

Participants

ITALY (IT): [REDACTED]

MALTA (MT): [REDACTED]

FRONTEX (FX): [REDACTED] (Director of Operations Division), [REDACTED] (Head of Joint Operations Unit), [REDACTED] (Head of Sea Borders Sector), [REDACTED] (SBS), [REDACTED] (SBS), [REDACTED] (SBS), [REDACTED] (Risk Analysis Unit), [REDACTED] (RAU), [REDACTED] (RAU)

Commented [A1]: The non-disclosed text contains personal data, in particular the name of an individual. Its disclosure would affect the privacy and integrity of the individual. Therefore, its disclosure is precluded pursuant to the exception laid down in Article 4(1)(b) of Regulation 1049/2001.

Opening remarks

[REDACTED] warmly welcomed the Italian and Maltese delegations to the meeting and referred to the previous discussions regarding the operational plan of the JO EPN Triton 2014 as well as the JHA Council Conclusions of 10 October. With reference to the latter, the JO EPN Triton 2014 shall start on 1 November 2014 without any delays. All the main conditions (e.g. requested budget, additional funding, support at political level, technical resources, and the general agreement between the key parties) are already met. The purpose of this meeting is to discuss and finalise the operational plan.

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[REDACTED] responded to the welcome remarks and introduced the Italian delegation. References were made to the scope and size of the JO EPN Triton 2014 – it is a big joint operation with participation of many (around 20) Member States (MS), and the characteristics of the irregular migratory flows via Central Mediterranean route. It was confirmed that all the prerequisites are met and the operational plan can be finalised.

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Operational Plan

The draft operational plan (OPLAN) was discussed in detail. Several changes were agreed among the participants and made to the draft. A few linguistic improvements, that could affect the interpretation of the OPLAN, were made (e.g. vessels instead of ships).

In particular, the following points were discussed and clarified:

- The role of Frontex in search and rescue (SAR) operations (p. 8)

As clarified by FX, SAR is not within its mandate. However, if necessary and according to the law of the sea, vessels deployed in FX operations will participate in and support SAR events.

- Termination of the JO EPN Triton 2014 on 31 January 2015 (p. 9)

As explained by FX, 31 January 2015, instead of 31 December 2014, is foreseen to be the end date of the JO EPN Triton. This is due to the technical and financial reasons. If necessary, further deployment of assets and potential continuation of the JO EPN Triton throughout 2015, would be only feasible, if the end date of the current operation lies already in 2015. Possible continuation of the JO EPN Triton (incl. preparation of the financial documents and deployment of assets) would be more efficient and no breaks in the operational activities would be needed. An adequate explanation in the footnote (OPLAN) will be provided.

- Operational area of [REDACTED] (p. 10)

It was clarified that the area of [REDACTED] will be kept in the OPLAN and held on standby (in case the need of operational activities in this area arises).

Commented [A4]: The non-disclosed text contains information regarding the operational area. Ongoing operations tend to cover similar operational areas as the operations of preceding years in the same geographical area. In this regard, disclosing the coordinates of the operational areas of previous years, would be tantamount to disclosing the current operational areas.

- Participation of Third Countries and cooperation with other EU agencies and bodies or international organisations (p. 11)

Commented [A5]: The non-disclosed text contains information regarding the operational area. Ongoing operations tend to cover similar operational areas as the operations of preceding years in the same geographical area. In this regard, disclosing the coordinates of the operational areas of previous years, would be tantamount to disclosing the current operational areas.

As informed, IT will have a meeting with the Egyptian delegation on 28 October and the idea of involving the officers from the third country (as observers) in the JO EPN Triton can be discussed. Regarding possible participation of Tunisia, it was clarified by IT, that due to the upcoming presidential elections in Tunisia, it is not the right moment to involve this country in any operational activities.

Referring to the JHA Council Conclusions from 10 October, EASO, according to its mandate, could support Frontex and the Host MS in the implementation of the JO EPN Triton. Thus, EASO and IT could bilaterally explore the possible cooperation in the framework of the JO EPN Triton. EASO is planning to launch a pilot project to interview asylum seekers and to contribute to the identification of the criminal networks, which can present an added value to the joint operational activities of FX and MS. However, the initiative should be taken by EASO in order to implement the JHA Council Conclusions. This message will be passed to EASO by Frontex together with the agreed OPLAN.

Annexes to the operational plan

Twelve annexes to the OPLAN were discussed and several changes were made to the documents. In particular, the following points were clarified:

- Disembarkation locations (Annex 3)

It has to be considered that Lampedusa will continue to be the main point of disembarkations. Thus, other arrangements (e.g. redeployment, deployment of additional team, or shift of teams, e.g. from Mineo) may need to be made in the future.

It was agreed that the general assessment of third countries, required for the disembarkation of migrants in third countries, will not be produced due to the fact that there will be no disembarkation in third countries. IT wanted to include the disembarkation rule as foreseen in the EU regulation No. 656/2014.

- Sanitary issues (Annex 3, p. 13)

The issue of sanitary precautions, especially in light of the current challenging situation in West Africa, was thoroughly discussed. Conclusion was reached that each MS participating in the JO EPN Triton will provide the standard sanitary kit to the deployed officers. Distinction should be made between the debriefing teams and other deployed teams (e.g. crew members) that do not have direct contact with migrants. FX clarified, that the issue of the safety measures and the equipment available was raised by many MS participating in the JOs. FX is currently developing a common solution that will be used for this purpose.

- Interception in territorial waters (Annex 3, p. 16)

Distinction has to be made between an emergency and a normal situation. MT made a comment about the interception in territorial waters and disembarkation to Italy. It was orally confirmed by IT that IT would accept migrants who are not yet in distress situation to be disembarked in IT [REDACTED]

- Deployment of assets (Annex 5, p.24)

IT kindly asked FX to amend the initially planned deployment of assets and to ensure a bigger presence of the Italian technical resources and especially the involvement of other relevant Italian authorities (Guardia di Finanza, Guardia di Costiera and Carabinieri) in the JO EPN Triton. FX clarified that JOs coordinated by FX require the participation of different contributing MS. In order to ensure the cost-efficiency, especially maritime assets from participating MS are deployed for a longer period of e.g. two months. However, it was concluded that FX will take into account the Italian request and consider changes to the initial deployment

Commented [A6]: The non-disclosed text contain detailed information regarding the modus operandi of law enforcement officials. It contains references to the methods applied by law enforcement officers to perform border control tasks in general and to counter illegal activities in particular. Its publicity would expose the working methods applied those activities which would jeopardize the implementation of ongoing and future operations, and thus facilitate irregular migration and other cross-border crime such as facilitation of irregular immigration, trafficking in human beings and terrorism. Therefore, public security will be affected. In light of the above the text is not disclosed pursuant to the exception laid down in the first indent of Article 4(1)(a) of Regulation No 1049/2001 relating to the protection of the public interest as regards public security.

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plan, and e.g. a possible 1-month deployment of assets (CPVs) provided by Guardia di Finanza and Guardia di Costiera and a 2-month deployment of an asset (OPV) from Italian Navy.

Detailed information on Operational Briefing organised by FX on 28-29 October in Rome has been presented. FX requested HMS to be ready to provide all necessary details to the participating MS.

Further considerations and next steps

- FX to make the agreed changes to the OPLAN and circulate the document among IT and MT on 17 October.
- FX to amend the planned deployment of assets, based on the request of Italy
- FX to send the final OPLAN to other partners (e.g. EASO)
- IT and MT to update the contact details of the relevant authorities and the nominated focal persons