



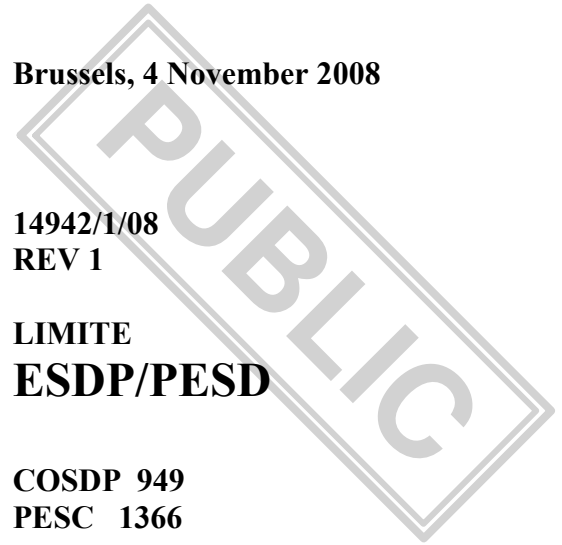
**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 4 November 2008

**14942/1/08
REV 1**

**LIMITE
ESDP/PESD**

**COSDP 949
PESC 1366**



NOTE

From: Secretariat
To: Political and Security Committee
Subject: Maritime Surveillance - Overview Of Ongoing Activities

Following the request from PSC on 7 October, Delegations will find attached a stock-taking paper (Revision 1) of ongoing actions in the field of maritime surveillance.

This document has been elaborated in full association with the Commission and the European Defence Agency.

OVERVIEW

1. The **aim of maritime surveillance** is to understand, prevent wherever applicable and manage in a comprehensive way all the events and actions related to the maritime domain which could impact the areas of maritime **safety and security, law enforcement, defence, border control**, protection of the **marine environment, fisheries control, trade and economic interests** of the EU. Maritime surveillance is complex and multifaceted and numerous activities are ongoing or planned which often overlap and are of interest for the EU as a whole.
2. This paper aims at providing a **stock-taking of activities** relating to maritime surveillance undertaken or monitored by relevant departments of the Commission, the Council General Secretariat and the European Defence Agency. These have been fully associated to its elaboration.
3. This paper lists and explains activities conducted or monitored at EU level, set up for a sectoral purpose or launched to meet objectives of more than one policy in an integrated manner.
4. There is extensive legislation and follow up actions at the **Community level** for collecting and processing maritime domain data to ensure **maritime security and safety, border control, fisheries management and facilitation of trade**. This legislation is subsequently implemented by the Member States each in relation to its own organisation and internal subdivision of responsibilities.
5. The Commission's Green Paper on a future EU Maritime Policy¹ raised the question of how **offshore government activities** conducted by EU national authorities could be rationalised, and whether the EU should move forward towards integrating existing and future maritime surveillance, monitoring, tracking and reporting systems into an **Integrated Maritime Information and Surveillance Network**. The broad consultation that followed the adoption of the Green Paper endorsed the option that the EU's future action in this field should be twofold: the improvement of the **cross-border** and **cross-sectoral** cooperation between all actors involved in such offshore activities; and the **progressive integration** of existing or future sectoral surveillance systems.

¹ COM(2006) 275 final of 07 Jun 06.

6. These objectives are considered in the 2007 Commission's Blue Paper on an EU Integrated Maritime Policy² as key to the achievement of an **integrated policy-making both by the Commission and the Member States**. The goal of the integrated maritime policy is not to create an additional surveillance system, but to set up interfaces and subsequently integrate existing systems across sectors and borders, in order to improve the effectiveness of national authorities in charge of implementing surveillance actions and increase the cost-efficiency of actions carried out at sea. Work towards the development of a secure cross-sectoral network that can meet the ever increasing requirements for the provision of a common and recognised picture will need to carefully plan access rights and security provisions of users.
7. On 13 July 2008, Ministers responsible for maritime affairs acknowledged the necessity to reinforce **maritime governance**, in particular through the **coordination of European agencies**, a **regional approach** by maritime basins, and an enhanced role for the group of high-level national focal points³. The Ministers also supported the development of a **European maritime surveillance network**.
8. This stock-taking paper highlights the importance of specific projects, initiatives and integrated networks, such as **SafeSeaNet** and **EUROSUR** as well as some surveillance integrated activities conducted at **regional** or **national** level. It underlines some challenges identified through ongoing work, including on **data management**, in particular in the fields of gathering, exchanging, integrating and protecting information.
9. The responsibility for **border surveillance** lies with the Member States. However, the development of the Community policy and legislation building up the Schengen acquis in this area is a responsibility of the EU institutions. The Council, on the basis of Article 62 TEC, adopts in particular measures on the crossing of **external borders** following proposals from the Commission and in co-decision with the European Parliament. An **integrated border management concept**, including the enhancement of border surveillance is being developed at EU level. This is assessed as of fundamental importance for the EU and its Member States to protect the **internal security** in an area of freedom, security and justice.

² COM(2007) 575 final of 10 Oct 07.

³ This network, established in November 2007, is chaired by the Council Presidency and constitutes a regular and informal mechanism of consultation for the further development and implementation of the integrated maritime policy.

10. **Non-proliferation** aspects in Maritime surveillance relate to preventive measures aimed at averting risks of trafficking in Weapons of Mass Destruction (WMD), their means of delivery as well as WMD related dual-use goods and technology. Maritime surveillance tools shall contribute to **early detection of traffic**, which shall include transit, transport and transshipment in WMD, their means of delivery and related goods and know-how and create the conditions for the **interdiction or interception operations** at sea. The EU Presidency, assisted by the Office of the High Representative's Personal Representative on Non-proliferation, is responsible for streamlining WMD non-proliferation consideration to relevant EU policies.
11. The ESDP activities relating to **defence aspects** of maritime surveillance focus on studies on the scope and nature of **Maritime Security Operations** and **Maritime Rapid Response**. To support UN Security Resolutions 1814 and 1816, the EU is currently in charge of a coordination action and has committed itself to conduct an ESDP **anti-piracy maritime operation** off the coast of Somalia.
12. Ministers of Defence tasked the European Defence Agency (EDA) in November 2005 to investigate the **status of current defence assets** and propose **options for future collaborations**, focusing in particular on the interface with European **security and border control**. In this context, Maritime surveillance was identified as one important area for improved cooperation.

In March 2006, based on questionnaires sent to EDA's participating Member States⁴ (pMS) and interviews with appropriate bodies, the EDA circulated a document "**Maritime Surveillance Missions and Tasks**", which was considered as a common approach to define the framework and the scope of its Maritime Surveillance study. This document identifies **five areas of interest**: Regional Maritime Surveillance Networks including Maritime Surveillance Centre and Coastal Stations; Unmanned Vehicles; Identification of small and non-cooperative targets; Simulation tools; and a European Maritime Surveillance Ship.

⁴ All EU Member States except Denmark.

MARITIME SURVEILLANCE - ONGOING ACTIVITIES

I. INTRODUCTION

1. Following the informal meeting of Defence Ministers in Deauville on 1st and 2nd October 2008, and with a view to the General Affairs and External Relations Council with the participation of Defence Ministers on 10 November, on 7 October the PSC "*a invité le Secrétariat général du Conseil, en pleine association avec l'AED et la Commission, à établir un bilan exhaustif des actions en cours sur la surveillance maritime*"⁵.
2. To fulfil this task, a group of experts was convened on 8 October and 24 October which included representatives of the Council General Secretariat (CGS), the Commission and the European Defence Agency (EDA).

II. AIM

3. This paper aims at providing a stock-taking of activities relating to maritime surveillance undertaken by relevant departments of the Commission, the CGS and the EDA which have been fully associated to its elaboration.

III. SCOPE

4. The paper also includes references to activities, which have come to the attention of the contributors. It is acknowledged that many activities in the maritime domain fall directly under Member States responsibilities or are undertaken by non-EU bodies and, as such, may not be included in this document. The paper only includes information that has been made available to the contributing EU bodies.
5. This paper does not aim at identifying steps towards a better cooperation or coordination and does not provide an assessment of what should be done to increase EU's efficiency in the maritime domain. It does not include conclusions or recommendations.

⁵ Relevé des conclusions su COPS (Bruxelles, le 7 octobre 2008).

6. For the purposes of this paper, the following definitions were used.

- **Maritime Domain**: all areas and things of, under, relating to, adjacent to, or bordering on a sea, ocean, or other international waters, including all maritime-related activities, infrastructure, people, cargo and vessels and other conveyances. The maritime domain includes all seabed, sub-surface, surface and above the sea areas which relate to EU interests.
- **Maritime monitoring and Surveillance**: the ability to monitor all activities in the maritime domain in order to support, where needed, a timely decision process on actions to be conducted. The aim of maritime surveillance, using all sources of information to build a comprehensive situation awareness, is to understand, prevent wherever applicable and manage in a comprehensive way all the events and actions related to the maritime domain which could impact the areas of maritime safety and security, law enforcement, defence, border control, protection of the marine environment, fisheries control, trade and economic interests of the EU.
- **Integrated Maritime Information and Surveillance Network**: network of surveillance, monitoring, tracking, identification and reporting systems operated for the purposes of maritime monitoring and surveillance. This network shall have the ability to make information on activities in the maritime domain continuously available.

IV. STATE OF PLAY OF ONGOING ACTIVITIES

Community

7. In order to set down the basis for an integrated approach to **surveillance activities** and take stock of **offshore activities** in the Member States, in February 2008, the Commission published three working documents⁶. The first document establishes which authority in each coastal Member State is responsible for **ten offshore activities**: customs, border control, pollution response, fisheries control, maritime safety, maritime security, vessel traffic management, accident and disaster response, search and rescue, and law enforcement. The second document describes the existing **cross-border Member States cooperation** in these

⁶ Working Documents 1) on Offshore activities of Coastal EU Member States, 2) on maritime cross-border cooperation between littoral Member-States in five sea regions Cross-border Cooperation, Working Document 3) on Maritime Surveillance (as revised on 14 Jun 2008), http://ec.europa.eu/maritimeaffairs/subpage_mpa_en.html.

areas in **five sea regions** (Atlantic Ocean, Baltic Sea, Black Sea, Mediterranean Sea and North Sea) on the basis of information provided by national authorities.

These documents show that **the administrative structure of national authorities** dealing with surveillance, monitoring, tracking and reporting actions **is varied and particularly complex. Cross-border cooperation is not carried out at the same level in all sea areas around the EU**: cooperation is standard practice in some domains of offshore activity (e.g. search and rescue operations, border control in the Mediterranean Sea), whereas for some other activities such as maritime security, vessel traffic management in the Mediterranean or fisheries control and vessel traffic management in the Black Sea, Member States have declared no ongoing cooperation.

8. The third working document⁷ provides a non exhaustive list and description of the **maritime surveillance systems** currently operating at EU level. Member States are contributing to ensuring that this information is kept up to date in the follow-up to the Commission's Communication on Governance⁸.

Sectoral surveillance initiatives at EU level

9. There is an extensive **Community legislation** with regard to surveillance, monitoring, tracking and reporting activities. Examples include the progressive development and implementation of the Vessel Monitoring System (VMS) for fisheries control and the Vessel Detection System (VDS) which evolved from a voluntary basis to the decision that from 1. January 2009 Member States shall ensure that their Fisheries Monitoring Centres are equipped with remote sensing⁹. **The geographic location to be monitored** played a part in the cost-effectiveness of the system. Remote, widespread areas such as the one covered by the CAMLR (Commission for the Conservation of the Antarctic Marine Living Resources) were ideal candidates for the use of this technology. Progress has been such that it may be envisaged to make it compulsory to monitor compliance with fisheries regulations.

⁷ http://ec.europa.eu/maritimeaffairs/pdf/maritime_policy_action/maritime-surveillance_en.pdf.

⁸ "Guidelines for an Integrated Approach to Maritime Policy: Towards best practice in integrated maritime governance and stakeholder consultation", COM(2008)395 of 26 Jun 08.

⁹ Article 4 Council Regulation (EC)No 1966/2006 of 21 Dec 06, on electronic recording and reporting of fishing activities by means of remote sensing, OJ L 409, 30 Dec 06.

10. In order to establish an equivalent level of **protection against safety and security threats by goods** brought into or out of the customs territory of the Community, electronic pre-arrival and pre-departure declarations with EU wide harmonised data elements will become mandatory as of 1st July 2009 for all modes of transport, including the maritime sector.
11. With regard to initiatives to promote **safety at sea**, the Automatic Identification System (AIS) is a system for ship anti-collision, monitoring and tracking and for exchange of data with shore based facilities by the International Maritime Organisation (IMO). In some cases, VDS, VMS and AIS data are combined to obtain a more complete picture. However, no interface is set up between VDS, VMS and AIS and the systems are not interoperable.
12. As far as the **fight against maritime narcotics trafficking** is concerned, the European Commission welcomes and supports the recent setting up of **Member States intelligence-driven anti narcotics platforms**: (i) the Maritime Analysis and Operations Centre-Narcotics (MAOC-N), a seven Member State¹⁰ Lisbon based information/intelligence exchange initiative. This military supported law enforcement mechanism has been co-financed by the Community budget¹¹, which gained the status of Observer on 1. January 2008; (ii) the Centre de Coordination pour la Lutte Anti-Drogue en Méditerranée (CeCLAD-M), another intelligence-led anti narcotics military supported law enforcement platform¹². CeCLAD was launched in Toulon on 24-26 September 2008 and is co-financed by the EC¹³. It is committed to strengthening intelligence exchange on narcotics trafficking and the co-ordination of interceptions, and it contributes to the dismantling of organised criminal organisations.
13. The Commission carefully follows the recent developments of the **Baltic Sea Task Force**¹⁴ (BSTF) and Baltic Sea Region Border Control Cooperation¹⁵ (BSRBCC), both set up in 1996. BSTF law enforcement cooperation initiative, coordinating Police forces, Customs Agencies, Border Guards and Coast Guards, and also prosecution Authorities, adopted in December 2007 a **new Strategy against organised crime** aimed at improving information exchange among the participating Agencies. Maritime drug trafficking, including drug precursors, is one of the targets of the BSTF. BSRBCC cooperation includes exchange of information and

¹⁰ ES, PT, FR, IT, NL, IE and UK.

¹¹ DG JLS ISE budget line 661.000 €, JLS/2007/ISEC/426.

¹² According to the 2008 UN ODC World Report, cocaine originating from LAC countries is more and more diverted through West and North Africa. The bulk of cannabis resin is produced in Morocco.

¹³ 195.000 €, JLS/2007/ISEC436.

¹⁴ Contracting parties: DK, EE, FI, DE, LV, LT, NO, PL, RU and SE.

¹⁵ Contracting parties: DK, EE, FI, DE, IC, LV, LT, NO, PL, RU and SE.

experiences concerning cross border traffic and maritime border situation, border control and border checks arrangements, illegal immigration, environmental crimes and cross border criminality. Daily communication occurs via encrypted Coastnet-system. Both organisations include cooperation between **Member States and Russia** with which a similar cooperation has been set up in the **Black Sea** including all other littoral states: Bulgaria, Romania, Turkey, Ukraine and Georgia.

14. Generally speaking each **offshore activity** is monitored by a system built or being developed to meet its specific sectoral needs. However, some **cross-sectoral synergies** are being implemented, such as regarding the rules applying to the **fisheries control policy** which allow for expenditure incurred for the purchase of equipment (vessels and aircraft) by the Member States to be eligible for reimbursement from the Community budget. This equipment can be used for several purposes, including border surveillance or customs, provided it is dedicated to the monitoring and control of fisheries activities for at least 25% of the time.

Integrated surveillance initiatives at EU level

15. Several surveillance initiatives at EU level have already been set up (or are being planned) in a more integrated manner, bringing together more than one sectoral activity. **Data on ships' movements and cargoes** are collected and exchanged between Member States within the framework of Directive 2002/59/EC establishing a Community Vessel Traffic Monitoring and Information System (VTMIS).
16. In this context, the Commission has developed **SafeSeaNet**, a European network for the exchange of maritime data between Member States' maritime authorities which aims to **prevent accidents, marine pollution** as well as to increase the **efficiency of the response** in case of incidents or accidents at sea. The central part of SafeSeaNet, the European Index Server (EIS) is operated by the **European Maritime Safety Agency (EMSA)**. The national systems are due to be fully implemented by EU Member States by the end of 2008. A new module is under development (STIRES, SafeSeaNet Traffic Information Relay and Exchange System) which will allow it to become a vessel tracking system based on AIS data provided by EU national and regional AIS networks. In order to make surveillance, monitoring, tracking and reporting systems more efficient and interoperable, SafeSeaNet, as set up by

European legislation¹⁶ has been proposed by the Commission to the Member States as the system to be used to exchange maritime related information on **Port State Control, Waste and Maritime Security** between the Commission, its Agencies, national administrations and port authorities involved in these maritime activities.

17. Short range maritime **traffic data** are currently collected and long range data will in the future be available on demand from the EU Long Range Identification and Tracking Data Centre (EU LRIT DC), to be managed by the Commission, in cooperation with Member States, through EMSA. In accordance with the Safety Of Life At Sea (SOLAS) Convention of the International Maritime Organization (IMO), the remit of the EU LRIT DC will include **maritime safety and security, Search and Rescue (SAR)** and protection of the **marine environment**.
18. The ongoing development of the European Border Surveillance System (**EUROSUR**)¹⁷ also deserves special attention. It further deepens the proposals made by the Commission in the Blue Paper on an EU integrated maritime policy envisaging a fully integrated solution for the EU. This “**system of systems**” aims at integrating national land and maritime border surveillance systems with systems originally set up for purposes other than border control.
19. **Space** is an additional important element of the envisaged integrated network. Satellite-based systems have already been developed and successfully operated for sectoral purposes. The EU is heavily investing in the development of the Global Monitoring for Environment and Security initiative (**KOPERNIKUS**, former GMES). This programme is intended to serve a number of EU policies and actions such as maritime security, environment, border control and fisheries, both inside and outside the European continent. It will consist of an observation infrastructure (both from satellites and in situ data) as well as service components. At present, development of services is channelled through test-projects funded by the **European Space Agency (ESA)** and within the EC 6th and 7th Research Framework Programmes (FP6 and FP7) for Space and Security. Several of these projects aim at developing tools for a **pan-European Maritime Surveillance**.

¹⁶ Article 1 of Directive No 2002/59/EC of 27 Jun 02 establishing a Community vessel traffic monitoring and information system and repealing Council Directive 93/75/EEC.

¹⁷ Communication on examining the creation of EUROSUR COM(2008) 68 final of 13 Feb 08 and Council doc. st 6665/08 of 19 Feb 08.

20. In the context of KOPERNIKUS, a marine environmental service is being developed to provide a concerted and integrated pan-European capacity for **ocean monitoring and forecasting**¹⁸; this service will support several applications including fight against oil spill and search and rescue activities. In addition, the **three initial security-related applications supported by KOPERNIKUS** (border surveillance, maritime surveillance and support to European external actions) potentially make this space-based tool evolve into a significant contributor to the integrated maritime surveillance network. In order to achieve this, collaboration between all stakeholders is being strengthened at EU level through **inter-pillar meetings** with CGS and the Satellite Centre. In addition, a working group has been set-up by the KOPERNIKUS bureau to work on tools for **border surveillance**. Cooperation should not only promote sectoral aims but also pursue cross-border and cross-sectoral **technological solutions** in support of the goals of the Integrated Maritime Policy.

Integrated surveillance initiatives at regional and national level

21. EMSA has been working with EU Member States towards the development of regional AIS systems. Many **regional initiatives** at Member States' level relate to AIS data¹⁹ sharing systems. The aim of these regional AIS servers is to collect AIS data in real time, store them and provide information in response to a specific demand. Apart from the already operating **Baltic AIS**, the **North Sea AIS** and the **Mediterranean AIS** network is now under development. The latter is expected to be ready in November 2008. Additionally, AIS signals showing ship movements are commercially available.
22. The Commission is also taking into account activities undertaken in the **military field**, such as in the Italian Virtual Regional Maritime Traffic Centre, a virtual network connecting naval operational centres located in the Mediterranean and the Black Sea. It provides EU and non-EU Navies with unclassified information about **vessel movement** in the area²⁰.

¹⁸ Current project MERSEA http://w3.mersea.eu.org/html/ocean_modelling/welcome.html, further development will be undertaken through the FP7 project MYOCEAN.

¹⁹ AIS is a system used by ships and Vessel Traffic Services (VTS) principally for identification and locating vessels. It provides means for ships to electronically exchange ship data including: identification, position, course, and speed, with other nearby ships and VTS stations.

²⁰ Another example is NATO's Maritime Safety and Security Information System (MSSIS) which is based around the acquisition and analysis of AIS data and which is used by the two NATO's Maritime Component Commands in Naples and Northwood.

23. A successful example of **bilateral cross-border cooperation** is the Sea Surveillance Cooperation Finland-Sweden (SUCFIS) scheme. A proposal for the development of a recognised maritime surveillance picture (RMP) is part of ongoing preparations for a Baltic Sea Regional Strategy to be adopted in June 2009.
24. Cross-sectoral maritime surveillance data sharing can also be found in some **national initiatives**. France, for example, has developed over the years two surveillance systems: SPATIONAV and TRAFIC 2000. Another example of good cross-sectoral practice can be found in Finland, which coordinates its maritime authorities through the Maritime Environment Tri-Authority Operation (METO).

Work towards cross-sectoral integration of surveillance activities at EU level

25. There is already substantive sectoral cooperation taking place at Community and Member State levels on border control, maritime safety and security, fisheries, etc. Progress in this area will make surveillance more efficient and offshore government functions more effective both in operational and economic terms. Achieving this goal requires to define a **common path towards appropriate domain awareness**, building on the exchanges currently taking place between the different authorities, both across borders and across sectors.
26. To be able to deliver the Work Plan foreseen in the Action Plan to the Commission Blue Paper, some issues must be addressed such as the purpose of **exchanging data**, the **recipients** of these data and the **type of information** to be exchanged, the need for a **legal framework** and the **requirements** for technical tools and administrative practices.
27. *Legal issues*: Interlinking maritime surveillance systems presupposes thorough consideration of diverse **legal issues** related to the exchange of information collected for different purposes and from different sources. Particular attention is to be paid to the obligations that Member States have already entered into and are in the process of implementing regarding the establishment of the integrated maritime surveillance network.
- Data confidentiality** and the **protection of personal data** are also key issues. Work towards an integrated maritime surveillance network needs to define at least the nature of the data involved, the purposes (and the methods) of the exchange and the potential recipients of the data, as well as incorporating the necessary safeguards with regard to the confidentiality and security of (certain) data and the protection of personal data, where this may be relevant. Other issues, which need to be addressed include **data-sharing policy** of public authorities, re-use of **public sector information** and **access to public sector documents**.

28. *Technical aspects:* **EUROSUR** is an important initiative to test the technical aspects of an integrated maritime surveillance. The Commission has proposed that EUROSUR be built as a "system of existing systems" in three phases. Whereas the first two phases aim at improving border surveillance at a national level and then at the EU level, the third phase envisages a cross-sectoral approach by aiming at the creation of **common information sharing environment for the EU maritime domain**, which is the network envisaged in the framework of the EU Integrated Maritime Policy. In this context, the support action **OPERAMAR** funded by the Security Research theme under the 7th Framework Programme is currently analysing the **insufficient interoperability** of European and national systems with a view to developing generic models for seamless data exchange in the EU maritime domain. **Research projects** contribute to demonstrate how **new technologies** can improve the efficiency of maritime operations. For example, MARNIS²¹, financed under the 6th Framework Programme, is focused on improving exchanges of information and aims to develop Maritime Navigation and Information Services on a pan-European basis. In the context of the KOPERNIKUS initiative, LIMES²² and MARISS²³ focus on the use of technology for detection and deterrence of illegal activities - drug smuggling, illegal fishing etc. Their primary objective is to show the added value of **earth observation** systems, combined with other technologies, for monitoring vessels. Information from cooperative on-board systems (e.g. AIS or VMS) is merged with information from satellite images in order to identify suspicious behaviour. These projects develop applications making information available to operational maritime authorities. The technological focus of the Telecommunications Advanced Networks for GMES Operations²⁴ (TANGO) programme is on improving the **timeliness and responsiveness of the communication chain** rather than on producing a picture. These projects are not yet fully completed, but they have carried out successful trials. Additional support will be provided from Security Research that started to fund activities in support of maritime surveillance. Another issue to consider is the **restrictions imposed by software architecture and licensing**. In some cases, a difficulty in integrating maritime surveillance systems is to set up an effective interface between the systems while respecting software licensing agreements.

²¹ <http://www.marnis.org/>

²² www.fp6-limes.eu

²³ <http://www.gmes-mariss.com/>

²⁴ <http://www.teladnetgo.eu/>

All command and control systems, research projects, initiatives and systems like LRIT, AIS and VMS depend on **reliable positioning systems**. The European **GALILEO** system will enhance the performance of all systems using GNSS systems. The full use of the present version of GALILEO and the possibility to develop new applications with enhanced positioning and communication capacity should be taken into account in the development of a **policy for Integrated Maritime Surveillance**.

29. *Administrative implications:* The objective of the Integrated Maritime Policy is not to introduce the same administrative model but to encourage Member States to foster **coordination** and **cooperation** between all existing structures for developing an integrated maritime surveillance network. As an example, there are about fifty authorities dealing with border control in the seven EU Mediterranean Member States.
30. *Gaining practical experience on surveillance cooperation:* The 2008 Commission Legislative and Work Programme includes a surveillance pilot project in the **Mediterranean and its Atlantic Approaches**. This particular area was chosen because it **typifies important risks** necessitating surveillance by national authorities: **unacceptable loss of life at sea** by migrants travelling aboard unseaworthy vessels; the risk of **pollution** resulting from high-density maritime traffic carrying potentially dangerous cargoes through the Gibraltar straits and along the environmentally sensitive coasts of the region's littoral; **overfishing** of blue fin tuna; trafficking of **cocaine** via the Caribbean-West-Africa-Europe triangle and of cannabis resin from Morocco. Such uncontrolled maritime activities are **a danger for the EU as a whole**.
- The Commission will soon launch a call for proposals addressed to all national authorities processing surveillance data. The geographical scope of the project would be the whole **Mediterranean basin**, thus allowing different groups of authorities to come forward with a specific proposal and benefit from the grant.
- In addition, the 2009 preliminary draft Commission budget includes **earmarked resources** for surveillance actions to be implemented by a **pilot project in a sea basin** (or part thereof) other than the Mediterranean. The project should involve at least 4 out of 7 offshore activities (border control, customs, fisheries control, prevention and suppression of criminal activities, maritime safety, marine pollution response, maritime security of ships and ports) and should be carried out by authorities of at least three coastal Member States (or only two if in the Black Sea). The design of the project should focus also on including Member States not yet cooperating on these issues.

The outcome of these practical trials will allow the Commission and Member States to gain further insight as to the **complexities and the challenges related to integrating surveillance data** both at a cross-border and cross-sectoral level. They will thus provide valuable additional input for future work.

By end 2008, the Commission will publish calls for proposals for projects to benefit from grants for setting up cross-border and cross-sector surveillance actions in the Mediterranean and other sea basins.

Border control and surveillance

31. With regard to surveillance of the **southern maritime borders** of the EU, since 2006 the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the EU (**FRONTEX**) carries out a series of joint operations in the area for the purposes of fighting **illegal immigration**. In 2008, FRONTEX is coordinating a number of such joint operations at the southern maritime borders such as HERA, MINERVA, POSEIDON and NAUTILUS.

FRONTEX and the eight Member States located at the southern and south-eastern maritime external borders²⁵ cooperate also in the framework of the **European Patrol Network (EPN)** to establish a permanent regional border security concept.

32. The Ministerial Conference on the challenges of the EU External Border Management held in Brdo, Slovenia in March 2008 led to the adoption on 5 June 2008 of **Council Conclusions**, which recognise *inter alia* the active role of FRONTEX in the implementation of an integrated border management in the EU and define at political level the priorities and future challenges with regard to the further development of the Agency's role.

33. The Working Parties of the Council in the field of Justice and Home Affairs competent for border issues are closely following FRONTEX activities and the development of the European Patrols Network. As far as the possible creation of EUROSUR is concerned, the European Council in December 2006 stated that "priority should be given to examining the creation of a European Surveillance System for the Southern maritime borders". The above mentioned conclusions encouraged the Commission to report back to the Council on EUROSUR concept in the first half of 2009.

²⁵ PT, ES, FR, IT, SI, MT, EL, CY.

34. One of the main challenges in the coming years would be to develop a **comprehensive, coherent and consistent common legal and technical framework** to support Member States' actions in the management of external borders' surveillance. Due to financial and technical limitations, border surveillance is **not currently carried out by the national authorities in a systematic way and covers only some parts of the external borders** of the EU. One fundamental step in this direction would be to strengthen and extend border surveillance in order to cover the entire length of the Union's external borders, which would require an improvement of the **cooperation between national authorities**.

Proliferation

35. Different aspects of maritime surveillance are covered by the **Proliferation Security Initiative (PSI)**; all EU Member States endorsed interdiction principles of the PSI. At this stage, only the EU Member States are officially involved in the PSI. However, they advocate an official **role for the EU institutions** in the initiative among the PSI/ Operational Experts Group (OEG) members. Two ongoing processes are related to maritime surveillance.
36. First, in July 2008 the High Representative's Personal Representative on Non-proliferation, assisting the Presidency, initiated new lines of actions against the **WMD proliferation** which are proposing in particular: (i) to step up efforts to combat trafficking in CBRN substances and strengthen systems for interception of proliferation flows; (ii) to re-launch European discussion on legal measures against proliferation activities (strengthening means to combat acts of proliferation, Agreement on European level to make illicit exports, brokerage and smuggling of weapons and materials of mass destruction subject to criminal sanctions). A **better exchange of information** among relevant actors (customs, border authorities, Defence and Foreign Affairs ministries, Intelligence services), enhancement of **cooperation and coordination** among EU MS and EU institution at operational level, exchange of best practices, etc. are also included in the "New Lines of Action".
37. Second, Poland intends to hold a **regional** European OEG / PSI meeting in 2009 to reflect on what the EU Member States could do together to enhance their capacities, including through the EU, to be able to carry out **interdiction/ interception activities** more effectively. In both cases, relevant EU activities in the non-proliferation area often fall under the Community's competence.

Defence issues

38. In this field, the ESDP activities relating to maritime surveillance are focusing on studies relating to the scope and nature of **Maritime Security Operations** and **Maritime Rapid Response**.

To support UN Security Resolutions 1814 and 1816, the EU is currently in charge of a coordination action and has committed itself to conduct a maritime operation.

39. *ESDP Operations*: The CGS, including the EUMS, is currently planning an ESDP **Anti-Piracy** maritime Operation off the coast of Somalia (Operation ATALANTA). In the meantime, the EU has set up a coordination action, **EU NAVCO**, to **coordinate between the shipping community and security providers** (EU Member States, Third States like Russia, International Maritime Bureau, Maritime component of Operation Enduring Freedom Task Force 150, etc).
40. EU NAVCO will be superseded by the **EU maritime Operation ATALANTA** which in accordance with pertinent UNSC Resolutions is: to keep watch over areas off the coast of Somalia, including its territorial waters, in which there are dangers to shipping; punish acts of piracy or armed robbery committed or suspected of having been committed in the areas under its surveillance; provide protection to vessels chartered by the World Food programme, in particular when cruising in Somali territorial waters, by means, inter alia, of the presence on board those vessels of armed units; provide escorts for merchant vessels cruising in the areas under its surveillance, on a case-by-case basis.
41. *Maritime Rapid Response*: the EUMS, in accordance with the **EU Maritime Rapid Response Concept**, chairs biannual Maritime Rapid Response Information Conferences and keeps an updated **Maritime Rapid Response Database** where Member States indicate the potential availability of naval assets and capabilities held at a sufficient readiness to be deployed in Rapid Response operations.
- At the Defence Ministers informal meeting in Deauville in October 2008, the Presidency proposed the **European Carrier Group Interoperability Initiative**. The EUMS is identifying the various possibilities to support this initiative.

Capabilities

42. The EDA, working closely together with participating MS, created a Project Team (PT) dedicated to Maritime Surveillance. The aim of this PT's work is to enhance the capability of the European Union military forces to carry out **Maritime Operations in support of ESDP missions**, including defence, security and safety missions.
43. In close cooperation with pMS, the EDA is currently working on the following strands.

Maritime Surveillance Networks

44. The aim is to develop a **networked solution** that fulfils the need for a coherent common Recognised Maritime Picture (RMP) for ESDP maritime missions and tasks, whilst maximising **inter-pillar interoperability** through the use of best practice. It will be facilitated through **networking existing and planned Maritime Surveillance systems** and by the exchange and sharing of data provided by **all relevant agencies of the pMS, all pillars of the EU and third parties**, within the boundaries of the current legal framework. For deployed ESDP operations, mobile solutions need to be developed. The potential contributions of KOPERNIKUS services are being analysed and will be incorporated as agreed upon by pMS. A study into Maritime Surveillance Networking was finalised in May 2008, and a Common Staff Target²⁶ was agreed by the EDA's Steering Board in July 2008.
45. Ongoing work includes the elaboration of a Common Staff Requirement²⁷, the definition of the data set shared and exchanged, and the elaboration of a Memorandum of Understanding between contributing Member States on the exchange of information. Additionally, a coordination process of **national inter-agency collaboration** on data sharing and exchange is in its initial stage.

Future Unmanned Aerial System

46. Initially intended to be applicable for tactical use in the maritime domain, the aim of this work strand is now to improve the EU capability to perform **Intelligence, Surveillance, Target Acquisition, and Reconnaissance (ISTAR)** missions using Unmanned Aerial Systems. A Common Staff Target and a Common Staff Requirement have been produced, and the launch

²⁶ CST: statement of capability needs.

²⁷ CSR: possible response to a CST including technical, economical and industrial aspects. One CST can lead to several CSRs.

of a cooperative project is being prepared. The project aims mainly at requesting information from **industry**, revising the Common Staff Requirement in a **joint approach** and studying functional, value, risk mitigation and cost related aspects.

The Identification of Small and Difficult Targets

47. This work-strand aims at developing solutions for detecting, tracking, identifying, classifying and engaging **small and difficult** (non-cooperative) **maritime objects**. Depending on Member States' support, work is planned to start in 2009.

Maritime Mine Counter Measures

48. In order to provide the ground for the replacement of current **maritime mine warfare** assets used by European navies in a timeframe around 2018 / 2020, the launch of a cooperative project based on a Common Staff Target produced by the Letter of Intent nations²⁸ is being prepared. This project will analyse **common military requirements** and capability needs in the operational context. Accessible and already existing or ongoing studies as well as conceptual documents and systems architectures will be mapped and screened. Work would result in a recommendation of a preliminary selection of **adequate systems solutions** and related operational, technical, economical, timeline and risk aspects.

Other maritime related Activities

49. In addition, there are several **research and technology** ongoing projects or initiatives in EDA. Among them, some are directly linked to maritime surveillance: establishing global maritime situation awareness; Maritime Surveillance Network Architecture Demonstration; and Wide area (land and maritime) persistent surveillance.

Other Research and Technology initiatives of interest include activities on **unmanned vehicles** for surveillance, maritime **environment** definition, vulnerability reduction of large maritime composite structures and **simulation** tools.

²⁸ DE, ES, IT, FR, SE, UK.