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EU Restructures EMSA:

Sharpening Its Maritime Situational Awareness Role

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Regulation (EU) 2025/2434 of the European Parliament and of the Council of 26 November 2025 on the European Maritime Safety Agency and repealing Regulation (EC) No 1406/2002 (EMSA Regulation) restructures the European Maritime Safety Agency (EMSA). Published in the Official Journal on 29 December 2025, it enters into force on the twentieth day after publication.[1]

Although many of EMSA's technical systems predate this reform, the EMSA Regulation gives a sharper legal basis for continuous maritime situational awareness, including a 24/7 centre whose outputs may support sanctions implementation (Article 8(4)(e)) and a stated focus on suspicious ship-to-ship transfers and Automatic Identification System (AIS) interference. Shipowners, charterers, traders, insurers and other maritime service providers may therefore see more structured information sharing, and more targeted questions around higher-risk movements and data anomalies.

Why This Matters in Practice

Recent developments in the shipping market illustrate why European regulators are placing renewed emphasis on the integrity of vessel-tracking data, and on the enabling services that can allow higher-risk trades to pass through ordinary commercial channels. A network of tankers moving sanctioned Iranian and Russian oil has been linked to insurance arrangements connected with a small insurer headquartered in New Zealand (NZ), Maritime Mutual, with the practical consequence that coverage of this kind may assist vessels in meeting insurance expectations associated with port access and routine trade. This is a reminder that, in addition to vessel movements, sanctions-evasion risk assessments frequently focus on enabling services such as insurance and documentation, because those services can be decisive in converting an opaque trade into an apparently conventional one.[2]

Separately, increasingly sophisticated AIS spoofing has been observed in connection with ship-to-ship transfers in the Gulf of Oman, with the effect that activity that would ordinarily be detectable through standard tracking signals may be concealed or mischaracterised by manipulated positional data. This kind of information-integrity challenge helps explain why the EU has prioritised a policy and institutional framework built around maritime situational awareness and analytical services, rather than one that assumes that conventional tracking data will, of itself, reveal higher-risk conduct.[3]

These factual illustrations do not define the legal scope of EMSA's powers; rather, they show the operational conduct, namely hidden ship-to-ship transfers and deliberate data manipulation, for which the EMSA Regulation's situational-awareness and restrictive-measures support framework is intended to strengthen the capacity of competent authorities to detect, contextualise and assess risk.

Legal Analysis

From a novelty perspective, the EMSA Regulation is better understood as a formal upgrade and reorganisation of an existing toolkit than as the creation of a new enforcement body. Many of EMSA's core technical functions and information systems were already anchored in Regulation (EC) No 1406/2002 establishing a European Maritime Safety Agency (2002 EMSA Regulation).[4]

The key change is not that EMSA suddenly acquires policing powers; the EMSA Regulation continues to frame its work as technical and operational support, delivered "on request" and "without prejudice" to Member State responsibilities as flag, port and coastal States. Instead, the reform strengthens how maritime monitoring and analysis are organised and described, and it makes certain politically sensitive use cases more explicit.

Most notably, the EMSA Regulation expressly links EMSA's 24/7 situational-awareness outputs to the implementation of EU restrictive measures (i.e. sanctions), by listing that purpose among the centre's support functions (Article 8(4)(e)). This provides an explicit legal foundation for using maritime situational awareness and analytics to support sanctions implementation alongside traditional safety and environmental purposes.

Even with that explicit mandate, the 24/7 centre itself is best read as an expansion and formalisation of capabilities already being developed. The European Commission (Commission) impact assessment for the 2023 proposal described a "24/7 Maritime Awareness Centre" as an expanded version of EMSA's existing Maritime Support Services and warned that, without round-the-clock operation, some crisis signals, including a possible sanctions violation, could be detected only after the fact.[5]

1 Regulation (EU) 2025/2434 of the European Parliament and of the Council of 26 November 2025 on the European Maritime Safety Agency and repealing Regulation (EC) No 1406/2002, OJ L (29 December 2025).

2 Reuters, Iran, Russia and the New Zealand insurer that kept their sanctioned oil flowing (28 October 2025).

3 Lloyd's List, Advanced spoofing hides Russian oil transfers in Gulf of Oman (5 September 2025).

4 Regulation (EC) No 1406/2002 of the European Parliament and of the Council of 27 June 2002 establishing a European Maritime Safety Agency (consolidated version, 1 March 2013).

5 Commission Staff Working Document (SWD(2023) 147 final), Impact Assessment accompanying the proposal for a Regulation revising Regulation (EC) No 1406/2002 (1 June 2023).

The EMSA Regulation also brings "shadow fleet" risk explicitly into the EU's situational-awareness narrative. Recital 21 refers to monitoring and notification of suspicious ship-to-ship transfers and to incidents of illegal interference with, or disabling of, shipborne AIS, with information exchange facilitated via SafeSeaNet; it frames this support as helping coastal Member States address the "dark/shadow fleet" as defined in the International Maritime Organization (IMO) Assembly Resolution A.1192(33) adopted on 6 December 2023.[6]

Cybersecurity is another area where the EMSA Regulation adds express language. It introduces a specific task for EMSA to assist the Commission and Member States, on request, by facilitating exchanges of best practices and information on cyber resilience and cybersecurity incidents (Article 7(2)), and it requires EMSA to take cybersecurity into account when developing IT tools or technical solutions within its remit (Article 9(4)).

Consistent with this evolution, EMSA's Consolidated Annual Activity Report 2023 described the provision of "early warnings" to Member States when vessels potentially subject to sanctions call the EU ports and referred to the piloting of an "AI Maritime Awareness" component within Integrated Maritime Services. The EMSA Regulation can therefore be seen as giving firmer footing, and a clearer audience, to analytical outputs that were already being explored in practice.[7]

By contrast, several high-visibility capabilities highlighted in the reform are better understood as codification or reframing. EMSA's operation of SafeSeaNet and the EU Long-Range Identification and Tracking (LRIT) Data Centre, and its ability to provide vessel-positioning and Earth-observation data to competent authorities, were already part of the preexisting mandate. The EMSA Regulation also retains the flag-state consent condition for certain LRIT information sharing, and it preserves the core idea that EMSA supports, rather than replaces, national decision-making.

Finally, the EMSA Regulation elevates decarbonisation and greenhouse-gas reduction into a more prominent objective set alongside maritime safety, security and environmental protection.

Practical Consequences for Operators

For commercial operators, the near-term change is less about new enforcement powers and more about information. As EMSA's situational-awareness services become more continuous and more closely linked to the implementation of sanctions, competent authorities may have access to a more integrated picture of vessel movements and related risk indicators, potentially prompting earlier inquiries or requests for clarification.

Conduct that can draw attention includes higher-risk ship-to-ship transfers, unusual gaps or inconsistencies in AIS data, and rapid shifts in flag or ownership that make attribution harder, particularly when coupled with insurance or documentation arrangements that sit alongside sanctions-evasion concerns.

Important limits remain. EMSA is still a support agency, and the EMSA Regulation repeatedly ties its operational assistance to requests from the Commission, Member States or other competent EU bodies, while insisting that it operates "without prejudice" to national responsibilities. Downstream enforcement intensity may therefore continue to vary between jurisdictions, and the existing LRIT data-sharing condition of flag-state consent can constrain information flows in precisely the cases where opaque registries and frequent reflagging are part of the risk profile.

In practical terms, operators may wish to review how they document voyage history and cargo movements, how they manage AIS integrity and incident reporting, and how they conduct risk-based due diligence on counterparties and service providers, including insurers. Clear internal escalation and record-keeping protocols around potential ship-to-ship transfers and data anomalies are likely to become more valuable as monitoring and information-sharing mature.

How We Can Help

An international law firm with a dedicated international trade and sanctions practice can help clients translate this institutional reform into practical risk controls. Our support can include targeted sanctions and maritime-risk assessments, reviews of screening and documentation processes, and transactional guidance for charters, sales and insurance placements where heightened indicators are present.

Where questions arise, whether from counterparties, financiers, insurers or competent authorities, we can support privilege-protected internal reviews, help prepare clear narratives and supporting evidence, and advise on engagement strategies with authorities. We also assist with remediation programs that strengthen governance around AIS anomalies, ship-to-ship transfer controls, and escalation and record-keeping practices.

6 IMO Assembly Resolution A.1192(33), "Urging Member States and all relevant stakeholders to promote actions to prevent illegal operations in the maritime sector by the 'dark fleet' or 'shadow fleet'" (adopted 6 December 2023).

7 European Maritime Safety Agency, Consolidated Annual Activity Report 2023 (published July 5, 2024).

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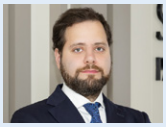

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