

MISSION REPORT

Name of staff on mission:	(DOPD), (RAU), (JOU SBS)
Place of mission:	Rome, Italy
Dates of the mission:	25-26/08/2014
Location:	Ministry of the Interior Department of Public Security Central Directorate of Immigration and Border Police Immigration Service
Reason for Mission:	Participation in the meeting to discuss on the future JO EPN Hermes

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Core messages:

- MLT demonstrated constructive approach and appears willing "to be back" to the MS participating in JO in Central MedSea
- ITA proposal with considerable big and expensive deployment of naval assets could not be supported by Frontex; reference was made to the mandate of the agency and to budget limitations; Frontex will carefully analyze the ITA proposal and come up with result and own proposal soon.
- Frontex gave commitment for further addressing MS for their contributions to an extended and to the planned reinforced JO Hermes.
- COM indicated willingness to explore whether funds for handling the "abandoned boats" could be made available on request of ITA;
- COM indicated bilaterally to FX that limited funds ("some million EUR") could be mobilized for reinforced JO Hermes - needs would have to be justified via established Frontex proposal for this JO, and after internal relocations would =have been exhausted.

Summary of the meetings:

1. Main elements discussed and concluded during the trilateral meeting on 25 August 2014 involving ITA-MLT and FX:

- IT has presented to MLT a proposal on a new concept of JO EPN Hermes (FX JO EPN Hermes to be kept separate from Mare Nostrum; main focus on border surveillance; joint management and common operational areas of EPN Aeneas and EPN Hermes, intention to have a large involvement of EU MS, etc) already presented and discussed with FX during the meeting on 20 August 2014 in Warsaw;
- ITA also asked if MLT could support in dealing with the phenomenon of boats currently being reused by criminal networks to transport migrants which are usually left a drift at sea after interception is done by ITA Navy.
- MLT due to the short notice could not make very detailed assessment of the proposal but made some statements in this regard:
 - MLT in general would be willing to join FX JO EPN Hermes but under certain conditions which would accommodate MLT's national political policy;

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- application of EU regulation establishing the Rules for the surveillance of the external sea borders in the context of Frontex coordinated joint maritime operations (regulation EU 656/2014) has to be further discussed (issue of disembarkation of migrants);
- MLT would like to get more clarity from ITA on the planning of Mare Nostrum operation as MLT is about to finalize an agreement with the ITA Navy in order to join Mare Nostrum activities;

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- ITA informed that so far they do not have information if Mare Nostrum will continue in October and later on;
- FX made a clear statement as regards the future operational area of EPN Hermes, namely that FX would not agree on having an operational area within Libya's SAR. In addition Frontex has made no commitment at this stage for the allocation of additional budget and assets in order to launch a reinforced EPN Hermes;
- Finally ITA has been agreed that MLT will present their proposal for possible ops area of EPN Hermes during the meeting on 26 August when COM will be present;

Main elements discussed and concluded during the meeting on 26 August 2014 involving ITA-MLT-COM and FX:

- ITA presented to all participants their proposal on a new concept of JO EPN Hermes as already discussed during the meeting held in Frontex on 20 August 2014. The proposal consists of the following main points:
 - A large involvement of maritime and aerial assets from EU Member States and SAC is foreseen, the presence of the EU in the border surveillance of the Central Med has to become significant;
 - FX JO EPN Hermes has to be clearly separated from Mare Nostrum both in terms of scope and aim and in terms of operational area;
 - There will be an increased exchange of information from Mare Nostrum to the new operation Hermes through the deployment of a Frontex liaison officer in the Operational Command Centre of the Italian Navy in Rome;
 - The main focus of the new JO EPN Hermes will be on border surveillance, while the main focus of Mare Nostrum will remain Search and Rescue;
 - There will be a merge of the current Joint Operation Hermes and Aeneas with joint management and ops areas of EPN Aeneas and EPN Hermes and common use of debriefing and screening teams;
 - There should be a continuous assessment of the development of the situation with a flexible approach in the allocation of aerial and maritime assets and the operational area, according to the changes;

[REDACTED] aimed at depriving them from the possibility to re-use boats abandoned after the

Commented [A2]: 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 details of the operational areas of previous years, would be tantamount to disclosing the current operational areas.

The result of this will only be to hamper the course of the ongoing operations, by depriving them of any strategy and element of surprise during border surveillance, ultimately obstructing their purpose to counter and prevent cross-border criminality as well as prevent unauthorized border crossings.

In this light, the disclosure of such information would undermine the protection of the public interest as regard to public security in the sense of Article 4(1) of the Regulation 1049/2001.

Commented [A3]: 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 immigration 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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disembarkation of migrants after SAR events in high waters. This could be obtained by

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- FX stated its commitment to continue, like it did in the past, to support the Italian efforts in the fight of irregular migration. Therefore FX decided to extend JO EPN Hermes up to the end of November, as agreed during the bilateral meeting with ITA on 20 August 2014;
- FX underlined that FX mandate has to be respected (border control) while planning the new operational concept within EPN Hermes;
- FX informed that at the moment the agency has no financial means to accommodate the ITA proposal on the deployment of certain type (OPV's) and quantity of additional assets;
- Italy and FX referred that 3rd country cooperation is an important element in fighting irregular migration thus to be enriched by MS actions (e.g. dialogue with Tunisia and Egypt);
- MLT stated to be, in principle, willing to support JO EPN Hermes, thus MLT reconsidered their previous limitation on ops area covering partly Libya's SAR region.
- COM is ready to provide support (budget allocation) to ITA on solving the issue of abandoned boats at sea but more discussion is needed. Frontex is not competent to use ITAs budget for this issue.
- COM has no considerably bigger amount of the budget to be allocated to FX JO's in a short term, possibility to transfer 3,600.000 EUR could be discussed when all operational details would be clarified;
- COM referred to opportunities of ITA could possibly gain by using the ITA Presidency for making pressure in order to obtain the assignment of additional funds for 2015 operational activities;

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Subsequently as follow up it has been agreed:

- FX will analyze the ITA proposal and will come back asap to ITA indicating a more tailored operational concept (ops area, assets to be deployed, possible costs to be borne);
- In parallel, FX will launch open calls to all MS in order to contribute with experts and assets for the activities of extended EPN Hermes following same volume of the deployments as at the moment scheduled for EPN Hermes 2014;
- In parallel, FX will communicate and negotiate with MLT on their future participation in JO EPN Hermes (operational area, assets, experts, limitations, etc.);
- FX in cooperation with Mol and ITA Navy will start implementing the deployment procedure of FX LO in the ITA Navy Maritime Coordination Centre located in Rome. The ITA Navy has agreed to provide FX with general conditions to be applied for hosting FX LO.
- For finalization of the discussion technical meeting could take place involving ITA MLT and FX.

Commented [A5]: The non-disclosed text contains sensitive information obtained in the scope of cooperation with another EU MS related to the effectiveness of border security. Its disclosure would reveal the existing vulnerabilities which, once public, would be explored by the criminal networks of migrant smuggling and of trafficking of human beings. Thus, the disclosure of such information would harm the public interest as regards public security. In this regard the text is not disclosed pursuant to the exception laid down in the first indent of Article 4(1)(a) of Regulation (EC) 1049/2001

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