

SHADE MED 1-2016 - Minutes

12 May 2016 – Morning session minutes

The 2nd Shared Awareness and De-confliction Meeting for the Mediterranean Sea (SHADE MED) took place on the 12-13 May 2016 at the Italian Fleet's Command Headquarters (Rome, Italy).

The event, hosted and chaired by the Italian Navy, was attended by 145 representatives coming from 74 different organisations, ranging from Governments and Armed Forces of the coastal states of the Mediterranean, International Institutions such as the United Nations and the European Union and Non-Governmental entities involved in rescue operations at sea.

Captain (N) Gianfranco Annunziata, on behalf of the Chief of the Italian Navy, Admiral Giuseppe de Giorgi, gave his welcome speech in which he spotlighted the current situation in the Mediterranean. "The Mediterranean region is marked by significant sociopolitical transformations, deep religious divisions, and growing uncertainties and instabilities. The Syrian enduring crisis, the uncertain future of Libya and the evolution of terrorism are just a few of the main factors - of which we are all aware - impacting stability in the Mediterranean", Captain Annunziata said.

In order to face such complex challenges there is, therefore, the need to foster better understanding between civilian and military organisations involved in responding to these complex challenges and to look for tangible options to de-conflict and, where possible, coordinate efforts.

Hence, capitalising on the efficient use of all available resources and the development of synergies in the overall framework of outreach activities and operations in the Mediterranean are key factors.

"I therefore believe", added Captain Annunziata, "that if we increasingly invest in the SHADE-MED Initiative, we will eventually improve the overall effectiveness of our operations and efforts in the Mediterranean Sea".

In his opening speech, Rear Admiral Enrico Credendino, EUNAVFOR MED Operation Commander, said that *"The SHADE MED is an entirely voluntary network, which shall continue for as long as nations and organisations consider it useful. I am happy to see that the network keeps growing. Operation SOPHIA remains strongly committed to the SHADE MED forum, and this is why we will continue to fulfill the role of its permanent secretariat, thus bringing the needed continuity."*

"Valuable work is being done on issues such as identifying legal solutions to defining human smuggling in international law, and finding technical solutions such as establishing a Maritime Security Capacity, that will allow real time info sharing between maritime actors using a CIS system called SMART, which has similar functionalities to the MERCURY used in the Horn of Africa", explained Rear Admiral Credendino.

After Rear Admiral Credendino's speech, the 1st Session of the Meeting began. Representatives of the European External Action Service (EEAS), International Organization for Migration (IOM), International Chamber of Shipping (ICS) and the United Nations High Commissioner for Refugees (UNHCR) delivered their presentations. Below a brief summary of their speeches.

Mr Bernard Rambaud (EEAS - Director of EU Planning Team).

EU Strategic Assessment

Mr Rambaud highlighted that the migration problem is still there as a long-term strategic issue. The human trafficking network is a 4 billion Euros business which has to be disrupted, but there is no easy solution; Best Practices and Lesson Learned have to be shared. High level political dialogue is actually under way. Due to ongoing unprecedented levels of irregular migration, the EU Trust Fund has been created to support the most fragile and affected African countries. The Trust Fund will help address the root causes of destabilisation, displacement and irregular migration, by promoting economic and equal opportunities, security and development. Moreover, the EU is present in Africa with many Capacity Building (EUCAP Nestor/Sahel Niger/Sahel Mali) and Training (EUTM Mali/Somalia) Missions, as well as with an EU Border Assistance Mission in Libya (EUBAM Libya).

Mr Federico Soda (IOM - Director of the Coordinating Office for the Mediterranean in Rome)

Understanding the migration phenomena: support the State efforts in the Mediterranean Sea

We can expect this unprecedented mobility is likely to continue for the coming decades. More people are on the move than ever before – more than one billion in our seven-billion person world. Of these, 250 million are international migrants, and 750 million are domestic migrants. In percentage terms, international migrants have remained constant at about 3 percent of the world's population for several decades, but numerically, migrants are more numerous than ever before,

Demographers predict that this population boom is likely to continue beyond mid-century, at which time, the world's population is expected to level out at nine billion. Migration as such will continue to be a 'mega-trend' of our century,

IOM efforts will focus on:

- promoting understanding of dynamics and trends, allowing wider public dissemination of available information (in the IOM web site updated figures and displacement tracking of internal movements are displayed)
- supporting the development of policies the(e.g. the Migration Compact)
- supporting the realisation of policy objectives
- giving direct help to migrants through migration routes, screening for vulnerabilities and providing assistance at the landing points in Italy, on ships through cultural mediators, etc....

Mr Peter Hinchliffe (ICS – Secretary General)

International Shipping View of migration phenomena in the Mediterranean Sea

The ICS presentation reviewed the deep and sustained engagement of merchant ships in migrant rescues in the Mediterranean.

M/Vs have a long-standing maritime tradition of, and legal obligation to undertake, SAR. Since 2014, the number of migrants being rescued at sea has risen hugely, bringing serious problems to M/Vs including the provision of sanitation, food and water and the risk of civil disorder on board when a M/V hosts hundreds of migrants. Masters have no authority to make any differentiation between refugees and economic migrants.

M/Vs act as first responders in a rescue situation and cannot be employed to allow coastal States to avoid their legal obligation to provide adequate SAR resources.

The ICS proposed the development of a tabletop exercise to examine policy options and emerging problems, the introduction of one single COMMS channel for military and civilian cooperation, and the creation of a broadcast MDA.

Mr. Roland Schilling (UNHCR - Deputy Regional Representative for Southern Europe)

Co-ordination of international actions to protect refugees and resolve refugee problems in the Mediterranean Sea.

Nobody should be forced to resort to smugglers and risk his/her life by attempting to cross the seas in unseaworthy vessels. This needs to be stopped.

In UNHCR's view, the situation of irregular and dangerous crossing of the Mediterranean Sea has to be seen within the context of increasing global displacement, absence of durable solutions for many refugees and pressure in first countries of asylum.

Higher numbers, lack of solutions, and inadequate assistance and protection have increased the motivation of refugees to move on, and to reach Europe. Due to the absence of legal pathways, many resort to smugglers and arrive irregularly via the Mediterranean Sea. Those fleeing conflict are joined by economic migrants who seek to escape poverty back home.

The increasing pressure to cross borders irregularly has motivated Governments to heavily invest in border controls. Tightened border controls and new approaches to migration management have caused changes in migration patterns and routes, with different dangers and risks for migrants.

Along with the European Agenda on Migration, these are important steps aimed at: avoiding loss of life at sea; providing an adequate response to the needs to those rescued; and setting in place a more comprehensive response which acknowledges the respective roles and responsibilities of the countries of origin, first asylum, transit and destination.

Any agreement which returns a person who may be in need of international protection to a transit country must ensure that he/she: will be admitted and protected against *refoulement*; will have access to fair and efficient procedures for the determination of the refugee status; and will be treated in accordance with international refugee law and human rights standards, including appropriate reception arrangements.

In addition to these legal obligations, we need legal alternatives to dangerous irregular movements. This is key, and more than symbolic programs are required. 15 years ago, 70 % of the displaced were hosted by low income countries, 30 % by industrialized states. Today, the level of responsibility assumption has further shifted from rich to poor countries: 87 % of the global refugee population lives in poorer countries. Transit States and first countries of asylum need to be supported in building capacity to better receive and manage migration and refugee movements. However, in order to ensure greater fairness, substantial responsibility sharing is necessary. A policy of symbolic burden-sharing but *de facto* burden-shifting will not function, as it will sooner or later be undermined either by migrants or refugees themselves or by the countries concerned.

After the Coffee Break and Media Opportunity, the 2nd Session began and the Operation Mare Sicuro (OMS), Operation Active Endeavour (OAE), FRONTEX and IT Fleet Command (CINCNV) representatives delivered their presentations. Below a brief summary of their speeches.

LT (N) Catia PELLEGRINO – Operation Mare Sicuro –N3

Italian Navy efforts on migration phenomena and security challenges in the Mediterranean Sea

On 15 February, some human smugglers threatened an Italian rescue vessel by firing guns. On 12 March 2015 the Operation Mare Sicuro (OMS) began.

OMS deploys up to 5 ships equipped with helicopters, UAVs, and up to 2 submarines.

Its mission is:

- monitoring and protecting off-shore oil platforms;
- protecting Italian fishing activities;
- protecting search and rescue operations;
- deterring and countering illegal activities;
- collecting information on terrorist and criminal organizations using submarines and aircrafts.

OMS has rescued more than 155,000 migrants so far.

Capt (N) Oliver HUTCHINSON - Operation Sophia EU Comprehensive Approach in the Mediterranean Sea

Shared analysis, common strategic vision and long-term commitment are key to the Operation Sophia. Linking policies, cooperation with other delegations, and partnership working are critical to ensuring EUNAVFORMED's success. But, as the 2015 Action Plan points out, an effective Comprehensive Approach is a general working method, a way of doing things more effectively together, and as such it cannot be reduced to a list of actions.

Operation Sophia mission is to undertake systematic efforts to identify, capture and dispose of vessels and enabling assets used or suspected of being used by migrant smugglers or traffickers, in order to help to strengthen EU efforts to disrupt the business model of human smuggling and trafficking networks in the Southern Central Mediterranean.

Albeit not included in the Operation Sophia mission, Search and Rescue operations are still moral and legal (under international law) obligations. EUNAVFOR MED has indeed saved more than 13,700 lives.

Some of the main objectives are: Maritime Situational Awareness, the disruption of the smugglers' network and the persuasion of migrants not to cross the sea and fishermen to resume fishery.

Capt (N) Jeffrey Mc RAE– NATO Operation Active Endeavour (OAE) NATO Operations and activities in the Mediterranean Sea: OAE and the Aegean Sea

OAE mission is:

- to deter, defend, disrupt and protect against terrorism and terrorist support activities in the area of operations;
- engaging all regional actors;
- developing a sensor and non-sensor network.

OAE relevance:

- OAE is not just a maritime matter, it is a strong regional "brand" based on well-sustained "regional network" with partners;
- experience in Civil-Military interactions in the maritime domain supporting the shipping community on a daily basis via the NATO Shipping Centre;
- permanent presence in MED, ensuring efficient contingency handling (e.g. OUP/OPCW/Aegean Sea Crisis);
- OAE has been the main pillar of overall NATO MSA (procedures, network).

OAE Evolution:

- the security environment in the MED is in a state of flux, involving new challenges and threats;
- NATO is transitioning OAE to a Non-Article 5 Maritime Security Operation to provide a better response to current and future regional concerns on Maritime Security with relevant international organisations (mainly EU);

- such response is considering the need to respond to regional concerns by broadening the operation to embrace different tasking;
- expanding OAE security tasking will require continuous MSA enhancement.

NATO has established arrangements enabling direct links between Allied Maritime Command and FRONTEX at operational and tactical level. This will allow the exchange of liaison officers and real-time information sharing, thus enabling FRONTEX to take even more effective action.

Mr Vytaukas Lukas – FRONTEX

Migration phenomena towards EU: Joint Operations in the Central and Eastern Mediterranean

Frontex representative introduced the mandate of the Agency and experience at maritime domain since 2006.

The European Patrols Network (EPN) is an international maritime cooperation platform integrating:

- Joint Maritime Operations (e.g. EPN Triton, EPN Poseidon Sea),
- innovative services (e.g. FRONTEX Compatible Operational Image, Positioning System, Staff Exchange, Yellow Pages);
- networking of specialists in the maritime domain (EPN General meetings and dedicated workshops);
- shared surveillance of neighbouring patrolling areas (EPN Common Patrols).

FRONTEX has focused on strengthening cooperation with relevant EU Agencies/Bodies working in the field of maritime security and safety.

EPN platform has served to gather the main authorities operating at sea carrying out coastguard functions at national level. It also provides opportunities for cross-sectoral operational approach when acting in the maritime domain.

FRONTEX has developed EPN also through the implementation of European Coast Guard Functions. Also reference to the respective EU regulation (EU 1052/2013) is in force since December 2013. On establishing the EUROSUR as well as to JORA platform for reporting incidents within operations was made.

The need to enhance collaboration and co-ordination between authorities carrying out CG functions has been acknowledged in the EU MSS with an Action Plan adopted in 2014 and in the European Agenda on Migration adopted in 2015.

FRONTEX is constantly and persistently implementing cross-sectoral approach in the form of multipurpose operations with active inter-agency cooperation arrangements foreseen in the OPLANs of JO's.

FRONTEX is one of the biggest and sustainable actors in the maritime domain uniting various authorities (Border Guards, Coast Guards, Navies, Customs, SAR, fisheries control, etc.) operating at sea for a common goal.

The new developments on policy level namely establishment of Border Guard and Coastguard Agency were mentioned.

The cooperation between Operation Sophia and EPN Triton is based on Standard Operating Procedures and the exchange of information with EUNAVFOR MED established via LOs. Also Frontex cooperation with NATO Aegean activity was explained.

In conclusion:

- FRONTEX is ready to be part of pragmatic civil-military cooperation as long as mandates and competencies of all respective actors are respected.

- FRONTEX would like to welcome continuation of well-balanced cooperation among security-related actors at sea, but at the same time duplication of efforts should be avoided and already existing platforms/structures in terms of migration control at sea should be exploited as the first instance.

Capt (N) Silvio VRATOGNA – IT Fleet Command (CINCNAV)

Maritime Situational Awareness

After a presentation of CINCNAV organization and an outline of the and participation of the Italian Navy in Maritime Security Operations (MSO), Capt Vratogna provided a definition of Maritime Situation Awareness (MSA) that is Integrated Maritime Surveillance.

The Maritime Surveillance Centre is the data-merging hub gathering all data provided by:

- Coastal AIS;
- Navy Assets AIS;
- Coast Guard AIS;
- VRMTC;
- Italian Navy Coastal RADAR Network;
- EU Systems (SSNet – LRIT);
- Fishery Control (Blue Box);
- Vessel Traffic Service (VTS);
- EU MARSUR;
- NATO MSSIS.

Besides the Maritime Surveillance Centre, the Interagency Integrated Maritime Surveillance Centre gathers additional information from Custom Police, State Police, Ministry of Transportation and Civil Protection Department.