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MARE MSEG – SURVEILLANCE I

Object: First meeting of the Commission's Member States Expert Sub-Group on the integration of maritime surveillance, held in Centre Albert Borchette on 2. September 2009

Meeting report

1. INTRODUCTION

The meeting was chaired by Mrs Carla Montesi, Director for the Mediterranean and the Black Sea within the European Commission's Directorate General for Maritime Affairs and Fisheries ('DG MARE').

Attendance from Member States was very high, with over 80 participants from national authorities such as Transport Ministries, Ministries of Interior (illegal immigration, drugs control and law enforcement) Ministries of Defence. The Secretariat General of the Council (DG VIII) also attended. On the Commission side: Commissioner Borg's cabinet, DGs MARE, TREN, JLS, ENV, ENT, JRC, RELEX, OLAF, Agencies (EMSA and FRONTEX).

1.1. Meeting purpose

The meeting's purpose was to present the latest state of play on Commission initiatives related to the integration of maritime surveillance, to share the present Commission thinking on how to move forward on integrating maritime surveillance in view of the forthcoming Commission Communication and on the basis of an extract thereof and to gather Member States' preliminary views on this initiative.

1.2. Integrating surveillance: A 'key' IMP objective

Mrs Montesi stressed that a key objectives of the Integrated Maritime Policy 'IMP' is to integrate existing and future sectoral surveillance activities and to set up an exchange of information network amongst national authorities. This in view to increase interoperability of surveillance activities, to improve the effectiveness of operations at sea and to facilitate the implementation of the relevant Community legislation and policies.

1.3. The need for integrating maritime surveillance

Enhancing the possibilities to gather available maritime surveillance information is important from several perspectives: maritime law enforcement, detection of illegal discharges, safety of navigation, border control, defence and national security. Substantive sectoral cooperation is already taking place at Community and Member State level on matters relating to border control, maritime safety and security, fisheries, etc. But unless further work is carried out in a concerted fashion amongst all participants, the EU and its Member States will not be able to achieve appropriate maritime domain awareness for the benefit of users from different sectors. Conversely, progress in this area will render surveillance more efficient and offshore government functions more effective both in operational and economic terms. In order to reduce the risk of duplication it is important that systems developed at the European level build upon the experiences gained in different Member States and, vice versa, that Member States do not develop their surveillance activities in an isolated manner or in such a way that they cannot interact with other systems.

Reaching this objective will neither be simple nor quick.

It is thus important to launch a process towards the establishment of a common information sharing environment enabling cross-sectoral exchanges of information between the Member States' authorities and Agencies active in the maritime domain.

Even though the Commission is coordinating this initiative, integrating maritime surveillance cannot be achieved without full support from Member States and the different Agencies.

2. STATE OF PLAY ON COMMISSION ACTIVITIES RELATING TO THE MARITIME DOMAIN

Different Commission Directorate Generals made their presentations on maritime surveillance activities:

- DG Tren: Maritime transport monitoring and information
- DG JLS: Border control and law enforcement cooperation
- DG Mare: Fisheries monitoring and control
- DG Entr: Security research and 'Global Monitoring for Environment and Security'
- Joint Research Centre: Research in Maritime Surveillance
- European Defence Agency: Military Maritime Surveillance Initiatives

These presentations highlighted the latest state of play, the diversity of sectoral surveillance interests as well as the respective sectoral complementarities.

However, such complementarities can only be taken proper advantage of when compiling distinct surveillance information stemming from the different maritime sectors. The resulting value added is expected to provide increased:

- *Efficiency* through a Europe-wide maritime awareness picture fed by all relevant sectoral authorities across Europe and accessible to all relevant Member States' authorities on a need to know basis.
- *Cost effectiveness* avoiding present or future duplication of surveillance investments or activities.

3. COMMON PRINCIPLES

In the light of the different ongoing sectoral maritime surveillance initiatives, the relevant Commission services have been elaborating a draft Communication to establish four '*Guiding principles*' towards the establishment of a Common Information Sharing Environment:

- **Principle 1: An approach interlinking all user communities**

Member States' authorities involved in maritime surveillance should be entitled to receive and provide information on a need to know basis from international, regional, Community, military and internal security systems and mechanisms.

- **Principle 2: Building upon a 'System of Systems' Architecture**

Such architecture should be designed as a cost effective superposition of different information layers to enable the improvement of user defined pictures, web-enabled presentations and secure access.

- **Principle 3: Information exchange between civilian and military authorities**

Information between civilian and military authorities should be shared at national level or if appropriate at regional level.

- **Principle 4: Specific legal provisions**

Legal obstacles to the exchange of data are to be identified and removed in the respect of Intellectual Property Rights, data protection and confidentiality provisions.

4. LOOKING AHEAD

4.1. Key messages

The Commission mentioned the following key issues which should underpin the future work on the integration of maritime surveillance:

- The process of integrating maritime surveillance needs to encompass all user communities at national and Community level so that their needs and the policy options necessary to meet such needs, are clearly identified.
- The present Commission's Member States Expert Group on maritime surveillance may serve as the exchange platform for this integration process.
- Member States may consider reinforcing their internal coordination so that all user communities are represented in this process.

- Integration of maritime surveillance does not substitute for sectoral work which must continue albeit keeping in mind the objective of creating a common information sharing environment.
- The above 'Guiding Principles' may be revised as appropriate.

5. MEMBER STATES' FIRST REACTIONS

5.1. Swedish presidency

The Swedish presidency underlined the high degree of importance it attributes to the present Commission initiative that engages Member States in a process towards the integration of maritime surveillance.

On the background of ships having to send the same information several times to distinct Member States while sailing around Europe, the Swedish presidency is convinced that it is now time to develop one integrated maritime surveillance system throughout the EU. This system should allow connecting existing civil and military maritime surveillance systems in an efficient and cost effective manner, rather than creating new ones in the different sectors of each Member State.

Concerning the United Kingdom's question as regards the real benefit for the maritime transport sector of creating an information sharing environment, Sweden indicated that integrating maritime surveillance could provide immediate value added i.a. in the fields of Search and Rescue operations at sea. In the medium term, integrated surveillance should amongst others facilitate intra EC maritime transport since the latter is to a certain extent still considered to constitute international trade and is thus not yet benefitting from the advantages offered by the EC's *internal* market.

5.2. Denmark

Denmark also fully supports the process of integrating maritime surveillance. On the background of the multitude of ongoing maritime surveillance initiatives, Denmark expressed its satisfaction as regards the Commission's overarching integration initiative that should increase efficiency and cost effectiveness of maritime surveillance across Europe.

Responding to a question by the United Kingdom about the cost of the new 'system of systems', Denmark recalled that the various distinct sectoral surveillance systems prevailing in each Member State are too expensive under the present configuration mainly because they reveal a number of duplications and lack pooled surveillance resources.

Denmark supports the 'guiding principles' set out by the Commission as they i.a. provide a first basis to achieve coordinated progress towards the integration of maritime surveillance.

5.3. Finland

Finland stressed the importance and the success of the present meeting. The present Commission's Members States Expert Group represents the most suitable platform through which the process of integrating maritime surveillance should be carried out.

Integrating maritime surveillance is a process that will certainly increase the efficiency and the cost effectiveness of maritime surveillance in Europe. This in particular as coastguards across Europe need to avail of the best possible maritime awareness picture during 24 hours a day, 7 days a week in view to maximise the efficiency of their interventions. To this end, maritime surveillance resources must be pooled across Europe.

Projects like EUROSUR and the surveillance pilot project to come in the Mediterranean and its Atlantic approaches as well as the one in the Northern Sea basins are important steps in this integration process.

Nevertheless, some important hurdles, such as the legal aspects related to data dissemination still have to be overcome.

5.4. France

France fully supports the Commission's initiative towards integrating maritime surveillance. To illustrate the need for such integration and the importance of maritime data exchange, the French representative cited the example of the vessel "Arctic sea" that according to the press disappeared during the month of August 2009. In fact the vessel's position was known at any time by the European Maritime Safety Agency ('EMSA') which continued to receive its uninterrupted Long Range Identification and Tracking ('LRIT') signal. EMSA could thus adequately inform European authorities at any time during this 'crisis'.

Migration issues, the progress made on EUROSUR and EMSA's work on de-pollution are further examples of sectoral work as regards which information ought to be shared.

Considering the prevailing deficit of commonly shared basic maritime data, nevertheless fundamental for any kind of cooperation between maritime authorities across Europe, France suggested to adopt an integration process paced by a step by step approach: A first step may consist in reaching the common political will across Europe to proceed with the exchange of maritime surveillance data by building up mutual confidence across sectors and Member States. A second step may consist in creating the common maritime surveillance system across Europe.

5.5. Greece

Greece fully supports the present Commission initiative and stressed the importance of the present meeting as it creates the appropriate forum to develop a holistic approach towards maritime surveillance. Greece underlined the Commission's and in particular DG Mare's leading coordinating role in this process that needs to be carried out in close cooperation with Member States.

Greece recognised that a lot of progress has been made on sectoral surveillance topics within Schengen and beyond. The achievements of that progress ought to be shared amongst sectors and authorities throughout the three Community pillars. In particular, civilian - military cooperation on maritime surveillance will be triggered by a number of sensitive aspects the defence sector is currently facing.

Greece welcomed the elaboration of the Commission's guiding principles that may be further developed in view to constitute a common ground on which to base the further process towards the European integration of maritime surveillance.

As a rule, Greece suggests that any integrated surveillance system should rely on a structure that shall be managed in all Member States. Such system should be based on three levels (basic, protocol and application levels) and should foresee a fall back position in case it is non operational for a period of time. Any such integrated system would further have to be adaptable to technological innovation, considering in particular that the 5 year time span required for new technological innovations to emerge is currently reducing towards a 3 year period. Technological matters will require an in depth reflexion process.

5.6. Italy

Italy fully supports the present initiative and underlines the importance of the present Commission's Member States Expert Group that constitutes the appropriate forum to progress on the integration of maritime surveillance.

Italy is very satisfied about the two forthcoming surveillance pilot project concerning surveillance integration in the Mediterranean Sea and its Atlantic approaches as well as the one in the Northern Sea basins. In this context Italy already cooperates with other Member States. Italy also signals that a cooperation process between different Member States' coast guard authorities has been ongoing.

Italy expressed the opinion that the real added value of integrating maritime surveillance lies in the access by all member States to different sources of information, notably for the purposes of improving maritime border control.

Italy believes that in the context of this integration process priority should be given to clarifying the respective competences of the various authorities at different levels in the field of maritime surveillance. Technological issues may be solved thereafter.

As regards civilian – military cooperation Italy believes that the objective should not be limited to a bare information exchange but should rather lead to a dual cooperation system on safety and security between civilian and military authorities.

Italy further stressed the importance of integrating maritime surveillance across the three community pillars. For this purpose it is important i.) to identify the type of information that should be shared, ii.) to identify the type of technology that should be used and iii.) to decide about the type of shared management of such data flows.

5.7. Netherlands

The Dutch delegation expressed its full support to the present initiative stressing the leading role of the Commission and, in particular, the coordination role of DG Mare.

Considering the multitude of ongoing maritime surveillance initiatives, the Netherlands asked the Commission to provide a list of all ongoing EC groups working on surveillance topics. On this background, The Netherlands not only welcomed the overarching role of the present Expert Group to integrate maritime surveillance, but also underlined that the group's role and lead should be reinforced in the future.

The Netherlands fully endorsed the four above mentioned 'principles' that should guide the process towards integrating maritime surveillance and added that the reasons triggering the need for surveillance data exchange and the exact objective of the present Expert group need to be further clarified.

5.8. Portugal

Portugal fully supports the proposed integrated approach to maritime surveillance and stressed in particular the need for a Common Information Sharing Environment. For such environment it will be necessary to i.) establish harmonised procedures, rules and standards, ii.) allow for information exchange rather than solely 'raw' data exchange and iii.) reach higher efficiency and cost effectiveness of surveillance by avoiding duplication and enhancing cooperation at EU, Member States' and Agency's level.

To illustrate the advantage of integration, Portugal recalled that it approved a national strategy for the Oceans in 2006 and passed legislation for the creation of the National Centre for Maritime Coordination in 2007.

5.9. Spain

Spain expressed its full support to the present initiative. This in particular on the background of the multitude of maritime surveillance actions that require integration. In this context a number of integration initiatives such as MARSUR, EUROSUR and the two 'Pilot projects' in the Mediterranean and its Atlantic approaches as well as in the Northern Sea Basins are considered to be very useful.

Spain underlined that the Commission and in particular DG Mare should have a strong coordination role in this process.

As regards the reasons for exchanging maritime surveillance data, Spain indicated that such need is triggered by i.) efficiency, ii.) cost effectiveness and iii.) user requirements. Data exchange would require a two step approach during which in a first step data are exchanged on a basic level and in a second step data exchange could progressively be carried out on levels of higher complexity.

The definitions of certain concepts such as 'maritime security' ought to be revised since they appear to be too 'narrow' in particular in view of integrating maritime surveillance.

5.10. United Kingdom

The United Kingdom fully supports this integration process. It nevertheless would appreciate the further elaboration of two basic questions:

- Can the maritime transport community benefit from information provided by other sectors?
- How costly will the suggested 'system of systems' be?

6. MESSAGE FROM THE SWEDISH PRESIDENCY OF THE EU

Sweden informed the participants that the integration of maritime surveillance is a high priority for its presidency.

Sweden will organise two separate '*Friends of the Presidency*' groups, one dealing with general Integrated Maritime Policy and the other dealing with Integration of Maritime Surveillance. After the adoption of the Commission's Communication of 14 October 2009, a first meeting of the Friends of the Presidency is planned for 19. October 2009.

Contact persons of the Swedish presidency are Mrs Pia Övelius and Mr Anders Hermansson (for contact details please see annex 1: list of participants).

Sweden plans to prepare Conclusions for the General Affairs and External Relations Council (GAERC) on 16-17 November 2009.

Spain indicated to fully support the Swedish presidency's initiative and offered its help to set up the 'Friends of the Presidency' group.

7. COMMISSION CONCLUSIONS

The Commission was pleased to note that all Member States:

- endorsed the Commission's initiative of integrating maritime surveillance in Europe,
- highlighted the importance of the present group,
- supported the Commission's and in particular DG Mare's coordination role and
- endorsed the 'guiding principles' proposed by the Commission.


The process towards the setting up of the Information Sharing environment will have to be carried out at political, technical and institutional level and will thus require time and resources.


This process should *in fine* lead to the establishment of a strong overarching legal base allowing for the implementation of this initiative at national and European level. Such legal base should establish coherence amongst existing and future sectoral surveillance legislation such as the one already applicable in the fields of maritime transport.

In practical terms the Commission's focus should be directed at identifying and comparing the needs of the different surveillance user communities in view to analyse the existing gaps to and the requirements for the exchange of maritime surveillance information.

Member States were invited to send any comments in this respect to Mr Isto Mattila (Isto.Mattila@ec.europa.eu) and Mr Thomas Strasser (Thomas.Strasser@ec.europa.eu).

The Commission also intends to share working documents with Member States via the attached list of addressees. Member States are welcome to complete the list of addresses attached in annex 1 via the above e-mails.


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Annex: List of Participants (those who signed the list)