



**COUNCIL OF
THE EUROPEAN UNION**

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NOTE

from : Friends of the Presidency Group

to : Coreper/Council

Subject : Draft Council conclusions on integration of maritime surveillance

Delegations will find attached draft Council conclusions on integration of maritime surveillance.

**DRAFT COUNCIL CONCLUSIONS ON
INTEGRATION OF MARITIME SURVEILLANCE**

**Towards the integration of maritime surveillance: A common information sharing
environment for the EU maritime domain**

The Council of the European Union

HAVING REGARD TO

- the Commission Communication on an Integrated Maritime Policy for the European Union and Action Plan, presented on 10 October 2007;
- the Presidency Conclusions of the European Council on 14 December 2007;
- the Council Conclusions on the Integrated Maritime policy on 8 December 2008;
- the Commission communication "Towards the integration of maritime surveillance: A common information sharing environment for the EU maritime domain" presented on 15 October 2009¹;
- the EDA Wise Pen Intermediate report on 19 October 2009;
- the Conclusions on the future work of the Integrated Maritime policy adopted by this Council.

¹ COM(2009) 538 and SEC(2009) 1341

REAFFIRMING that an integrated approach to Maritime Affairs is vital in order to ensure synergies between sectoral policies, that the Integrated Maritime Policy should continue to be developed as a mechanism to address the challenges facing Europe's sustainable development and competitiveness, research and security, that the development of the Integrated Maritime Policy should respect the principles of subsidiarity and proportionality, as well as the external dimension;

RECOGNISING that the EU maritime domain regionally faces different and mounting challenges and that improved maritime surveillance may well contribute to meeting these challenges;

ACKNOWLEDGING the progress made in the area of maritime surveillance, in Member States and within the European Union, in particular with the establishment of the SafeSeaNet system (SSN) and the Vessel Monitoring System (VMS), and the ongoing development of Global Monitoring for Environment and Security (GMES), GALILEO, the European Border Surveillance System (EUROSUR) and Project Team Maritime Surveillance (PT MARSUR) taken forward under the European Defence Agency (EDA);

REAFFIRMING that these developments are essential for the protection of the marine environment, fisheries control, maritime safety and security, vessel traffic management, accident and disaster response, search and rescue purposes, law enforcement, border control and European Security and Defence policy's (ESDP) purposes, as well as for the realisation of the strategic goals and recommendations for the EU maritime transport policy until 2018 and for the promotion of the economic and social interests of the European Union and its Member States and for ensuring the objectives of an area of justice, freedom and security as well as of the European Security Strategy and ESDP aspects;

STRESSING the importance of identifying the added value of the common information sharing environment for different sectors, including those which already have the data needed to perform their tasks, using a "need to know" or "need to share" approach;

UNDERLINING the potential for further interoperability, and where relevant, of assessing the need for sharing of information for maritime surveillance – civilian as well as military –, to attain an efficient and cost-effective way to achieve a comprehensive maritime situational awareness, and that a well coordinated, cross-sector approach based on the lawful exchange of maritime surveillance data – with full respect of applicable rules of data and information sharing – is necessary in order to make Europe safer, more secure, more environmentally friendly, more attractive, more efficient and more competitive;

THE COUNCIL THEREFORE;

1. WELCOMES the work done under the Swedish Presidency and CALLS for further work on the idea of establishing an integrated approach to maritime surveillance, through a common information sharing environment in order to promote more interoperability and make best use of existing systems on a cross-sectoral basis, and facilitate safe and secure exchange of information while ensuring complementarity of efforts, thus improving safety, security, cost-effectiveness and efficiency, maritime situational awareness, and the facilitation of maritime transport calling at a European port or passing through European waters or its approaches;
2. WELCOMES the approach in the Commission’s communication “Towards the integration of maritime surveillance: common information sharing environment for the EU maritime domain”; and WELCOMES the Commission’s engagement;
3. CALLS upon the Commission in close cooperation with the Member States and relevant EU-bodies, in order to cover the appropriate civil and military aspects, to continue to develop the idea of establishing an integrated approach to maritime surveillance, through a common information sharing environment, and to present to the Council a roadmap, including a step by step approach, for its development and implementation, before the end of 2010. This roadmap would be further detailed in 2011 to take into account the results from relevant cross sectoral and cross-border projects and research and development projects in particular the pilot projects and lessons learned from ESDP operations;

4. ENCOURAGES the Member States and the Commission to further develop the idea of establishing a common information sharing environment, including common standards and protocols, taking into account the need to interlink all user communities, build on a technical framework for interoperability and future integration, promote information exchange between relevant civilian and military authorities at appropriate level on a “need to know” or “need to share” basis, and identify obstacles in EU and national legislation to the exchange of data), as well as the experience gained in regional and national initiatives, in pilot projects and from ESDP operations for the future work in regards to integrated maritime surveillance, as a starting point;
5. URGES the Commission, in close cooperation with the Member States, to improve coordination between different sectors in the field of maritime surveillance, and to give priority to the development of a general framework, including common standards and protocols to ensure cost-effective and efficient interoperability and adaptability of existing systems as well as cooperation, taking into account the international standards being developed for information sharing amongst different sectors, where appropriate, as well as the experiences gained from relevant projects and research;
6. SUPPORTS the establishment of the Commissions' expert group with Member States representatives on the integration of maritime surveillance for the above mentioned purposes, acting as a forum for coordination, in association with other relevant EU bodies representing ESDP aspects without prejudice of their own competences, and of a High Level Focal Points Group;
7. STRESSES the need to investigate an appropriate legal framework defining the different types of data involved, the purpose of the exchange and the recipients, taking into account the principles of subsidiarity, proportionality, and citizen security in compliance with personal data protection rules, international law, confidentiality of commercial information as well as security of data;

8. AGREES on the need to continue improving coordination between the Commission and relevant Agencies, such as the European Maritime Safety Agency (EMSA), Community Fisheries Control Agency (CFCA), European Environment Agency (EEA), European External Borders Agency (FRONTEX), European Police Office (EUROPOL), European Defence Agency (EDA), and the European Union Satellite Centre (EUSC) taking account of their respective mandates, to gradually find more efficient and cost-effective use of the systems already in place or under development; URGES the Commission, assisted by the Agencies, to provide their technical expertise with regard to the further development of the idea of establishing a common information sharing environment, which will be beneficial for the sectoral work; INVITES the Commission to promote appropriate coordination;
9. EMPHASIZES the need to take into account the potential areas for cooperation as appropriate, with third countries, as well as with relevant organisations²;
10. ENCOURAGES Member States and the different user communities to continue the ongoing national and regional cooperation and to increase interoperability and cooperation between both existing systems and systems under development, civilian as well as military, while respecting the need for increased synergies ensuring complementarity of efforts in regard to the further development of the idea of establishing a common information sharing environment, taking into account cost-effectiveness and efficiency;
11. INVITES the European Parliament, Commission, Member States, and the incoming Presidencies to make efforts to maintain the momentum achieved on the integration of maritime surveillance and to explore the opportunities and synergies that can be achieved by cooperation and mutual support, on a cross sectoral and cross border basis including ESDP aspects as appropriate; INVITES the Commission to identify the financial resources potentially needed for the materialization of the integration of maritime surveillance, taking into account the Financial Perspective, before the end of 2013.

² Such as the UN, IMO, NATO, and others