

The new role of Frontex in the Coast Guard functions


During the debate, panellists discussed how the regulations introduced in October 2016 have strengthened the role of Frontex and made its operations more effective during the implementation of coast guard functions. This includes interactions with other European Union agencies such as the European Fisheries Control Agency (EFCA) and the European Maritime Safety Agency (EMSA), as well as cooperation with national authorities that carry out maritime border management.


Moderator Dan Thorell, Director of International Affairs at the Swedish Coast Guard, started the discussion by giving an overview of the Swedish coast guard authorities. Every country has its own solution when it comes to Coast Guard functions, Mr Thorell said. In Sweden, for example, it is a multi-purpose, independent organisation that is not a police force, or customs, or navy, but has related responsibilities. Mr Thorell pointed out that there are more than 300 organisations with Coast Guard functions in Europe. Many of them have common interests and work together not only with Frontex, EFCA and EMSA, but also with other agencies and organisations within the EU. Not many Coast Guard functions can be talked about from a national perspective; almost all have an international dimension or a global perspective. The biggest challenge for authorities with Coast Guard functions in Europe, including Frontex, EMSA and EFCA, will be to establish cross-border cooperation, according to Thorell.

Ana Jorge, Head of the Joint Operations Unit at Frontex, said that with the unprecedented migratory flows in the past few years, there is a clear need to streamline Frontex's interactions with other EU agencies, as well as military structures and national Coast Guard authorities. After the new regulations were introduced in October 2016, Frontex has a mandate that clearly defines its role and competencies in terms of coast guard functions, which apart from fighting irregular migration and human smuggling also includes cross-border criminality and fighting terrorism. Frontex has been operational in the maritime domain already since 2006, while implementing joint maritime operations to address migratory challenges at that time in the Atlantic Ocean and Mediterranean Sea.

With its new mandate, Frontex increased its visibility at sea, especially while providing support to Member States' authorities carrying out coast guard functions, in cooperation with EMSA and EFCA. "We have a clear mandate that we have a role at sea and that we have to cooperate with Member States and other agencies in this area," Ms Jorge said. She also pointed out that under the new regulations Frontex is required to put efforts in search and rescue operations. In 2016, Frontex was involved in saving more than 90,000 lives during two sea operations, Poseidon and Triton; it also contributed to the arrest of 1,000 suspected human smugglers and the seizure of 96 tonnes of drugs, as well as detection of other cross-border crime.

Next, Patrick Augier, France's Deputy Secretary General for the Sea, made a brief presentation on how seven institutions with coast guard functions interact in his home country and how they exchange information among themselves and with





external institutions like Frontex, EFCA and EMSA. "To work at sea effectively we have to exchange information between a Member State and all EU agencies. It's a real challenge to work together," he said. "One of the challenges is to build one network and put a Member State at the centre of the network, because you have to transfer many responsibilities, such as arrests of suspected criminals, to a Member State."

Juan Santos Vara, holder of the Jean Monnet Chair in EU External Action at the University of Salamanca, pointed out that despite the new legislation and the new role to be performed by Frontex, the Agency's coast guard function is still a less developed dimension of the new regulations. "The regulations related to coast-guarding are not clear in my opinion, and the Coast Guard function is to a large extent in the name of Frontex, but flesh is still lacking." Even though Frontex, EFCA and EMSA have signed an agreement to work together in the maritime environment, some regulations are vague and problematic, as nobody seems to know what they imply in practice, Mr Vara said. Moreover, the rules for Frontex's cooperation with the military as well as for search and rescue operations are not clearly regulated in the new legislation, according to Mr Vara.

In conclusion, Mr Thorell, the moderator, pointed out that following changes to the Frontex Regulations, national legislation will remain an important factor during joint coast guarding operations. "You always need to rely on the national legislation when you appoint responsible authorities, even if the joint operations are coordinated by EU agencies," said Mr Thorell.