

European Border Surveillance System (Eurosur)

2011/0427(COD) - 12/09/2018 - Follow-up document

The Commission presented a report on the evaluation of the European border surveillance system (EUROSUR) established by Regulation (EU) No 1052/2013.

EUROSUR provides a common framework for the exchange of information and for the cooperation between Member States' border surveillance authorities and the European Border and Coast Guard Agency (Frontex). The EUROSUR framework has been operational since 2 December 2013. Its aim is to detect, prevent and combat illegal immigration and cross-border crime, thereby contributing to the protection of migrants' lives and saving their lives. It also aims to strengthen the capacity to react at the external borders of the Member States.

In order to take into account the full implementation of the Regulation on the European Border and Coast Guard adopted on 14 September 2016 and its impact on EUROSUR, the EUROSUR evaluation, initially scheduled for December 2016, has been postponed to September 2018.

State of play of implementation: the report notes that, in general, the implementation of the EUROSUR framework, which includes both a governance framework and an information exchange system, has been carried out in accordance with the provisions of the Regulation.

All Member States have set up their national coordination centres as a focal point for border surveillance at national level, usually operating on 24/7 basis as well as a national situational picture of their border situation, sharing border incidents and analytical reports. They also informed the Commission of their cooperation with neighbouring third countries.

The Agency currently provides thirteen EUROSUR fusion services. These services provide high value-added information services to all national coordination centres via the EUROSUR communication network and directly to joint operations coordinated by the Agency.

Findings of the evaluation: the main conclusions of the report are as follows:

- EUROSUR is **relevant** to prevent illegal immigration and combat cross-border crime. In several cases, the information exchanged via EUROSUR with the Agency and between Member States prevented cases of smuggling of drugs, weapons, cigarettes and other illicit goods as well as of human beings and led to apprehending the smugglers who were then brought to court. EUROSUR has directly contributed to saving the lives of hundreds of migrants by first detecting them at sea and triggering search and rescue mechanisms;
- the EUROSUR framework is **effective** in promoting information exchange and cooperation. The creation of national coordination centres has brought added value by improving the interagency cooperation and information exchange at national and regional level, with neighbouring Member States and with the Agency;
- the costs of implementing EUROSUR, which are borne by national budgets, EU funding instruments and the Agency, are estimated at around **EUR 130 million** and are well below the EUR 208 million estimated in the impact assessment accompanying the 2011 legislative proposal on EUROSUR. EUROSUR has contributed to enforcing synergies at the European level, thus limiting costs at the national level;
- EUROSUR fosters synergies and therefore **coherence** with other policies: it promotes operational cooperation with other actors in areas such as maritime affairs, security and customs control, fisheries control and civil/military cooperation;
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the **European added value** of EUROSUR is fully recognised by the EU community in the field of border management. Removing the EUROSUR framework is not conceivable since most Member States now depend on it for border surveillance.

Possible improvements: although the EUROSUR framework has made progress in achieving its objectives, its functioning could be improved. The Commission shall accompany its report with a proposal to amend the EUROSUR Regulation and to include EUROSUR in the proposal amending the European Border and Coast Guard Regulation.

The proposed amendment of the EUROSUR Regulation may lead to the following improvements.

(1) As regards its functioning, from a system, EUROSUR should evolve into a governance framework encouraging information exchange and cooperation at national, regional and European level, as well as with third parties. This implies:

- reinforcing and clarifying the role and competencies of national coordination centres;
- improving EUROSUR's **governance** by better defining the roles and responsibilities of the various actors in order to improve information exchange and build trust among stakeholders;
- the reduction of technical requirements through innovative and more efficient implementation of information exchange solutions;
- the use of EUROSUR's fusion services: EUROSUR should allow the rapid deployment of new services (such as multi-purpose aerial surveillance) while ensuring compliance with fundamental rights and data protection requirements.

(2) The scope of the Regulation may be gradually extended to cover several aspects of border management:

- the systematic inclusion of border checks at border crossing points;
- air border surveillance to the extent that new criminal activities are based on the use of small aircraft, including remotely piloted aircraft systems for the smuggling of drugs and cigarettes;
- improving the coherence of the framework for information exchange and cooperation with third countries;
- the definition of a common framework for integrated border management, including the monitoring of secondary movements.

It should be noted that the **Fundamental Rights Agency** has suggested several possible developments of EUROSUR such as the inclusion of specific clauses according to which the agreement must be applied in accordance with fundamental rights, in full respect of the principle of non-refoulement and reflecting the core data protection safeguards in future agreements with third countries.