

CISE Transitional Phase: Governance Structure

Draft Terms of Reference

1. INTRODUCTION

The 2014 Commission Communication¹ on better situational awareness by enhanced cooperation across maritime surveillance authorities defines CISE as a "voluntary collaborative process in the European Union seeking to further enhance and promote relevant information sharing between authorities involved in maritime surveillance". CISE aims to enable enhanced maritime awareness and more effective action at sea, and is promoting a voluntary and decentralised framework for these exchanges.

Maritime surveillance and the development of CISE is one of the work strands of the EU Maritime Security Strategy (EUMSS)², and its revised Action Plan adopted in June 2018³ by the Council.

The Commission is putting in place a preparatory action in the transitional phase in view of the operational implementation of the CISE. Supporting the transition to operations, the main objective of the preparatory action should be to further support MS efforts in the transitional phase to as far as possible implement the CISE interoperability building blocks in their systems (considering those developed and tested in EUCISE2020 project). It also aims to work towards coherence of CISE with the overall European maritime surveillance framework and maritime information systems.

The scope of this document is to define the governance structure of CISE for the transitional phase.

2. GOVERNANCE STRUCTURE

The Member State Expert Sub-Group on Integration of Maritime Surveillance and Security (MSEG) in its current format will be entrusted with the strategic oversight of the preparatory action led by EMSA.

The Friends of Presidency Group for the EUMSS will also be kept informed, as appropriate, on the developments of the transitional phase as part of the implementation of the EUMSS.

¹ COM(2014) 451 final: "Better situational awareness by enhanced cooperation across maritime surveillance authorities: next steps within the Common Information Sharing Environment for the EU maritime domain"

² European Union Maritime Security Strategy, doc. 11205/14.

³ Council conclusions on the revision of the EU Maritime Security Strategy (EUMSS) Action Plan (26 June 2018), doc. 10494/18, EUMSS Action Plan

A CISE Stakeholders Group, hereafter also called Group, will be entrusted with the refinement and execution of the activities needed to reach the objectives of the CISE transitional phase. These activities are identified in the “CISE transitional phase: activities” document. The CISE Stakeholders Group will be responsible for providing the necessary guidance and orientations for the transitional phase.

The CISE Stakeholders Group Chair will report to the Commission who will inform the MSEG.

3. REPRESENTATION

3.1. Members

The members of the CISE Stakeholders Group will be made up of principal and alternate expert representatives designated by the Member States. The principal and alternate can both attend the meetings and will present the national position.

The Commission (DG MARE) will invite the Member States to designate their representation in the CISE Stakeholders Group.

The Commission and EMSA are also members of the CISE Stakeholder Group. EMSA provides the chairmanship, secretariat and gives administrative support to the Group in performing its tasks.

The European Fisheries Control Agency (EFCA), European Border and Coast Guard Agency (Frontex), European Union Satellite Centre (SatCen), European Defence Agency (EDA), and the European External Action Service (EEAS) are also members of the Group.

3.2. Observers

Other participants from Member State authorities may attend as observers.

Representatives from EEA countries may also attend the meetings of the CISE Stakeholders Group as observers.

Authorities, institutions, agencies, European and international organisations or other appropriate organisations or experts may be invited by the Chairperson to participate as observers at a meeting, subject to the information distributed 15 days in advance of the meeting and the tacit agreement (within a response period of 5 calendar days following the information) of the meeting participants.

3.3. Chairperson

The Chairmanship of the CISE Stakeholders Group will be exercised by an EMSA official.

The Chairperson shall exercise her/his responsibility in accordance with these terms of reference and in line with the tasks agreed in the grant agreement.

During meetings, the Chairperson shall act in accordance with customary practice. The Chairperson shall:

- I. open and close the meetings;
- II. direct the discussions and deliberations;
- III. give the floor to speakers in the order in which they request it;
- IV. present compromise proposals and strive to seek consensus;
- V. draw conclusions of the discussion.

3.4. Secretariat

EMSA will provide the secretariat for the CISE Stakeholders Group. This task includes:

- I. prepare the meeting agenda;
- II. prepare the meeting minutes;
- III. prepare a report for the CISE Stakeholders Group;
- IV. prepare reporting to the Member State Expert Sub-Group on Integration of Maritime Surveillance and Security (MSEG).
- V. ensure the preparation, distribution and archiving of the agenda and the meetings documents. EMSA shall make these documents accessible via the EMSA web site.

The CISE Stakeholders Group members can contact EMSA secretariat via the dedicated e-mail account (cise-stakeholders@emsa.europa.eu).

3.5. Working groups

The CISE Stakeholders Group may decide to constitute working groups during the transitional phase. For each working group, the scope, the composition and the expected duration should be clearly defined.

Working groups shall work in principle through video teleconferencing (VTC) or correspondence.

4. MEETINGS

4.1. Location of Meetings

The CISE Stakeholders Group shall normally meet on EMSA premises, unless the Group decides otherwise, in accordance with the procedures and schedule established by the Agency.

4.2. Dates of Meetings

The CISE Stakeholders Group shall normally meet quarterly, but not less than twice in any twelve-month period. The dates of meetings of the CISE Stakeholders Group shall be communicated to all participants at least one month in advance.

4.3. Expenses/reimbursement of meetings

EMSA shall reimburse to the invited experts the expenses of one representative for MS incurred in connection with the Group's activities in accordance with the EMSA Rules for Reimbursement of Expenses to Experts available at: <https://extranet.emsa.europa.eu/e-register/events>.

4.4. Confidentiality

Information obtained by participating in the meetings and the deliberations of the Groups shall not be divulged if, in the opinion of the Commission, that information relates to confidential matters.

5. PROCEDURE FOR THE MEETINGS

5.1. Meeting Preparation

A provisional agenda for the meeting shall be agreed between DG MARE and EMSA and sent by EMSA with the invitation to the meeting at least one month in advance. Additional items may be added to the provisional agenda at the request of (a) MS delegation(s), b) the Commission or c) EMSA up to **15 calendar days** prior to the opening date of the meeting.

The provisional agenda will be subject to approval as the first item of business of the meeting.

Documents addressing items on the provisional agenda shall be submitted to EMSA for distribution up to **15 calendar days** prior to the opening date of the meeting. EMSA shall make these documents accessible via a dedicated CISE web tool within three working days after receiving them.

Drafts of Technical and Operational Documentation that are 'for approval' and that include substantial changes affecting the node, adaptors, or network implementation shall be make accessible via the EMSA web site at least 30 days prior to the opening date of the meeting.

5.2. Proceedings

At the beginning of the meeting, any member of the CISE Stakeholders Group may make proposals for additional issues for discussion at the end of the meeting under the section "any other business".

The CISE Stakeholders Group shall take its decisions by consensus of the members present at the meeting. If consensus is not reached on an issue, the Chair will refer it to the MSEG.

Decisions affecting the nodes shall be taken with the agreement of the Member States operating nodes.

The CISE Stakeholders Group may decide to submit written documents for information, consultation or approval to the MSEG through the Chairperson.

5.3. Meeting reports

The CISE Stakeholders Group shall receive a draft of the meeting report within 6 weeks after the meeting.

The CISE Stakeholder group members will have 4 weeks to give any comments or amendments to EMSA prior to the document being sent out to the group members as final. The draft and the final reports will be available on the CISE web tool.

The report shall be the only official record of the meeting of the CISE Stakeholders Group.

MS delegations can have their statements included in the report if required during the meeting.

6. MISCELLANEOUS

6.1. Languages

The working language of the CISE Stakeholders Group is English.