 'DG HOME') and the European Border and Coast Guard Agency, represented by Mr Fabrice LEGGERI, Executive Director (hereinafter referred to as the 'Agency'; DG HOME and the Agency are hereinafter also collectively referred to as 'the Parties'), considering

- the European Border and Coast Guard Regulation<sup>1</sup> (hereinafter the 'Regulation'), in particular Article 66(1) and (2) thereof<sup>2</sup>;
- the Regulation (EU) No 1291/2013 of the European Parliament and of the Council, of 11 December 2013, establishing Horizon 2020 - the Framework Programme for Research and Innovation (2014-2020)<sup>3</sup>;

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<sup>1</sup> Regulation (EU) 2019/1896 of the European Parliament and the Council of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624 (OJ L 295, 14.11.2019, p. 1-131).

<sup>2</sup> The present terms of reference are without prejudice to Article 66(3) of the Regulation and do not constitute a delegation of powers as referred to in that provision.

<sup>3</sup> Regulation (EU) No 1291/2013 of the European Parliament and of the Council of 11 December 2013 establishing Horizon 2020 - the Framework Programme for Research and Innovation (2014-2020) and repealing Decision No 1982/2006/EC (OJ L 347, 20.12.2013, p. 104-173).

- the Agency's key understanding of and expertise on the standards, requirements and capability needs of the European border and coast guard community, and its coordination role on the capability needs assessment and development plan for the European border and coast guard community, which includes the end users of border security research outcomes;
- effective and efficient border management being based, among other aspects, on the timely identification, development and deployment of the capabilities required to perform border management tasks;
- that the Agency implements European integrated border management as a shared responsibility of the Agency and of the national authorities responsible for border management, including coast guards to the extent that they carry out maritime border surveillance operations and any other border control tasks, within the Agency's mandate of Regulation 2019/1896;
- that capability development is part of the integrated planning of the European Border and Coast Guard, in line with Regulation 2019/1896, in particular Article 9 thereof, research and innovation being one important contributor to the capability development process;
- that DG HOME manages the security research part of the main funding instrument for research and innovation in Europe – the Framework Programme for Research and Innovation – Horizon 2020 (2014-2020) and Horizon Europe (2021-2027),

have agreed on the following, in order to strengthen the involvement of the Agency in EU-funded security research and innovation, particularly in relation to border security research and innovation.

## 1. Purpose

- (1) These terms of reference aim to strengthen the cooperation between DG HOME and the Agency in the area of research and innovation relevant to European integrated border management.
- (2) These terms of reference will render the implementation of relevant parts of the Framework Programmes for Research and Innovation (Horizon 2020 and Horizon Europe) more effective, particularly those related to border security, and provide foundations to facilitate the uptake of results of research, to be supported by other instruments.
- (3) In order for research and innovation to give a meaningful contribution to the capability development process, the relevant community of practitioners under the coordination of the Agency should provide orientation and steer research by:
  - (a) identifying research activities addressing capability gaps;
  - (b) translating capability gaps into requirements for solutions to be researched;

- (c) contributing to the development of solutions by facilitating their operational testing and validation;
- (d) monitoring the outcomes of research and assessing their continued operational relevance;
- (e) disseminating and exploiting successful results, thus facilitating their market uptake and deployment;
- (f) providing feedback of research results into the wider capability development process, thus leading to the achievement of targeted capabilities and the fulfilment of associated user requirements.

As research and innovation in border security becomes a primary area of work for the Agency, the Agency will assign the necessary resources in order to fulfil that role.

## **2. Roles and responsibilities**

- (1) The Agency will assist DG HOME in the implementation (including the programming, monitoring and support of results uptake) of relevant parts of Union framework programmes for research and innovation, focusing in particular on border security research.
- (2) The Agency's activities under these terms of reference do not affect the responsibilities of the Research Executive Agency<sup>4</sup> in managing grant agreements, in coordinating the evaluation and review workflows and, in general, administrative supervision.
- (3) The Commission remains responsible for the implementation of the Framework Programmes for Research and Innovation.
- (4) When implementing their roles and responsibilities, the Parties may seek the scientific contribution of the Joint Research Centre – the European Commission's science and knowledge service.
- (5) The following specific roles and responsibilities are performed by the Parties:
  - (a) As part of research programming, the Agency identifies and elaborates inputs to DG HOME for border security research themes.

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<sup>4</sup> Defined by Commission Decision (2008/46/EC) of 14 December 2007 setting up the 'Research Executive Agency' for the management of certain areas of the specific Community programmes People, Capacities and Cooperation in the field of research in application of Council Regulation (EC) No 58/2003.

DG HOME, assisted by the Agency, identifies key research themes, consults the Programme Committee, and elaborates the final draft of the research work programmes.

Synergies with other EU programmes and policies as well as across the Multiannual Financial Framework (MFF) will be considered as appropriate.

- (b) As part of research proposal evaluation, the Agency, when indicated by DG HOME, makes available experts from its own staff to take part in the evaluations relevant for border security research proposals.

The Agency also consults competent authorities in Member States in order to assess whether qualified experts are available and able to participate in the evaluation process.

The Agency manages a pool of evaluators to guarantee a good level of expertise available.

DG HOME informs the Agency on final funding decisions for projects, based on the conclusions of the evaluation process.

- (c) As part of monitoring of border security research projects, the Agency organises regular workshops with the project representatives and the European border and coast guard community.

The Agency holds meetings to check the continued relevance of border security research activities taking into account the capability planning process, and provide advice and support progress and results.

The Agency appoints relevant staff members to supervise the operational relevance of the projects, acting as liaison between the research projects, DG HOME and the European border and coast guard community.

The Agency will gather and relay technical and operational feedback to the research projects, contribute to disseminate project results to the relevant communities, and for selected projects facilitate the integration of project developments with the Agency's operational activities and events, participate and advise on projects' tests/trials/workshops/conferences, facilitate the projects' tests/trials in the operational environment, identify overlaps or synergies with other initiatives to the extent possible, and liaise with Project Officers (from DG HOME and the Research Executive Agency) responsible for the research projects.

Using the Agency's reporting tools or based on any other reporting agreement established with the Agency, DG HOME receives feedback on the monitoring activities of the Agency.

As part of border security research project review, the Agency contributes to the border security research projects progress review process, making available experts when indicated by DG HOME.

The experts assess the border security research projects' deliverables/evolution and provide advice on how the project has progressed with regard to the initial objectives and work plan, deliverables and milestones, planned and used resources, management procedures and methods, the expected potential impact in technological and operational terms, and the plans for exploitation and dissemination of results.

- (d) The Agency ensures that the outcome of the relevant research activities is taken into account in the capability planning process of the European Border and Coast Guard.

### 3. Points of contact

The Parties' designated contact points to facilitate the most efficient implementation of the present terms of reference are:

For DG HOME, the Unit in charge of innovation and industry for security.

For the Agency, the Unit in charge of research and innovation.

These terms of reference will apply as of signature by both Parties.

The terms of reference are signed in two originals in English.

For the **European Border and Coast  
Guard Agency**

Fabrice LEGGERI  
Executive Director

[date, place of signature]

05/02/2020, Warsaw

For the **Directorate-General for  
Migration and Home Affairs of the  
European Commission**

Monique PARIAT  
Director-General

[date, place of signature]

05/02/2020, Warsaw