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DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES  
MEDITERRANEAN AND BLACK SEA  
MARITIME POLICY MEDITERRANEAN AND BLACK SEA

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MARE MSEG – SURVEILLANCE 3

**Subject: Third meeting of the Commission's Member States Experts Sub-Group on the integration of maritime surveillance (MSEG), held in Albert Borchette on 16 June 2010.**

### Meeting Report

#### **1. Participation**

The meeting was chaired by Mrs Fabrizia Benini, Head of Unit MARE/D1 Mediterranean and Black Sea within the European Commission's DG Maritime Affairs and Fisheries (MARE). Attendance from Member States and EU institutions was high, with around 80 participants in total. Most MSs were represented (apart from BG, CY, SL, EE, SK, CZ), typically by two or three representatives from Transport, Defence and Interior Ministries or their Permanent Representations. Additionally the main capitals sent also their RP representatives at the CMP/COPS. The European Defence Agency, the Wise Pen Team (the 5 Admirals having produced a report on Maritime surveillance in support of CSDP), Europol, ESA, FRONTEX, EMSA, EEA, REMPEC and the Commission's services - DGs JLS, MOVE, RELEX, ENTR, INFSO, DIGIT and JRC also took part in the meeting.

#### **2. Meeting purpose**

The meeting's purpose was to continue the discussions initiated during the second MSEG meeting of 21 April 2010, on the basis of a revised *discussion paper* outlining a draft Roadmap towards the Common Information Sharing Environment for the EU maritime domain. This revised paper has been agreed within the Commission's Interservice Sub-Group on maritime surveillance, taking into account MS comments on the first draft presented and discussed on 21 April. It is recalled that during that meeting, all Member States had provided full general support to the first draft of the discussion paper, including on the timing of the proposed steps. Apart from MS reactions to the revised draft of the Roadmap, the meeting was also focused on the promotion of civil/military

cooperation; several presentations have been made in the afternoon session for this purpose.

### 3. Discussion

#### *3.1. Morning session – Draft Roadmap for the establishment of the Common Information Sharing Environment (CISE)*

The changes introduced to the first draft of the Roadmap were depicted on screen in track changes. A very lively discussion on the draft took place, where Member States expressed their overall support to the step-by-step approach outlined in the draft Roadmap but there were substantive requests for modifications. The main contentious issue is how the pilot projects should influence the Roadmap both in terms of technical architecture and approach. Discussions were also lively on the composition of the Technical Advisory group (still to be set up under the Administrative Agreement between MARE and the Joint Research Center) and how it could provide input to the Roadmap. There is unanimous agreement amongst participants that the Roadmap should reflect the Council conclusions that require it to remain open to changes that will emerge from the pilot projects. More specifically:

##### **3.1.1. General comments and comments on the Introduction and Overview of the draft Roadmap**

**Italy** reiterated its position that the objectives of the integration exercise should be properly determined and the military community properly involved in it.

**Poland** referred to the need to accommodate existing models, infrastructure and standards existing in Member States on data exchange.

Responding to these comments, **the Commission** stressed that the objectives have been set by means of the October 2009 Communication and a specific guiding principle is about civil/military cooperation. Moreover, the contribution of the all relevant DGs in the draft Roadmap reflects the need to take all sectoral interests into account, together with the cooperation with the EDA and the Wise Pen team. It also recalled the work already carried out in cooperation with the Council General Secretariat in mapping out existing initiatives in 2008 and the mapping exercise to be carried out under step 2.

**Spain** requested the insertion of new text highlighting the relevance of the Internal Security Strategy adopted by the Council in February 2010 and the connection with the External Security Strategy.

**Norway** requested new wording ensuring that the integration does not exclude non-EU Member States, for this purpose specific reference will be made to EEA countries.

**Italy**, supported by **France** and **Frontex** questioned the 300 gross tonnage of ships as being a valid limitation for defining common needs of user communities, speaking in favour of covering the real needs of user communities (i.e. maritime situational awareness) through reliable data, instead of defining needs according to what systems

(namely SafeSeaNet) can offer. Such position is connected with the centralised approach of SSN, which is not endorsed by Member States in the context of the CISE. The **Commission** recalled that this is the scope of existing maritime traffic EU legislation, without however determining the architecture of the CISE. Apart from this, specific needs of the User Communities are covered in the subsequent section of the introductory part of the draft Roadmap.

**Sweden** asked for new wording reflecting the specific needs of the maritime transport community; this will be covered by a clearer reference to trade facilitation amongst the integration objectives.

The **Netherlands** underlined once again the need to ensure coherence with sectoral developments, especially in the maritime traffic field, stressing that such developments should follow the fundamental decisions on the CISE concept. This delegation also requested further information in the next MSEG meeting on the use of satellites for surveillance purposes, in particular on the cooperation between ESA and EMSA in this field. **Italy**, in support of NL, added that sectoral technological developments should not interfere with the attribution of competences at national level. **The Commission** agreed that a key issue in this exercise will be to ensure coherence by accommodating rather than holding back different speeds of development in sectoral fields.

### **3.1.2. Comments on Steps 1 and 2 of the Draft Roadmap**

The proposal of the **Netherlands** to introduce a table describing the functions carried out by the User Communities to be identified under Step 1 was accepted by the Member States. The same delegation questioned why the fight against terrorism and other hostile activities, as a function for the defence authorities, should be limited to the outside the EU area. The **Commission** responded that this is a prescription of the Treaty of Lisbon, while inside the EU it would qualify as a law enforcement function.

Another proposal by **the Netherlands** to redraft the maritime safety function, so as to correspond to tasks carried out by national authorities under IMO Conventions other than SOLAS and to relevant EU legislation was also accepted by the MSEG.

Under Step 2, which is about data mapping and gap analysis, **Romania** requested that the corresponding actions should also be done at regional context, apart from EU and national. This proposal was accepted by the sub-group. The rest of the discussion under this step was engrossed by the Technical Advisory Group (TAG) which, it is recalled, is to be established under the Administrative Agreement between DG MARE and the Commission's Joint Research Center to carry out specific tasks under several steps of the Roadmap. In the case of this particular step, the TAG will provide a data pattern for the User Communities and the MSEG to carry out the data mapping exercise.

### **3.1.3. Influence of pilot projects BluemassMed and Marsuno and Technical Advisory Group**

As mentioned before, there was lively discussion on the influence of the above pilot projects and on the composition of the Group. The Commission explained that the Group would be composed of 20 knowledgeable representatives of the User Communities, selected by themselves in the sectoral Working Groups, aiming not at creating the CISE

but at providing expertise enabling decision making and materialisation of the Roadmap steps.

While the **Netherlands** spoke in favour of an expert profile rather than technical as suitable for the TAG, **Italy and France** showed a clear preference the work towards the CISE to be based mostly on the results of the pilot projects, which will also provide technical solutions for interoperability, rather than on the work of the TAG. **Spain** was also supportive of this idea.

**France** further stressed that the results of the pilot projects should be integrated in the Roadmap. This delegation emphasised that the necessary time should be given to elaborate on the technical considerations in the frame of the BluemassMed pilot project. On the basis of the obtained results, a technical proposal will be delivered by the end 2011.

**Italy**, in support of the French intervention, underlined that the political basis for the Roadmap and the integration of maritime surveillance in general should derive from the ongoing pilot projects. It also recalled that within the same project a demo is foreseen, which will illustrate the architecture of the technical aspects.

**Finland**, on the other hand, spoke in favour of a TAG as capable of solving problems, in contrast to a rather theoretical debate that does not promote the objective of integration.

The **Commission** emphasised once more that the TAG will not be a decision-making body but will present its work to the MSEG and the sectoral working groups, while in parallel taking stock of the work and the results of the pilot projects before formulating any proposals. According to the Commission, the TAG will ensure that the focus remain on a decentralised system for which the Member States have opted. Moreover, this TAG will interlink the theoretical approach with the practical one.<sup>1</sup> It also expressed its concerns about the delay such decision would bring about for the integration process, because the pilot projects will not have provided their results before the end 2011.

For this purpose, it proposed to provide for the next meeting a discussion paper detailing the composition and work to be done by the TAG. Moreover, the paragraph on the pilot projects will be reintroduced in the Introductory part of the draft Roadmap, stressing their role in the integration of surveillance, along with relevant preparatory actions, such as the legal study 2008 on surveillance data and external input, such as that of the Wise Pen. The discussion on those issues will continue during the next meeting of the MSEG on 12 July, where a presentation of the work carried in the pilot projects will be made to the MSEG.

#### **3.1.4. A flexible Roadmap**

**France**, supported by **Sweden and Spain**, positioned itself towards a flexible Roadmap and a living document, which will need to be revised according to the evolutions in the different sectoral areas and the results of the pilot projects. The latter is however clearly written in the Council Conclusions, which requested a revision of the Roadmap to take specifically into account the results of the pilot projects.

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<sup>1</sup> Under Step 3 for example, the TAG will propose the data classification levels for the users to attribute their data

### ***3.2. Afternoon session – Presentations relevant to civil/military cooperation and sectoral developments***

The afternoon was dedicated to reflect on civil/military cooperation. The **EDA Wise Pen Team** presented the report on Maritime surveillance in support of CSDP, highlighting the recommendations made therein, in particular the replacement of need to know principle by need (or even responsibility) to share, the importance of agreed definitions to enable common understanding, the supporting/supported role between civ/mil authorities, the recommendation that EMSA joins the MSSIS and the regional cooperation potential in integrating surveillance. They further provided examples of what the navies can offer towards maritime situational awareness.

The **EDA** representative presented their PT-MARSUR project (on defence and security). He explained the project's Common Staff Target (what is to be achieved), i.e. a new capability to enable a coherent maritime picture, based on existing surveillance systems, to support CSDP maritime operations. This is to be achieved through an open architecture and a decentralized system layout, which essentially fulfils the integrated maritime surveillance requirements and is conceptually interoperable with other systems. The EDA is now at the third phase of the project, which includes a demonstration of the ability to exchange the data model defined under the previous phase (2<sup>nd</sup> study).

**DG JLS** shared some first reflections of the civilian perspective of civil-military cooperation in the EU maritime domain, its foundations being traced in the October 2009 Communication on maritime surveillance. It was stressed that a two directional information exchange, already tested in the Marsuno pilot project, will be mutually beneficial for creating user defined situational awareness (or RMP in the military language), while the approach to be followed for data exchange (centralised or decentralised) would depend on the nature and corresponding classification of the data.

The representative of **DG MOVE** informed the participants on developments of the SafeSeaNet (civilian EU maritime traffic information system). He referred in particular to the recent decision of the SSN High Level Steering Group (HLSG) to open up the SSN during a pilot project phase to other User Communities. The HLSG will evaluate the results of this phase and then the Commission will elaborate upon what permanent solutions could be envisaged. The **Netherlands** emphasized the importance of coordination within the Commission, under the umbrella of integrated maritime surveillance and reiterated their request to DG MOVE for information on ESA-EMSA cooperation on space-based AIS. **France** also requested the minutes of the HLSG to be forwarded to the MSEG members. DG MOVE confirmed that this could be done either internally (i.e. through the national HLSG focal point) or through DG MARE, which agreed to do this.

Finally, **the Italian navy** presented their experience for a maritime situational awareness humanitarian relief demonstration exercise, carried out in cooperation with ESA in Southern Italy in May 2010.

#### **4. Follow-up to towards the 4<sup>th</sup> meeting of the MSEG**

The major steps on the integration of maritime surveillance for the current year are the adoption of a Communication on the Roadmap, depending on the discussions in the Member States Experts Sub-Group. The Roadmap will then need to be endorsed by the Friends of Presidency group and the General Affairs Council by the end of the Belgian EU Presidency (December 2010). The MSEG should therefore complete its input on the Roadmap during its fourth meeting on 12 July 2010.

For this purpose the MARE D1

- has already circulated to the MSEG members the latest version of the draft discussion paper that includes in track changes the modifications made since the MSEG meeting of 21 April 2010. The MSEG members have been asked to provide their eventual comments to that text by 29 June. The Commission will then try to compile those comments in a revised Working document on a draft Roadmap in view of the meeting of 12 July.
- will prepare a Working document outlining the composition and work to be done by the Technical Advisory Group to be established under the Administrative Agreement between DG MARE and JRC.

Therefore, the next meeting of 12 July will be dedicated to finalising the discussions on the draft Roadmap and the remaining steps 3-7. The first preliminary results of the BlueMassmed and Marsuno pilot projects on the integration of maritime surveillance will also be presented by the project leaders.

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**Enclosure: List of participants (those who signed the list)**