



MERCRO



**The sea at the crossroad: the legal repercussions of the
superposition of legal regimes on the effectivity of the police at sea**

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THE ANR

THE FRENCH NATIONAL RESEARCH AGENCY



- ANR provides funding for project-based research
- ANR funds project-based research in all science fields (both basic and applied research) through an internationally compliant competitive peer review process; grant recipients include public research organisations, universities, and companies big and small.



THE MERCRO PROJECT

THE PROJECT

- MERCRO is a research project (basic research) in international law.
- It answers to part B9 of the ANR « plan of action » dedicated to « European Security and freedom, of its citizens and residents ». Sub category I.1 : Basic research
 - ❖ Starting hypothesis
 - ❖ Research methodology
 - ❖ Expected results

STARTING HYPOTHESIS

- ❖ The sea has become, for Europe, a major security challenge.
- ❖ The law of the sea is built on a sectorial basis, leading to a multiplicity of legal regimes. The superposition of these regimes can affect the effectivity of the police at sea.
- ❖ The research is also sectorial. A great number of legal studies and research have focused on one aspect of these general challenge:
 - Migrations,
 - Crimes at sea
 - Preservation of the environment
- ❖ BUT this studies remain sectorial and do not apprehend the the maritime phenomenon as a whole. Yet, these sectorial and fragmented approach cannot be sufficient anymore. The project is thus aiming at decartmentalising and breaking down barriers between the different approaches.
- ❖ WHY? Because the existence of several layers of regulation at sea is making the organisation of the police at sea very complex. This complexity impairs both the efficiency of the police operations and the protections of the rights and freedoms of individuals at sea.

THE METHODOLOGY

The project will follow a methodology in 3 steps:

- ❖ **PHASE 1: Mapping of all relevant international rules**
 - Identification of all relevant rules of international law applicable to police operations at sea.
 - Drafting of a synthetic chart
- ❖ **PHASE 2: Evaluation by working groups of the impact of the superposition of these rules on the police at sea**
 - This work has to be made in cooperation with practitioners
- ❖ **I suggest 3 working groups:**
 - Impact assessment on the right of visit
 - Impact assessment on the transfer and prosecution of suspects
 - Impact assessment of human rights
- ❖ **PHASE 3: Publication of recommendations**
 - Including proposals to remedy to legal issues identified during phase 2.

THE OBJECTIVES

DRAFTING OF PROPOSALS AND RECOMMENDATIONS AND SCIENTIFIC PUBLICATIONS

❖ Scientific publications:

- Two books following two international conferences
- Articles published by the Post-doc or the PhD student

❖ Dissemination (practitioners, stakeholders, scientific community) of:

- Report and synthetic chart (phase 1)
- Final recommendations (phase 3)

PROVISIONAL TIMETABLE

TASKS	Year 1 : 2019												Year 2 : 2020												Year 3 : 2021													
	M1	M2	M3	M4	M5	M6	M7	M8	M9	M10	M11	M12	M13	M14	M15	M16	M17	M18	M19	M20	M21	M22	M23	M24	M25	M26	M27	M28	M29	M30	M31	M32	M33	M34	M35	M36		
1. Coordination																																						
1.1 drafting and adoption of the internal rules of the Project																																						
1.2 Scientific and financial report																																						
1.3 Contacts with relevant institutions																																						
1.4 Establishing working groups																																						
1.5 Final report																																						
1.6 Recruitment of the PhD student																																						
1.7 Recruitment of the Post-doc																																						
1.8 Recruitment of the temporary non-contractual staff																																						
2. Internal and external communication																																						
2.1 establishment of an internal communication platform																																						
2.2 Establishment of a network for the diffusion of the Restults of the Project																																						
2.3 Organisation of a mid-term international conference																																						
2.4 Organisation of the final conference																																						
2.5 Scientific publication of an article in an international review																																						
PHASE 1 : COLLECTING DATA																																						
3. Identification and collection of international existing rules																																						
3.1 Establishment of the Questionnaire																																						
3.2 Drafting of the report and the synthetic chart																																						
PHASE 2 : EVALUATION																																						
4. Evaluation of the legal repercussions of the superposition of legal regimes on the right of visit																																						
4.1. Drafting of a mid-term report																																						
5. Evaluation of the legal repercussions of the superposition of legal regimes on the transfer of suspects and the prosecutions																																						
5.1 Drafting of a mid-term report																																						
6. Evaluation of the legal repercussions of the superposition of legal regimes on the protection of human rights																																						
6.1 Drafting of a mid-term report																																						
PHASE 3 : PROPOSALS																																						
7. Proposals of legal solutions																																						
7.1 Drafting of recommandations																																						