

GUARDIA CIVIL BORDER MANAGEMENT STRATEGY



28th February, 2023

**BORDER AND MARITIME
POLICE COMMAND**

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FOREWORD BY THE GENERAL DIRECTOR OF THE GUARDIA CIVIL

Guardia Civil was created almost 179 years ago as a security force of a military nature and with a markedly national character, with the clear purpose of making the Public Administration, the State, present in any corner of Spain. Already at that time, there was another force similar in nature, deployment and idiosyncrasy, but different in purpose, as it focused on safeguarding the treasury and borders. This force was called the Carabineros del Reino (Royal Carabineers), and became the successor of the original Real Cuerpo de Carabineros de Costas y Fronteras (Royal Corps of Coast and Frontier Carabineers), created in 1829.



- María Gámez Gámez-

The two forces, each within its own scope or purpose, ran in parallel until 1940, when they merged, integrating the fiscal, customs and border guard functions into those of the Guardia Civil, in some cases taking over the deployment and infrastructures used for this purpose by the Royal Carabineers Force.

Since then, the daily service of the members of the Guardia Civil has included the functions of protection of the State's economic interest, support for customs actions, border inspection and surveillance and, incipiently, control activities at airports and ports, which were inextricably linked to their daily work as law enforcement forces.

This symbiosis of functions and tasks became the Guardia Civil 's "first special branch", which was followed by many others, based on its model of success and experience. Of particular relevance, in this area, is the creation of the Maritime Service, which is based on the distribution of powers that Organic Law 2/1986, of March 13, on Security Forces and Corps, entrusts Guard Civil and which includes the territorial waters; or the recent creation of the Customs Police and Borders special Branch.

The Guardia Civil's Strategic Architecture, with the Institutional Strategy 2030 as the keystone and the Guardia Civil's Strategic Plan 2021-2024, includes border control, management of irregular migratory flows and customs and fiscal protection as one of its priorities. In this way, the framework established in the Ministry of the Interior's 2030 Security Model is being developed in the search for "safe environments", where the priority of security and control must be balanced with the benefits of orderly migration, which is necessary for the growth of countries, especially in the current scenario of low birth rate and ageing of the population, characteristic of developed countries such as Spain.

All of this, in an increasingly global and interconnected environment, where Spain assumes an important responsibility as a border of the European Union,

responding in this sense to the obligations derived from a common and integrated management of the EU borders.

It is against this backdrop that this Strategy was born, consolidating the Guardia Civil's commitment to face the new challenges from a comprehensive and all-encompassing approach, with a firm commitment to coordination and collaboration with all stakeholders.

GUARDIA CIVIL GENERAL DIRECTOR

María Gámez Gámez

PROLOGUE

At present, the risks and threats that traditionally affect the area of borders have worsened as a result of the international context, characterised by different conflicts that have an impact on the security of the European Union; by rapid population growth, especially in the less developed areas of the planet, having reached 8 billion inhabitants on the planet in 2022; by climate change, which will be an important driving force in relation to migratory flows; by terrorism, and the risk it poses to infrastructures and the challenge it represents for the control of migratory flows; by the growing threat of cross-border organised crime, as well as cyber threats; or by economic crime or crimes related to tax fraud.

Also, many new developments have taken place in recent years within the regulatory and strategic area, such as, among others, the approval of **Regulation 1896/2019** on the European Border and Coast Guard, which is established as the first armed and uniformed European force, with the aim of reaching **10,000 members by 2027**; the legal obligation, derived from art. 9 of the aforementioned Regulation, to develop an **integrated planning process** at national level through operational plans, contingency plans and capability development plans; the approval in 2019, by the FRONTEX Agency, of the **Technical and Operational Strategy for Integrated European Border Management**; the creation in 2020, within the Guardia Civil, of the Border and Maritime Police Command; the approval, in March 2021, of the **Guardia Civil's Strategic Plan (2021-2024)**, which focusses one of its strategic lines of action to border control, flow management and fiscal protection; the approval of the **National Security Strategy** on 28 December 2021, including two lines of action directly related to the border area.

Therefore, there are many reasons why it is advisable for the Guardia Civil to review its corporate strategy in the area of borders at this time, in order to adapt it to the strategic context, to the national and supranational applicable regulations, and to the current organisational structure of Guardia Civil. It includes **4 strategic lines of action** and **6 strategic objectives** that should guide the Institution in the next 4 years of the document.

In short, the approval of this strategy should serve to strengthen the role of Guardia Civil as the main actor at the national level in the border area and to advance in the objective of fulfilling, in the most effective and efficient way, the missions that the current regulations assign to the Guardia Civil in this area.

BORDER AND MARITIME POLICE COMMAND

GLOSSARY

- **CCOE:** Coordination Centre for the management of irregular migration in the Strait of Gibraltar, Alboran Sea and nearby waters.
- **CCRC:** Regional Coordination Centre for the management of irregular migration in the Canary Islands Sector
- **CECORVIGMAR:** Guardia Civil's Maritime Surveillance Coordination Centre
- **CIRAM:** Common Integrated Risk Analysis Model
- **CRVME:** Regional Centre for Maritime Surveillance - Strait of Gibraltar.
- **CRVMM:** Regional Centre for Maritime Surveillance – Mediterranean.
- **DGRIE:** General Directorate for International Relations and Foreigners' Affairs
- **ESN 2021:** National Security Strategy 2021
- **EUROSUR:** European Border Surveillance System
- **FRONTEX:** European Border and Coast Guard Agency
- **EBCG:** European Border and Coast Guard
- **EIBM** European Integrated Border Management
- **IBM:** Integrated Border Management
- **JO:** Joint Operation
- **NCC:** National Coordination Centre
- **SES:** State Secretariat for Security
- **SIVE:** Integrated External Surveillance System
- **TO EIBM** Technical and Operational Strategy for European Integrated Border Management
- **UAV:** Unmanned Aerial Vehicle
- **UE:** European Union
- **UCAIFF:** Central Unit for Fiscal, Customs and Border Analysis and Investigation
- **UNESEV:** National In-Flight Security Escort Unit

INTRODUCTION

Integrated Border Management (IBM) is a concept with a long history within the European Union (EU) since the launch of the Tampere Programme in 1999, and is considered to be one of the cornerstones of the European area of freedom, security and justice.

Since then there have been many developments at EU level, leading to the current strategic context of **European Integrated Border Management (EIBM)**. The legal and policy frameworks for the EIBM have been set out in a number of documents issued by the European institutions under Article 77¹ of the Treaty of Lisbon.

Art. 8.4 of the European Border and Coast Guard Regulation (EU) 2019/1896 establishes that “*the Commission shall prepare a policy document developing a **multi annual strategic policy** for European integrated border management*”. On the other hand, Article 8.5 establishes that “In order to implement the multi annual strategic policy for European integrated border management, the Agency (FRONTEX) shall (...) establish a **technical and operational** strategy for European integrated border management.”

Article 9 of this Regulation establishes that, on the basis of the multi annual strategic policy cycle for European integrated border management, the European Border and Coast Guard (**EBCG**) shall establish an integrated planning process for border management, including operational planning, contingency planning and capability development planning processes. At a national level, contingency plans and capacity development plans adapted to our borders and based on scenarios that are derived from risk analysis shall be adopted. All this shall be in line with national integrated border management strategies.

In compliance with the above-mentioned provisions of Regulation 2019/1896, the Management Board of the FRONTEX Agency published in May 2019 the **Technical and Operational Strategy for European Integrated Border**



¹ Article 77.1.c: “*The Union shall develop a policy with a view to (...) the gradual introduction of an integrated management system for external borders*”

Management (TO EIBM Strategy). The aim of the TO EIBM strategy is the full operation of the EIBM at European and national level being its mission to enhance the strengths and mitigate the weaknesses associated with the management of the EU's external borders and, at the same time, to prepare for future challenges.

The strategy also aims to ensure the long-term efficiency of the EBCG as a multi-level entity, enabling it to cope with rapid changes and dynamic situations at the external borders.

Spain, through the Directorate General for International Relations and Foreigners' Affairs (DGRIE) of the State Secretariat for Security (SES), and in compliance with the provisions of the TO EIBM, prepared a first draft of the IBM national strategy in 2019, which was subsequently positively assessed by the Commission and is currently under review.

On the other hand, at a national level, the recently **approved National Security Strategy 2021** (ESN 2021) recognises among its 16 areas of interest the management of migratory flows, maintaining the line of the previous Strategy of 2017. In particular, it foresees two lines of action in the field of border management:

- Line of Action 23, related to the establishment of a comprehensive and collaborative information system that allows for timely knowledge of the flows, the resources committed to their management, as well as the needs identified.
- Line of Action 24, relating to the strengthening of relations and agreements with countries of origin and transit.



With regard to the Guardia Civil's responsibilities, on 31 March 2022, the Director General of the Guardia Civil approved the Institutional Strategy of the Guardia Civil.

This strategic document replaces and renews the previous 2017 edition. Its name, "**Institutional Strategy 2030**", represents the alignment of our Institution's objectives with the Sustainable Development Goals approved at the United Nations Summit held in New York in September 2015, included in the Agenda entitled "*Transforming our world: the 2030 Agenda for Sustainable Development*". This publication also defines the "strategic architecture" of our Institution:

"The "strategic architecture" is the coordinated set of different elements that shape and contribute to the strategic activity of the Guardia Civil. This hierarchical block of corporate strategy starts from the so-called "Institutional Strategy", considered the keystone of the Force's strategic system". (Institutional Strategy 2030, page 5)

Within the conception of this architecture, specific actions are envisaged for the development of the "Institutional Strategy 2030" by each of the units with the status of General Sub-Directorate, with specific plans that contribute in each area to the fulfilment of the institutional strategic objectives.

The operational aspect of the Institutional Strategy is developed and specified through the Guardia Civil's Strategic Plan 2021-2024, which, with regard to border management, dedicates one of its strategic lines of action to "**border control, management of irregular migratory flows and customs and fiscal protection of the State**".



Likewise, another of its strategic lines of action is "**infrastructure and transport security**", giving special relevance to the Force's missions and responsibilities in ports and airports.

In this context, the Guardia Civil, under the leadership of the Border and Maritime Police Command, has developed this Strategy for Border Management, with the aim of aligning itself with European and national strategic documents, as well as to serve as a contribution of Guardia Civil, within the scope of its competences, to contribute to and update them, if necessary.

1. **PURPOSE**

The **Guardia Civil Border Management Strategy** is created as a reference document to guide institutional efforts within the area of influence of the Border and Maritime Police Command, within the European and national political and strategic framework, specific to the functions entrusted to the Guardia Civil and its extensive capabilities, which position it as the main police agency in Spain in the management of its borders.

The following actions would therefore be defined:

Establish the necessary **strategic objectives** within the scope of the Guardia Civil's responsibilities in border management, and especially those that Royal Decree 734/2020 entrusts to the Guardia Civil's Border and Maritime Police Command, in line with national and supranational objectives.

This is in **compliance of article 8.6 of Regulation (EU) 1896/2019** on the European Border and Coast Guard, which establishes that “(...) *the Member States shall establish national strategies for European integrated border management through close cooperation between all national authorities responsible for the management of external borders and return. Those national strategies shall be in line with Article 3², the multi annual strategic policy for European integrated border management and the technical and operational strategy.*”

² According to **art. 3 of Regulation (EU) 1896/2019**, European integrated border management shall consist of the following elements: border control; search and rescue operations for persons in distress at sea; analysis of the risks; information exchange and cooperation between Member States; inter-agency cooperation among the national authorities in each Member State; cooperation with third countries; technical and operational measures within the Schengen area; return of third-country nationals; use of state-of-the-art technology; quality control mechanism; solidarity mechanisms.

2. VISION, MISSION AND VALUES

Guardia Civil, as the competent body in the field of border control, contributes to achieving the objectives set by both the integrated Border Management national strategy, particularly the technical and operational strategy of the FRONTEX Agency. Consequently, and perfectly in line with the different strategic documents, the Guardia Civil's border management strategy for border management establishes its:

VISION

Smooth and lawful movement of people, their means of transport and their property, as well as other goods, through secure and functional external borders, in favour of a European area of freedom, security and justice, guaranteeing the maintenance of Spanish ports and airports as secure environments and contributing to the management of irregular immigration flows towards the EU.

MISSION

To guarantee comprehensive security at ports and airports; to carry out the border and customs control activities entrusted to Guardia Civil by the applicable regulations, paying special attention to the fight against cross-border crime, both at border crossings and along the rest of the coasts and borders; to participate in the **control of irregular migratory flows**, and to **protect the State's economic interests**.

VALUES

The service of Guardia Civil in this area is inspired by a culture that promotes **honour, integrity, loyalty, courage, a sense of justice, impartiality and neutrality, responsibility, dignity, a spirit of service and assistance, and professionalism as fundamental values**, as set out in Royal Decree 176/2022 of 4 March, establishing the Code of Practice for the members of the Guardia Civil.

It also shares the principles of respect for human rights, transparency and cooperation with other national and international services in line with the cross-cutting elements set out in the European integrated border management.

3. ELEMENTS OF THE INTEGRATED BORDER MANAGEMENT

With the establishment of **European integrated external border management** as a shared responsibility between the EU and the Member States, it is necessary to refer to Article 3(1) of Regulation (EU) 2019/1896 on the European Border and Coast Guard to identify the specific elements to be incorporated into the Guardia Civil's border management strategy:

1. **Border control**, including measures to facilitate legitimate border crossings and, where appropriate, measures related to the prevention and detection of cross-border crime at the external borders, in particular people smuggling, trafficking in human beings and terrorism.
2. **Fiscal and customs control**, in exercise of the powers of fiscal protection of the State assigned to the Corps, according to the coordination instruments established for this purpose with the customs authority
3. **Search and rescue operations** for persons in distress at sea, that may take place during maritime border surveillance operations.
4. **Risk analysis** regarding EU internal security and analysis of threats that may affect the operation and security of external borders and protection of financial interests.
5. **Information exchange and cooperation between Member States**, and information exchange and information between Member States and the **European Border and Coast Guard Agency**.
6. **Cooperation between national authorities** of each Member State responsible for border control or tasks carried out at the borders.
7. **Cooperation with third countries**, focusing in particular on neighbouring third countries and other countries identified in the risk analysis as countries of origin or transit of irregular migration.
8. **Technical and operational measures within** the Schengen area related to border control and customs police designed to address irregular migration and to better fight cross-border crime.
9. Use of **state-of-the-art technology**, including large-scale information systems, existing and under development.
10. **Quality control** mechanism, in particular the Schengen evaluation process, vulnerability assessment and possible national mechanisms.
11. **Solidarity mechanisms**, in particular EU funding mechanism.

The Regulation also provides the following cross-cutting elements for the implementation of European Integrated Border Management:

- a) The **fundamental rights**;
- b) **Education and training**;
- c) **Research and innovation**;

4. CHARACTERISTICS OF SPANISH BORDERS

The Spanish borders are mostly made up of maritime borders, as a result of the **5,940 kilometres of peninsular coastline**, to which must be added another **910 kilometres of coastline in the Balearic Islands and 1,126 kilometres in the Canary Islands**. Much of this extensive coastline is extremely sensitive to irregular immigration networks due to its proximity to the African coast. The maritime border has **46 ports of general interest, of which 34 are authorised crossing points for external border crossing**.

Moreover, our country is the only EU Member State with land borders on African territory. Specifically, the autonomous cities of **Ceuta and Melilla**, located on the North African coast, **border the Kingdom of Morocco by land for 8 and 10 kilometres respectively**. In addition to these borders, there is the land border separating Morocco from the Peñón de Vélez de la Gomera, located 126 kilometres west of Melilla and 117 airports kilometres south-east of Ceuta, as well as a series of small islands very close to the Moroccan coast but under Spanish sovereignty.

Spain's external borders include the **63.7 kilometre-long Spanish-Andorran border** in the north of the country, historically related to smuggling and illicit trafficking of goods.

Special mention should be made of the external land border of **La Línea de la Concepción**, which is crossed daily by an intense flow of people and vehicles, which is important for tourism and for the economy of the **Campo de Gibraltar region**.

Spain's internal land borders include the Pyrenean border that separates Spain from **France**, which is **656 kilometres** long, and the **Portuguese border** which is **1,214 kilometres** long.

With regard to external air borders, Spain has **43 international airports**.

As a reference of the importance of Spanish ports and airports, it should be noted that in 2019 (the year before the pandemic) more than **275 million** passenger movements took place at **airports** and more than **1,069 million kilograms of goods were transported through them**³. On the other hand, in 2019 more than

³ Data available as of 10 January 2023 from AENA's annual report.

564 million tonnes of goods and 37.6 million passenger movements took place on Spanish ports⁴.

In the case of **airports**, after the significant drop in 2020 caused by the pandemic, and a significant recovery in 2021, passenger traffic data continues recovering and currently represent a differential of less than **-11.47% compared to 2019**. Similarly, with regard to the traffic of **goods**, which recorded smaller falls during the pandemic, after the recovery of 2021 and 2022, the figures are now close to those of 2019, remaining **only -6.47% lower**.

	2019	2020	Variation 19/20	Variation 20/21	2022	Variation 19/22
Passenger s	275,247,387	78,086,081	-72.4%	+57.7%	243,681,775	-11.47%
Goods	1,069,556,565	789,176,762	-26.2%	+26.5%	1,000,356,239	-6.47%

With regard to the traffic of persons and goods through the **ports**, the statistical data of Puertos del Estado are available for the **year 2021**, and those relating to the year 2022 are not yet available. The statistical drops of passengers in 2020 were similar to airports, although the recovery is being slower. With regard to goods, the decrease was notably less than in airports, and after the gradual recovery in the following year, the data for 2021 were already very close to those of 2019, standing at **only -3.56%**. Although there are no final data, 2022 seems to have continued on the path of recovery to a pre-pandemic scenario.

	2019	2020	Variation 2019/2020	2021	Variation 2020/2021	Variation 2019/2021
Passenger s	37,607,000	13,343,000	-64.52%	17,981,000	+34.76%	-52.19%
Goods	564,504,040	515,573,709	-8.67%	544,419,737	+5.6%	-3.56%

5. THREATS AT THE BORDER

The analysis of risks and threats that may affect the functioning or security of external borders is a key element in integrated border management.

At this point we must refer again to the EBCG Regulation where the FRONTEX Agency itself is assigned to carry out strategic, annual and specific risk analysis with the aim of facilitating decision-making at European level and the planning of the Agency's operations and activities at the external borders. Also, reference must be made to the Union Customs Code agreed by Regulation (EU) 952/2013, which establishes on numerous occasions that **customs**

⁴ Data available as of 10 January 2023 from the Anuario estadístico de Puertos del Estado (State Ports Statistical Yearbook).

controls should be based, primarily, on a risk analysis that allows identifying and assessing risks and developing the necessary measures to address them.

At the national level, Chapter 3 of the ESN 2021 establishes the **risks and threats to national security**, many of which are linked to the area of external borders, including those arising from irregular immigration, which directly affect the continuity of the Schengen area, the proliferation of weapons of mass destruction and the risks arising from the diversion and smuggling of dual-use materials, threats to critical infrastructure, possible return of displaced persons to conflict zones to support terrorist groups, vulnerability of maritime domain and aerospace, organised crime and serious crime, including smuggling, drug trafficking and trafficking in arms and wildlife (including endangered species).

Based on these risks defined at national level by the ESN 2021, the Guardia Civil, as the main actor in the border area, draws up its own risk analysis in relation to the risks and threats that particularly affect border security. The **Guardia Civil's border risk analysis**, updated in July 2022 following the European CIRAM (Common Integrated Risk Analysis Model), identifies border threats and groups them into 3 generic areas depending on whether they affect **cross-border crime, irregular immigration or security** on the coasts, ports, airports and border crossings.

5.1. Cross-border crime

Organised crime is a threat identified in the 2021 ESN, characterised by its essentially economic purpose, its transnational nature and its opacity. There is no doubt that **criminal groups have nowadays acquired a significant transnational dimension**, which means that borders are an essential area for expanding their criminal activities. This circumstance, among others, makes the fight against organised crime a priority for the European Union and Spain.

The European Border and Coast Guard Regulation defines the term **cross-border crime** as **any serious crime committed or attempted at, along or in the proximity of the external borders, which adversely affects the security of the external borders**.

As for **trafficking in narcotic drugs and precursors**, in recent years there has been a proliferation of internet-based drug trafficking, mainly at the retail level, involving frequent but small individual shipments.

As regards to **intellectual and industrial property offences**, documentary fraud of origin or travel documents is widely used. On the other hand, in recent years there has been a downward trend in crimes related to the **trafficking of stolen vehicles**, which is attributed to the improvements in the security measures implemented and the measures adopted at the border, but this is not the case with the irregular trade in stolen vehicle parts, which has remained the same.

Environmental crime and crime against endangered species has become a lucrative activity, with a growing trend for organised criminal networks, being strongly linked to other crimes such as document fraud, **corruption or tax evasion**. The **movement of currency and means of payment at borders** continues to be a threat of interest because it is one of the oldest and most basic forms of money laundering, associated with serious crimes, including the financing of terrorism.

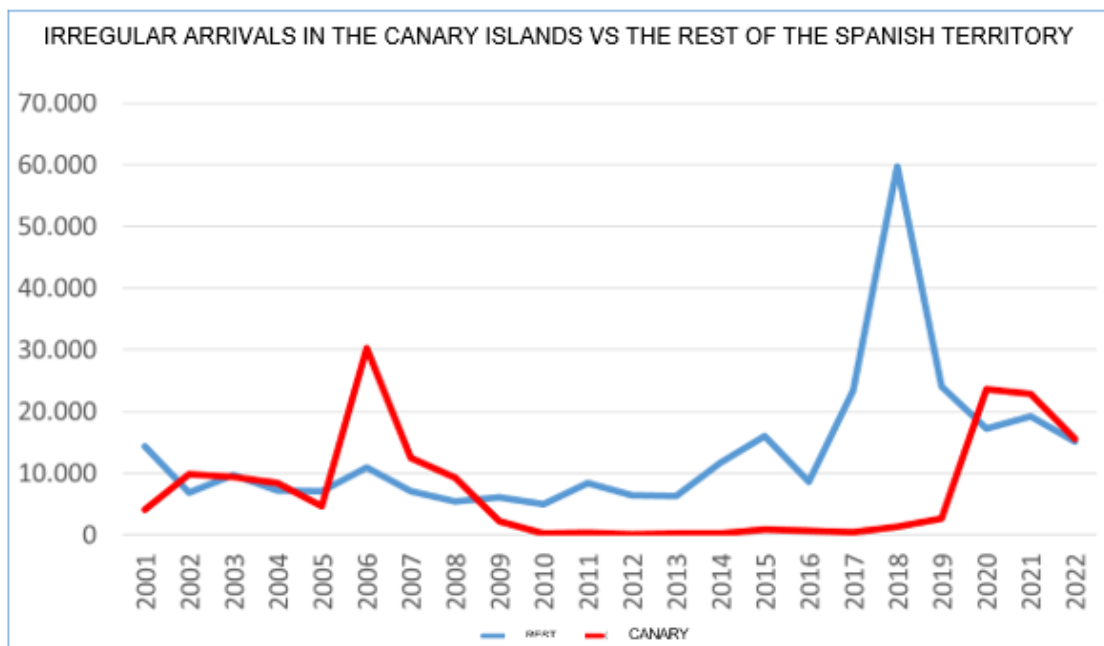
Although **trafficking in weapons and defence and dual-use material** does not represent a serious risk at our borders, as it is not frequently introduced by this means, it should be considered as a threat due to the seriousness of the crime.

In relation to **irregular border crossing by terrorist elements**, ESN 2021 points to the extraordinary cross-border dimension of jihadism, which finds some of its main paradigms in the return of foreign fighters displaced to conflict zones in regular or irregular flows of migrants.

5.2. Irregular immigration

Economic, social and environmental factors, as well as political instability, poverty and conflict, continue to influence global migration trends today. Spain, due to its geostrategic position as an external border of the European Union, is particularly exposed to the challenge posed by migratory flows towards Europe. The threat is defined as the migratory force or pressure acting on external borders and in general terms refers to migration departing from Morocco and Algeria towards the Spanish mainland, the Balearic Islands, Ceuta and Melilla (known by Frontex as the **Western Mediterranean route**) and from Morocco, Mauritania, Senegal and Gambia to the Canary Islands (or the **Western African route**).

With regard to Spain itself, the following chart shows the evolution of immigrant arrivals over the last 20 years. In this period, the major surge in 2006 of arrivals of immigrant boats in Canary Islands, known as 'crisis de los cayucos' (41,180 arrivals), and the record reached in 2018, especially affecting the peninsular territory (61,018 arrivals), stand out for their relevance. In the last **year 2022 there have been 30,686 arrivals** which consolidates the downward trend since 2018.



Arrivals of immigrants in Spain 2001-2022

Source: Risk Analysis Unit – Guardia Civil

In the last five years, Spain has become one of the main countries of entry for irregular migration. In particular, over the last two years, **migratory pressure on the West African route** to the Canary Islands has increased sharply, leading to a significant increase in the number of irregular migrants detected on these islands. On the other hand, migratory pressure on Spain from the Western Mediterranean route from the northern coast of Morocco and Algeria, although still high, has decreased in recent years. However, serious extraordinary situations have occurred on an ad hoc basis, showing that the border situation can be altered overnight at the whim of sudden geopolitical changes.

5.3. Security of air and maritime transportation.

In the area of security and infrastructure protection at national ports and airports, which falls within Guardia Civil's remit, one of the identified threats affecting these facilities and infrastructures, their users and means of transport are **sabotage acts** and **terrorist attacks**. There are multiple factors linked to the intent of this type of acts, although most can be linked to the *soft target* status of infrastructure and means of transport.

In addition, the worrying proliferation of the **misuse of unmanned aerial vehicles** in the airport environment has become a real threat, as their mere presence can paralyse air traffic, when they are not used as a **vector of attack for terrorist actions** against transport infrastructures.

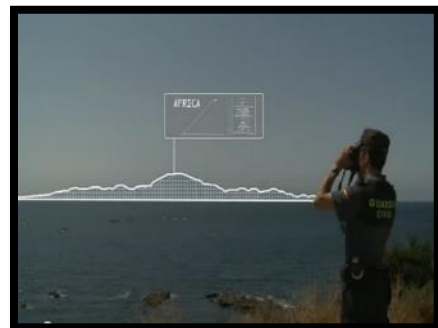
The **risk of aircraft hijacking** cannot be ruled out, given its social and media impact, and which, in its maximum expression, may come to constitute the so-called "renegade" threat, as in the case of the 9/11 terrorist attacks.

Finally, it is worth mentioning a new *modus operandi* that combines the risks associated with irregular immigration with those of civil aviation security. These are known as *aviones-patera*, flights between third countries in which, taking advantage of an emergency landing on national territory due to a health alert that turns out to be simulated, part of the passenger enters the country irregularly.

6. STRUCTURE AND CAPABILITIES OF THE GUARDIA CIVIL IN THE FIELD OF BORDER MANAGEMENT

Current legislation entrusts the Guardia Civil with the missions and responsibilities derived from its status as **tax and customs police, maritime and border police**, as well as being responsible for **public security at ports and airports**, and maintaining its status as **judicial and administrative police** in those areas, becoming the main police agency **directly responsible for border management in Spain**.

Article 11.2.b) of Organic Law 2/1986 on State Law Enforcement Forces grants the Guardia Civil exclusive jurisdiction over the territorial sea. Furthermore, according to Art. 12.1.B.d), Guardia Civil is responsible for the custody of coasts, borders, ports and airports. Therefore, according to the national regulations in force, **the Guardia Civil in Spain is responsible, in exclusivity, for border surveillance**, as defined in the Schengen Borders Code, which is primarily aimed to prevent unauthorised border crossings, to counter cross-border criminality and to take measures against persons who have crossed the border illegally.



With regard to border checks, according to Organic Law 2/1986, National Police is responsible for controlling the entry and exit of nationals and foreigners from the national territory (art. 12.A.b) and administrative regime related to aliens, refuge and asylum, extradition, expulsion, migration and immigration (art. 12.A.c). Therefore, this police force is responsible for the control of persons at border crossing points, as well as the control of their travel documents. On the other hand, **Guardia Civil has exclusive responsibility for the State's tax protection and the prosecution of smuggling (art. 12.1.B.b)**. In this regard, and taking into account the different terminologies existing in the different countries, it is important to clarify that the concept of tax protection encompasses

all activities dedicated to protecting the economic interests of public administrations. It therefore covers both customs control functions and actions aimed at preventing and prosecuting smuggling and tax fraud. Regarding European regulations, it is in article 46 of the Union Customs Code approved by Regulation (EU) 952/2013, which establishes that "The customs authorities may carry out any customs controls they deem necessary. Customs controls may in particular consist of examining goods [...] inspecting the means of transport, inspecting luggage and other goods carried by or on persons..."

Consequently, the Guardia Civil carries out the ordinary inspection of **accompanied goods and means of transport of travellers, as well as the inspection of goods crossing the external borders**, carrying out these one-stop inspections ("one-stop-shop") under the authority of the local customs administration, making the border inspection of the Border Code⁵ coincide with the customs inspection of the Union Customs Code⁶.



To carry out this activity, Guardia Civil has set up a strong specialised structure.

⁵ Regulation (EU) 2016/399 of the European Parliament and of the Council, the Schengen Borders Code, contains in Article 2, inter alia, the following definitions: - **Border control**: the activity carried out at a border, in accordance with and for the purposes of this Regulation, in response exclusively to an intention to cross or the act of crossing that border, regardless of any other consideration, consisting of **border checks** and **border surveillance**; - border checks: the checks carried out at border crossing points, to ensure that persons, including their means of transport and the objects in their possession, may be authorised to enter the territory of the Member States or authorised to leave it; - Border surveillance: the surveillance of borders between border crossing points and the surveillance of border crossing points outside the fixed opening hours, in order to prevent persons from circumventing border checks; - **Border crossing point**: any crossing-point authorised by the competent authorities for the crossing of external borders.

⁶ Regulation (EU) 952/2013, of the European Parliament and of the Council, which approves the Union Customs Code, states in its article 47 that " Where, in respect of the same goods, controls other than customs controls are to be performed by competent authorities other than the customs authorities, customs authorities shall, in close cooperation with those other authorities, endeavour to have those controls performed, wherever possible, at the same time and place as customs controls (one-stop-shop), with customs authorities having the coordinating role in achieving this."

In 2020, the Government of Spain deemed it necessary to create the **Border and Maritime Police Command**, thus providing Guardia Civil, at the highest organic level, with the figure in charge of coordinating and leading the execution of the Guardia Civil's responsibilities in border and customs police and fiscal protection matters.

In addition, in the same year 2020, the **two coordination authorities** that currently exist to deal with irregular immigration in the Canary Islands and in the area of the Strait of Gibraltar, the Alboran Sea and adjacent waters were unified under the responsibility of a single authority - the Lieutenant General Head of the Border and Maritime Police Command -.

The Border and Maritime Police Command comprises the following departments:

a) The **Border and Customs Police Command**, responsible for organising and managing the fiscal protection of the State's economic interests, as well as the custody, control and surveillance of coasts, borders, ports, airports and maritime spaces under Spanish sovereignty, and within this field, the control of the irregular immigration.

The Border and Customs Police Command is organised into units and functional areas to carry out the aforementioned tasks, among them: SIVE Office (Integrated External Surveillance System), Central Analysis and Investigation Unit for Borders and Customs (UCAIFF), Office for FRONTEX relations, National In-Flight Security Unit (UNESEV), Central Unit for Unmanned Aerial Vehicles and light aircraft Control (Pegaso Central Unit), for policing the Aeronautical and Operational Security Management).

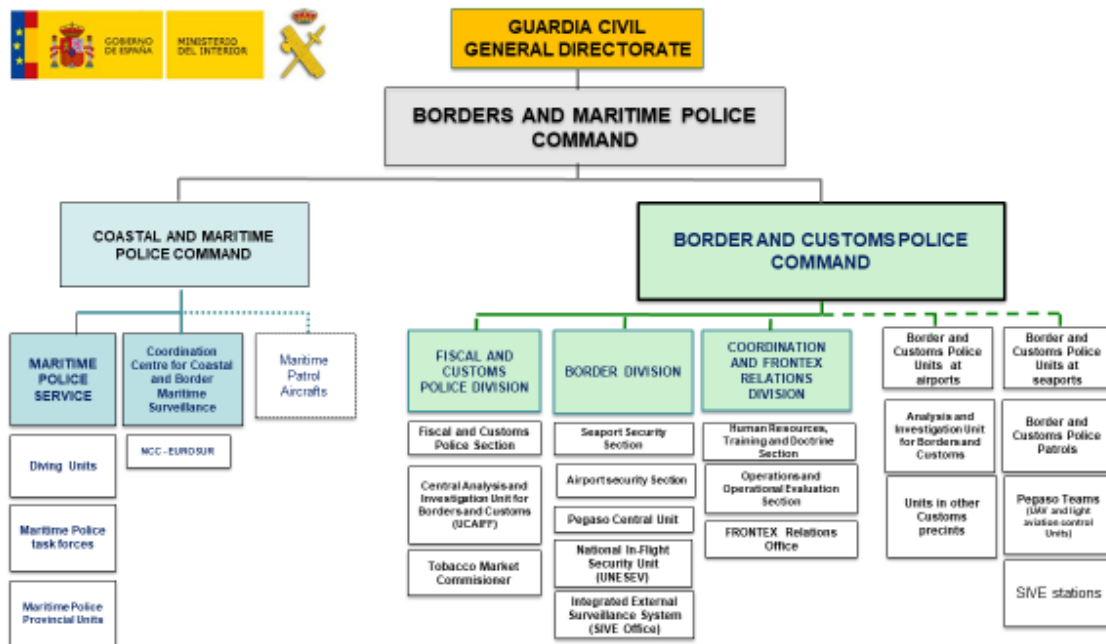
b) The **Coastal and Maritime Police Command**, which is responsible for the national coordination of the maritime operations entrusted to it, including the direction and coordination of the operational activities of the European Border and Coast Guard led by the Guardia Civil on national territory, as well as hosting Spain's National Coordination Centre (NCC) in EUROSUR. According to General Instruction number 1/2021 of 10th February, on the modifications of the General Headquarters of the Guardia Civil:

- The **Maritime Police Units**, whose specific mission is to exercise the functions corresponding to the Guardia Civil in Spanish territorial waters and continental waters, including activities in the underwater environment, and in particular maritime surveillance, the fight against smuggling and the control of irregular immigration in this area.
- **Coordination Centre for Coastal and Border Maritime Surveillance** (CECORVIGMAR).

In addition, the Coastal and Maritime Police Commander exercises functional direction over the Regional Centres for Maritime Surveillance of Coasts and Borders, over the specific Coordination Centres for dealing with irregular immigration in execution of the functions provided for in the Agreements of the Cabinet of ministers. To perform these duties also the Guardia Civil's maritime

surveillance aircrafts are managed by the Coastal and Maritime Police Commander.

With functional and technical dependence on these Commanders, the Guardia Civil has a field deployment that provides Guardia Civil with a strength of around **10,000 specialist officers dedicated permanently to border management**.



Organisational structure of the Border and Maritime Police Command

Source: Guardia Civil

In addition to the above specialised structure, other units and services of the Guardia Civil contribute to the corporate response within the scope of this Strategy. They are briefly explained below:

The Deputy Director for Operations (DAO), through the Operations Commander (MOPS) as the main authority of its structure, has all the capabilities of the field units of the Guardia Civil to support the tasks of the Border and Maritime Police Command, complementing its response with the investigative capabilities (irregular immigration networks and organised groups dedicated to trafficking, among others) provided by the Intelligence and the Criminal Investigation Commands.

The coordination, planning and promotion of the integrated response of all the operational units of both Commanders (Deputy Director for Operations and

Border and Maritime Police Commander) is ensured through the Guardia Civil General Staff.

The International Cooperation Secretariat (SECI), which reports also to Deputy Director for Operations, supports and channels, where appropriate, initiatives and activities of an international nature, ensuring the alignment in this area of the efforts made by the different units of the Guardia Civil, especially within the framework of the EU.

The Logistics and Support Commander (MAPO), through its dependent units, contributes to sustaining and, if necessary, expanding the resources and capabilities of the Guardia Civil's operational structure in integrated border management. In this sense, it is key to obtaining and implementing both budgetary and extra-budgetary funds derived from external funds, including EU funds and, in particular, those linked to borders.

The Human Resources Commander (MAPER), through its dependent units, contributes to the management and training of personnel dedicated to border management, favouring adequate coverage of the operational units. It also provides support in training and specialisation aspects, both in-house and external, including international actions in this field, especially those derived from the EU.

The Technical Cabinet, as the direct support body for the General Director, assists her/him in ensuring the alignment of the different activities described above, in particular in all the aspects of an institutional nature, as well as public communication activities and relations with other actors, if appropriate.

7. LINES OF ACTION AND STRATEGIC OBJECTIVES

In order to achieve the Mission defined in this *Guardia Civil Strategy for Border Management* and in perfect alignment with the Guardia Civil Strategic Plan 2021-2024, **four strategic lines of action in the field of border management have been defined:**

- Strengthening Guardia Civil's role as the major national actor in the control of land, sea and air borders.
- Taking part in the integrated European management of the external borders responding to migratory challenges, risks and threats at the external borders and contributing to the detection, prevention and fight against cross-border criminality.
- Exercising the State's fiscal protection powers.
- Providing security to the critical infrastructures in ports and airports, and the security of coasts and maritime areas where Spain exercises sovereignty.

In order to achieve these general objectives, the following **six strategic objectives** have been identified:

7.1. Integrated Planning Process.

Establishing an integrated planning process, aligned with the European Integrated Border Management Framework, by developing the integrated border management planning process including operational, contingency and capacity building planning together with quality control and operational evaluation mechanisms.

7.2. Improving organisational structure, training and capacity building development planning.

Improving the organisational structure, training and the development of capabilities of the units, personnel and resources dedicated to border management, providing them with an efficient, flexible and adequately sized territorial structure to face the multiple and changing threats that affect our borders; maintaining land, naval and air capabilities for the control and management of irregular immigration, cross-border crime, customs policing and fiscal protection of the State, and the custody and security of ports and airports; in particular, improving and strengthening the SIVE and the Pegaso teams for the control of unmanned aerial equipment and light aviation, as well as the capabilities of inflight-security (UNESEV), and committing to technological innovation; reinforcing the specialisation of personnel dedicated to border management, all in accordance with common and harmonised curricula at European level.

7.3. Effectiveness and efficiency in border management.

Exercising effectively and efficiently the functions and tasks entrusted to Guardia Civil in the area of border management, reinforcing preventive measures as the national Customs Police, the custody, control and surveillance of the coasts and borders, ports, airports and maritime areas in which Spain exercises sovereignty and, in this area, the control of irregular immigration, as well as the detection of illegal activities, particularly those related to cross-border criminality, improving the capacity for analysis and investigation.

7.4. Implementation of the European Border and Coast Guard.

Contributing decisively to the launching and implementation of the European Border and Coast Guard, and in particular to the establishment of its Standing Corps, both with human and material resources, as well as in providing expertise and knowledge for the development of training activities as a sign of the shared responsibility between the Agency and the national authorities responsible for border management.

7.5. Coordinated border management response.

Ensuring a coordinated national border management response by fostering inter-agency liaison and work and achieving an adequate representation of Guardia Civil in national and international bodies and fora. This facilitates the integration of the efforts and capacities of all the actors and available means, promoting coordination and information exchange mechanisms, reinforcing the capacities of the National Coordination Centre in the EUROSUR network and taking advantage of the technical and operational capacities of the network of the national and the regional Guardia Civil centres for maritime surveillance of coasts and borders, as well as the coordination, supervision, monitoring and management activities entrusted to the Border and Maritime Police Commander in its capacity as Coordination Authority for dealing with irregular immigration in the Canary Islands and in the Strait of Gibraltar, the Alboran Sea and adjacent waters.

7.6. Cooperation with neighbouring and third countries.

Ensuring and strengthening cooperation with neighbouring countries and third countries with shared interests in the field of border management by implementing measures in countries of origin and transit of irregular migration, including cooperation and exchange of information with these countries, the deployment of seconded officers, providing training and technical assistance programmes, carrying out joint maritime, air, land and river patrols, as well as through the exchange of experiences and best practices.

8. APPROVAL, VALIDITY AND REVIEW

This strategy shall be approved by the Guardia Civil General Director, and shall be **valid for 4 years**.

A technical committee, composed of representatives of the Technical Cabinet, the Human Resources and the Logistics and Support Commands, the Border and Customs Police and the Coastal and Maritime Police Commands, as well as the General Staff will **review this document in the first quarter of each calendar year**, in order to evaluate its implementation and assess whether there are any subsequent circumstances that make require its modification.

Likewise, it will be reviewed when new institutional, national or supranational strategies of a higher scope are approved, if appropriate, as this might affect its content.