



Brussels, 11 March 2024

Dear Sir, Madam,

The European Commission's Directorate-General for Migration and Home Affairs (DG HOME) has commissioned two feasibility studies on the use of information on maritime and land travel for law enforcement purposes.

This initiative was requested by the Member States during the discussions held in the Council on the Proposals for Regulations establishing rules for the collection and transfer of Advance Passenger Information by air transport operators, with a view to close an existing security gap with EU's internal security system in relation to **travel data on other modes of transport**.

The **objectives** of these studies are to gather information on the criminal and border management landscape by land and sea, to map existing gaps and law enforcement needs in relation to this type of cross-border travel data and ultimately to identify and evaluate any available policy option.

ICF was awarded the contract for carrying out those studies. Please find here attached DG HOME's accreditation letters providing more information.

As part of our research, **one online survey on maritime** and **one online survey on rail and road** are open to collect data from those national authorities competent for the collection, processing and use of travellers' data.

The surveys can be responded to by clicking on the following links :

- maritime : https://ec.europa.eu/eusurvey/runner/travelers_data
- land : <https://tiny.cc/RRsurvey>

Please note that each survey should ideally be filled in by multiple national authorities (those who may be responsible, at national level, to collect, process and use such information). A non-exhaustive list of such authorities in your Member State or Schengen Associated Country would cover:

- law enforcement authorities, including passenger information units, customs authorities, national security authorities;
- border control/security authorities;
- for *maritime only* : competent authority acting as national coordinator pursuant to Article 18 of Regulation 2019/1239 (European Maritime Single Window environment).

Each survey contains a request for responding authority to nominate **interview respondents** to possible follow-up questions. A **file on statistical data** to be shared with the ICF study teams is also available in the *land survey*. We kindly ask the respondents to finalise and validate by:

- **01 April 2024**, the replies to the surveys, and interviewees contact information; and
- **15 April 2024**, the statistical file.

Instructions for the submission of the responses to the online surveys and the statistical file are available on the introductory pages of the online surveys.

Please take note that all the information received in the context of the study will be treated confidentially, and only be used for the purpose for which it was requested. Moreover, only aggregated results will be presented in the Study reports.

The European Commission, HOME-TRAVELINFO@ec.europa.eu, the Study Teams for land, pass_info_study@icf.com, and the one for maritime maritime.travel.info@wavestone.com remain available should you have any questions.

Best wishes,

ICF lead



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MIGRATION AND HOME AFFAIRS

Directorate D – Internal Security
D.1 – Law Enforcement Cooperation

Subject: Study on harmonising reporting obligations of travellers' data on maritime transport, with a view to use such data for law enforcement purposes

Reference: Service contract No 72 in the context of the framework contract HOME/2018/ISFB/PR/EVAL/0017 Lot 2 Security

Dear Sir, / Dear Madam,

The European Commission, Directorate General for Migration and Home Affairs has contracted ICF, Wavestone S.A. and Unisys, to execute a "Study on harmonising reporting obligations of travellers' data on maritime transport, with a view to use such data for law enforcement purposes".

A lack of harmonisation at EU level exists when it comes to information regarding travellers on certain maritime routes for security purposes. Several Member States of the EU have adopted internal legislation that require the reporting of such information in a diverse manner, while others have signalled that they intend to do so in the near future.

For this reason, the Commission announced in the 2023 State of Schengen Report that it would carry out a study on maritime data and on the law enforcement needs to identify possible and proportionate options to harmonise the collection, transfer, and processing of personal information on travellers of different types of maritime transport, travelling from, to, and within the European Union and the Schengen Area.

The objective of this Study is to understand how safety and security prior to, during, and after a maritime journey can be improved by making use of the information on maritime travellers collected and/or transferred by maritime operators to national authorities in the context of existing reporting obligations, in full respect of the 'only-once' principle as established by international and Union law. To attain this goal, the Study comprises various types of data gathering activities, including: literature review, in-depth interviews, online surveys, workshops and other consultation initiatives with relevant stakeholders.

Access by the consultants to relevant actors and to their information, insights and experience is vital for the success of this Study and to ensure that any possible policy initiative duly takes into account the views of the maritime sector. Therefore, I very much count on your commitment to collaborate and facilitate their work. Your support will contribute to the production of a high-quality report, which would be of use for the Commission when assessing the feasibility and necessity of harmonising the rules on the collection and/or transfer of maritime travellers' data to competent authorities of the Member States for law enforcement purposes.

A separate privacy statement explains how your personal data, if collected in relation to the above, will be processed and what rights you have as a data subject according to valid data protection legislation. If you have any questions, please do not hesitate to contact at Wavestone Ms Eleonora Zoboli (eleonora.zoboli@wavestone.com).

We thank you in advance for the valuable time you dedicate to supporting our work.

Yours sincerely,



Rob Rozenburg
Head of Unit



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MIGRATION AND HOME AFFAIRS

Directorate D – Internal Security
D.1 – Law Enforcement Cooperation

Brussels
HOME.D.1.002/NG

Subject: Feasibility study on harmonizing the access to information related to cross-border travels taking place via road or rail for law enforcement purposes

Ref.: HOME-2022-ISF-TF1-FW-EVA2-0096, service contract n° 73

Dear Sir, / Dear Madam,

I am pleased to confirm that ICF, BearingPoint and Unisys have been awarded by the European Commission in January 2024 a service contract to provide support on a feasibility study on harmonizing the access to information related to cross-border travels taking place via road or rail, and the use of such information for law enforcement purposes.

The study will have to assess:

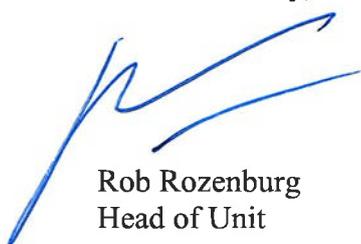
- the use of information on travels made via road or rail, for law enforcement purposes,
- the collection, the processing and the sharing practices of transport and infrastructure operators on such information

The study will consider the following possible impacts: territorial, economic, social impacts, and environmental.

I would appreciate if you could support ICF, BearingPoint and Unisys in this context, and respond to their queries at your earliest convenience. For any further questions, please do not hesitate to contact our services, in particular Mr Nicolas Goniak nicolas.goniak@ec.europa.eu, policy officer in my unit.

Thank you in advance for your cooperation.

Yours faithfully,



Rob Rozenburg
Head of Unit