

DIRECTORATE-GENERAL FOR EXTERNAL POLICIES
POLICY DEPARTMENT

**THE MARITIME
DIMENSION OF CSDP:
GEOSTRATEGIC
MARITIME CHALLENGES
AND THEIR
IMPLICATIONS FOR THE
EUROPEAN UNION**

SEDE



DIRECTORATE-GENERAL FOR EXTERNAL POLICIES OF THE UNION

DIRECTORATE B

POLICY DEPARTMENT

STUDY

**THE MARITIME DIMENSION OF CSDP:
GEOSTRATEGIC MARITIME CHALLENGES AND THEIR
IMPLICATIONS FOR THE EUROPEAN UNION**

Abstract

The global maritime security environment is in the midst of an important transformation, driven by a simultaneous intensification of global maritime flows, the growing interconnectedness of maritime regions, the diffusion of maritime power to emerging powers, and the rise of a number of maritime non-state actors. These changes are having a profound impact on the maritime security environment of the EU and its member states and require an upgrading of the maritime dimension of the EU's Common Security and Defence Policy (CSDP). This study analysis the impact that the changing maritime security context is having on the EU's maritime neighbourhood and along the EU's sea lines of communications (SLOCs) and takes stock of the EU's existing policies and instruments in the maritime security domain. Based on this analysis, the study suggests that the EU requires a comprehensive maritime security strategy that creates synergies between the EU's Integrated Maritime Policy and the maritime dimension of CSDP and that focuses more comprehensively on the security and management of global maritime flows and sea-based activities in the global maritime commons.

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LIST OF ACRONYMS

A2/AD	Anti-access and area-denial capabilities
AAR	air-to-air refuelling
ABM	Anti-Ballistic Missile
ABR	Arctic Bridge Route
AC	Arctic Council
AGS	air-to-ground refuelling
AMSA	Arctic Shipping Assessment Report
AMISOM	African Union Mission to Somalia
ASEAN	Association of Southeast Asian Nations
AU	African Union
bbl	Barrels
bbl/d	Barrels per day
BMD	Ballistic Missile Defence
C3	control, command, communications
CFSP	Common Foreign and Security Policy
CGPCS	Contact Group on Piracy off the Coast of Somalia
CISE	Common Information Sharing Environment
CIVCOM	Committee for Civilian Aspects of Crisis Management
CMF	Combined Maritime Forces
CMPD	Crisis Management and Planning Directorate
CONOPS	Conduct of Operations
CPCC	Civilian Planning and Conduct Capability
CSDP	Common Security and Defence Policy
DCI	Development Cooperation Instrument
DG ECHO	European Commission Directorate General of Humanitarian Aid and Civil Protection
DG MARE	European Commission Directorate General of Maritime Affairs and Fisheries
DRTC	Djibouti Regional Training Centre
EAI	European Amphibious Initiative
ECGII	European Carrier Group Interoperability Initiative
EDA	European Defence Agency
EDF	European Development Fund
EEAS	European External Action Service
EEZ	Exclusive Economic Zone
EMSA	European Maritime Safety Agency

ENPI	European Neighbourhood and Partnership Instrument
ESS	European Security Strategy
EUMC	European Union Military Committee
EUMS	EU Military Staff
EUROMARFOR	European Maritime Force
EUROSUR	European External Border Surveillance System
EUSR	EU Special Representative
GCTF	Global Counter-Terrorism Forum
GDP	Gross Domestic Product
HELCOM	Helsinki Commission
ICC	International Criminal Court
ICMPD	International Centre for Migration Policy
IfS	Instrument for Stability
IMO	International Maritime Organization
IMP	EU Integrated Maritime Policy
IRTC	International Recommended Transit Corridor
ISPS	International Ship and Port Facility Security Code
ISR	intelligence, surveillance, reconnaissance
IUU	Illegal, unreported and unregulated fishing
MaSe	Maritime Security Programme
MSC-HOA	Maritime Security Centre – Horn of Africa
Mt	Metric ton
NATO	North Atlantic Treaty Organization
NMS	National Military Strategy
NORDEFCO	Nordic Defence Cooperation
NSR	Northern Sea Route
NSS	National Security Strategy
NWP	Northwest Passage
PI	Partnership Instrument
PMAR	Pilot Project on Piracy, Maritime Awareness and Risks
PSC	Political and Security Committee
QDR	Quadrennial Defence Report
ReMISC	Regional Maritime Information Sharing Centre
SHADE	Shared Awareness and Deconfliction
SLOCs	Sea Lines of Communication
tcf	trillion cubic feet (of gas)

TFG	Transitional Federal Government (Somalia)
TSR	Transpolar Sea Route
UAV	Unmanned Aerial Vehicle
UNCLOS	United Nations Convention on the Law of the Seas
UNDP	United Nations Development Programme
UNODC	United Nations Office on Drugs and Crime
UNSC	United Nations Security Council
USGS	United States Geological Survey
WFP	World Food Programme
WMD	Weapons of Mass Destruction

EXECUTIVE SUMMARY

This study analyses the evolving geostrategic maritime challenges to the European Union and its member states and the potential contribution of the EU's Common Security and Defence Policy in responding to these challenges. To this end, the study evaluates the changing nature of the global maritime security environment that provides the framework for EU actions. In particular the study analyses how the rapidly changing geopolitical context is affecting the security environment in the EU's maritime neighbourhood and along its main sea lines of communications (SLOCs) and what kind of new requirements these changes impose on CSDP. The study then takes stock of the EU's capacity to deal with these challenges through its existing policies and institutions and evaluates the effectiveness of on-going EU maritime operations.

Based on this analysis the study notes a number of broad trends that are going to have a lasting impact on the EU's evolving maritime interests and on the way that the EU projects its power across the oceans.

1. Within the evolving geopolitical context the **importance of global maritime flows for the EU has exponentially increased**. European industry and commerce are ever more closely integrated in and dependent upon a flourishing network of global maritime flows as a result of globalization and growing global interdependence. However, the growing density and importance of these global interactions has also encouraged the **growth of illegal maritime non-state actors**, such as pirates, terrorists and criminal syndicates. These actors pose a viable threat to vulnerable maritime flows and infrastructure, by operating out of lawless maritime zones and exploiting the weaknesses of an increasingly fragmented global maritime governance system. In order to contain these actors, the EU needs to cooperate with old and new allies in order to build global and regional regimes, institutions, and military capabilities.
2. The growing intensity of global maritime interaction has meant that **different maritime regions across the world have become increasingly interconnected**. As a result, developments in far-apart regions increasingly influence each other. Critical maritime infrastructure projects, such as the building and extension of canals and port infrastructure can impact maritime flows elsewhere and have important strategic consequences. Insecurity and piracy around lawless zones can create bottlenecks that lead to a diversion of maritime flows around less frequented routes. The opening of new sea routes, environmental degradation, and overfishing in one area are increasingly felt across the globe. This means that the EU requires a global strategy in order to tackle challenges to its shipping and maritime regions.
3. The **diffusion of global power is gradually changing the geostrategic maritime balance**. Ambitious naval shipbuilding programs, whether for security or prestige reasons, are creating friction and undermining trust. While the US dominance of the seas remains unchallenged, America's relative power has declined and is increasingly constrained by the anti-area and access denial strategies of rising powers and overstretched due to conventional wars and the proliferation of non-state actors. This changing balance has affected the interaction between states and created new frictions from the Indian Ocean to the South Atlantic. As a result, there is a **heightened potential for proxy conflicts and small wars** amongst emerging powers in particular across the EU's vital sea lines of communication with Asia.
4. This more complex and diffuse maritime security environment has made international cooperation more difficult and has diminished the appeal of the EU's vision of effective multilateralism. Self-confident rising powers are increasingly unwilling to adhere to UNCLOS principles or to submit to international arbitration. This reflects developments in other global governance arenas, where rising powers are demanding greater influence and more flexible rules. Rather than accepting a US-dominated Global Commons, or the European vision of

effective multilateral governance, they work through the framework of the traditional territorial state and demand greater independence and sovereignty. This complicates attempts to further regulate global maritime affairs and protect the maritime environment. It also encourages a dangerous rush to exploit the mineral and halieutic resources of the high seas that could impose considerable environmental costs and spark new conflicts and confrontations.

Together, these developments have had a considerable impact on the maritime security environment in the EU's neighbourhood and along the EU's sea lines of communications. Piracy and lawlessness at sea have forced the EU to launch military operations around the Horn of Africa and law-enforcement operations in its neighbourhood that are testing the capabilities of European navies and law enforcement agencies. Territorial disputes, both old and new, are becoming increasingly heated and threaten to undermine regional cooperation. New and old external actors represent a growing maritime presence within the EU's own neighbourhood and pose new challenges, while the EU's own overseas presence is diminishing and its soft power is being blunted by the current economic crisis. Climate change, pollution and overfishing are leading to environmental degradation and have the potential to spark new conflicts and challenges for the EU.

In light of these developments, the EU requires a comprehensive maritime security strategy that takes account of the increasingly globalized nature of maritime challenges and that allows for greater synergies between the EU's Integrated Maritime Policy and the maritime dimension of CSDP. This new strategy should correspond to the growing intensity of the global maritime flows and focus on securing these flows along the EU's sea lines of communication. The Global Maritime Commons, in which many of these flows take place, should therefore become an object of high-level strategic interest for the EU. In order to effectively protect its vital interests in an open and secure maritime space and to forestall a dangerous geopolitical scramble for the exploitation of the high seas, the EU will have to act with greater determination, flexibility and agility and invest greater attention and financial resources in maritime matters. To this end, the last part of this study sets out a number of recommendations about how to strengthen the maritime dimension of CSDP and to develop a more comprehensive EU strategic outlook towards future maritime challenges.

1. INTRODUCTION

The welfare and security of the European Union is unavoidably linked to the seas. Together, the EU's 27 member states command a coastline of over 90.000 km that crosses two oceans and four seas, while the overseas territories and security installations of EU member states are flung far across the world's oceans. With 90 % of the EU's external trade and over 40 % of its internal trade transported by sea, maritime flows represent the lifeblood of European trade and commerce and are important conduits of European power and influence. For all of these reasons, the EU has a keen interest in a secure and open maritime environment that allows for the free passage of commerce and the peaceful and sustainable exploitation of the ocean's riches. For many centuries, this has been provided by successive western powers, first the UK and later the US.

However, recent years have seen the rise of important new challenges to maritime security that have thrived as a result of intensifying global maritime flows and due to the greater diffusion of naval power across the international system. Non-state actors, including pirates and maritime terrorists, have sought to exploit the vulnerabilities of an increasingly complex maritime system. Rogue actors and failing states are threatening the security around important maritime chokepoints. Global environmental changes have opened new sea routes and intensified competition over dwindling fish stocks. The extraction of energy and minerals from the high seas, which has become viable due to higher prices and technological advances, is creating competitive pressures and growing frictions. Finally, the cross-fertilization of the space and cyber domains with the maritime environment has brought about additional vulnerabilities and new bottlenecks.

Even in absence of these new complexities, the international legal and institutional environment of the seas remains patchy and woefully underdeveloped, with many central players attempting to free-ride on the global maritime regime. The diffusion of maritime power and a growing competitive urge is further unhinging the existing maritime order and threatening the governance of the seas. Old territorial disputes and new rivalries are emerging as a result of this more competitive environment. Private commercial actors are quick to exploit loopholes in the system and operate freely in under-regulated maritime spaces. These actors are quickly changing the rules of the game and supplanting states as the prime maritime actors.

These unprecedented challenges require strategic foresight and careful planning on part of the European Union, who remains a relative novice when it comes to maritime security issues. This report seeks to provide an overview of the key geostrategic maritime challenges to the European Union in the area of Common Security and Defence Policy (CSDP) and their implications for the EU and its member states. In order to do so, the study will provide a sketch of the rapidly evolving global maritime context (section 2), before analysing its consequences and implications in the EU's maritime neighbourhood (section 3) and along the EU's sea lines of communication (section 4). The study then proceeds by taking stock of the EU's existing policies and instruments in the maritime domain (section 5) and assessing the record of EU maritime operations (section 6). The study closes by outlining some key elements for the EU's response to the quickly changing maritime context and drawing some preliminary recommendations for the further development of CSDP (section 7).

2. THE GLOBAL MARITIME CONTEXT

2.1 Contested Maritime Commons

This study takes place at a time that the global maritime context is undergoing a profound transformation, driven by shifts in global geopolitics and the emergence of a multipolar global order. The attendant diffusion of power, growing economic interdependence, and the geostrategic pivot towards Asia provide for a radically different maritime security context than during the Cold War or post-Cold War era. Given the mounting intensity of economic exchange, maritime power more than ever focuses on *securing critical global flows* and the infrastructures that maintain them. However, the rise of new powers, the competition over maritime resources, the emergence of hybrid and non-state maritime threats, and the impacts of climate change, have all meant that access to the maritime commons has become increasingly restricted and contested. As a large trade power with a keen interest in an open and secure maritime environment, this is a worrisome development for the EU.

The structure of today's global political economy has made the global maritime commons and the flows across it vitally important. Global production capacity has been increasingly outsourced to a number of developing regions while the main markets and many of the financial and know-how capacities still reside within the Western economies. This situation results in intensifying flows of goods, mainly from Asia to the Western markets. Paralleling these flows, there are increasing flows of raw materials and strategic resources to the sites of production. As a result, seaborne commerce has more than quadrupled in volume over the last half century. Maritime commerce today represents 90 % of world trade and some 60 % of petroleum exports. The enormous logistical infrastructure needed to maintain and control these flows requires robust global regimes, institutions and military capacities.

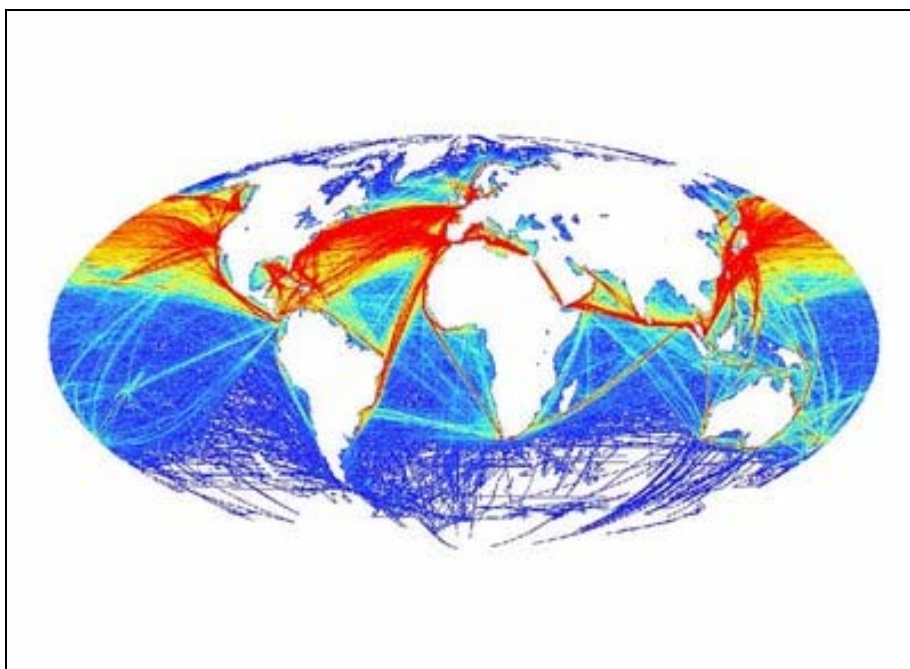
While these trends encourage growing international cooperation to secure these critical flows, it also means that the global maritime system has become more vulnerable and less resilient. The explosion of seaborne trade has resulted in crowding and congestion along major sea routes and harbours. With a majority of maritime trade passing through a limited number of difficult to navigate and easy to obstruct choke-points, these have become the lightning rods of international attention.² Many of these chokepoints are situated in the Asia-Pacific area (e.g. Strait of Malacca). Others exist in the African (e.g. around the Horn of Africa) and Middle-Eastern (e.g. the Strait of Hormuz) areas. Any obstruction of these chokepoints or along the major sea lines connecting them would have a global ripple effect.

The attempt to secure and control these critical nodes of infrastructure creates both cooperative as well as competitive pressures. The opening of new sea routes due to global warming, technological change and economic viability has had a similarly ambiguous impact, as has the economic feasibility of deep sea exploitation and the discovery of new fossil resources in contested areas. The opening of the Arctic Sea Routes, in particular, has the potential of changing the geostrategic balance by turning the Eurasian landmass into an island.³ Other critical infrastructure projects, such as the plan to construct a canal across the Kra Isthmus, have important strategic consequences. In 1869 the opening of the Suez Canal tightened Europe's commercial and military grip on Asia. Today's changes in critical sea-lanes and maritime flows similarly have the potential to shift regional balances and heighten competition.

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² Rogers, 2009.

³ In addition, the increasing de-territorialisation of global maritime flows introduces new potential chokepoints in the cyberspace as well as in the vulnerable interfaces between various domains. Maritime as well as air mobility flows of goods are increasingly connected with space infrastructure—e.g. satellite navigation—and with cyber domain—e.g. logistic chains and financial transactions.

Figure 1: Global Shipping Traffic Density⁴

Source: National Centre for Ecological Analysis and Synthesis, University of California, Santa Barbara.

Maritime flows are also increasingly compromised by criminal (e.g. human smuggling, drug trafficking, and pirates) and, in some cases, terror-related activities (e.g. WMD proliferation, hijacking, terrorist attacks). Ungoverned maritime spaces along major sea lanes have become a major threat, providing a refuge for armed maritime groups, especially pirates, and a safe-haven for illicit activities. At the same time, old frictions and crises are still simmering in the vicinities of global flows and have become accentuated by failures of global governance and a shift in power balances. Disputes over the delimitation of territorial waters and Exclusive Economic Zones (EEZ) are on the rise. In the emerging world, the security challenges are many and of unprecedented complexity. As they become increasingly interconnected across the globe through these flows, the potential for harm becomes multiplied. Indeed, complexity and interconnectedness will be crucial qualities of future crises.

This suggests that the world may be facing a rising number of ‘polycrises’ that consist of geographically clustered and nested crisis factors tending to reinforce one another. Recent research as well as policy attention—propelled mainly by the climate change discourse—has focused upon the intersections between global warming, eco-system breakdown, pandemic threats, resource depletion, the global economic crisis, poverty, urbanization, educational inequalities, and demographic crisis. These land-based political regressions can easily radiate to the coastal and blue water maritime contexts, as has been the case in the Gulf of Aden, and threaten global maritime commerce.

Another key factor behind the growing importance of the maritime contexts is the on-going transformation in the geostrategic vision of the United States. Faced with economic pressures at home and rising and resurging powers abroad, the USA has adopted a bleak reading of its military and economic capabilities. As a result, it is gradually withdrawing from state-building exercises that were characteristic of the American triumphalism of the post-Cold War era. Instead, it is moving towards a more modest vision of commanding access to the Global Commons and securing the attendant global flows. As Barry Posen already suggested in his influential piece in 2003, the command of the Global

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⁴ Red lines signify the highest level of density.

Commons “is the key military enabler of the USA global power position.”⁵ US attempts to dominate the Global Commons, however, may cause friction with emerging powers mistrustful of US policies.

Due to the emerging focus on global maritime flows, it is likely that the practices and intertwined material technologies that constitute the strategically important logistic chains of global life will become a key focus of international politics – including the institutions that allow for more effective maintenance, resilience, and securing of the flows. This might encourage multilateral solutions and international cooperation. However, at the same time, the older sovereignty based practices will remain prominent as the BRICS develop their own state-models. Moreover, international institutions and legal norms will continue to be based on principles of sovereignty and territoriality. In contrast, the emerging Global Commons perspective points out likely future scenarios where global interdependence is more fully articulated in the emerging legal norms, institutional arrangements, and security architectures.

The United States has led this strategic change to secure and command the Global Commons.⁶ The 2010 Quadrennial Defence Review has stated that the assured access to the Global Commons “will take on added importance”⁷ in the shifting operational landscapes of the US armed forces. Echoing this, the 2011 National Military Strategy has defined the “Global Commons and the Globally Connected Domains” as a key feature of the current and future strategic environment. In 2012 the US Department of Defence has again re-articulated the growing importance of the Global Commons framework for the global role of the USA. According to it, “[g]lobal security and prosperity are increasingly dependent on the free flow of goods shipped by air or sea.” Because of this political, strategic and economic imperative, the United States “will seek to protect freedom of access through the global commons,” and “will continue to lead global efforts [...] to assure access to and use of the global commons, both by strengthening international norms of responsible behaviour and by maintaining relevant and interoperable military capabilities.”⁸ However, this focus on control of the Global Commons provides a uniquely American perspective and has been contested by others. The divergent visions articulated by the US and others highlight the fact that the changing geopolitics of the maritime environment may be approached from different analytical perspectives.

First, traditional geostrategic analysis points towards the importance of states as unitary actors with the power to project military force. According to this still predominant point of view, sovereign states are seen as engaged in a zero-sum competition over influence. This perspective underlines the potential risks and frictions associated with the recent shifts in the global maritime context and suggest that naval competition between states will intensify in the future. Second, besides this sovereignty-based model of geopolitics, the geopolitics based on interdependence has become more important. Although sovereign states remain the main actors of international politics, they are increasingly bound by common regimes and institutions (e.g. UNCLOS) and by other factors such as economic forces and networks. This trend deemphasizes a competition over influence and power and points towards a more cooperative maritime future and a lessening of inter-state conflict. A third perspective has placed a growing focus on the changing nature of structural factors, such as technology and climate change, and new private actors, such as markets and civil society. This perspective suggests an entirely new and different level of interaction and deemphasizes the role of states in shaping the maritime environment.

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⁵ Posen, 2003, pp. 8-9. According to Posen, this is because “[i]t allows the United States to exploit more fully other sources of power, including its own economic and military might as well as the economic and military might of its allies”.

⁶ The 2010 US National Security Strategy (NSS) defined the “Safeguarding the Global Commons” as one of the “Key Global Challenges” that require the attention of both the United States but also the international community as a whole. In a similar vein, the 2010 US Quadrennial Defence Review (QDR), the 2011 US National Military Strategy (NMS) and most recently the 2012 review Sustaining US Global Leadership (SUSGL) have all highlighted the growing importance of the Global Commons.

⁷ United States Department of Defence, 2010, p. 8.

While each of these perspectives provides some valuable insights, neither of them is likely to provide an accurate description of the future shape of the global maritime context. States, institutions and private actors are all likely to play a prominent role in shaping the evolving maritime security environment. Whether that environment will turn out to be more cooperative and rules-based or more competitive and power-driven, remains to be seen. However, it is clear that the post-Cold War maritime order in which the US alone had the ability to control access to the maritime commons is fast making space for a more integrated, complex and contested maritime system. This requires the EU to think more globally as it reviews its maritime options within the quickly evolving geostrategic context.

2.2 Evolving Maritime Balance of Power

The global maritime balance of power has been dominated by the United States ever since the end of the Second World War. While the Soviet Union challenged and limited the reach of US power during the Cold War, for the most, it was the United States and NATO that controlled and regulated access to the Maritime Commons and that provided maritime security across a large swath of the world's oceans. With the end of the Cold War, the United States' unchecked dominance of the seas fuelled a period of American unilateralism. Throughout this period, the US used its pre-eminence as a naval power to project power on land, as it frequently did over this more than twenty years interval. However, the rise of new centres of power is having a profound impact on the evolving global maritime balance.

Over the last decade, a number of emerging and resurgent powers have initiated a series of ambitious fleet building programmes. Many of these programmes are aimed at acquiring important new power projection capabilities. China, Russia, India and Brazil are all in the process of developing their own carrier and amphibious warfare capabilities that will enable them to project power beyond their territorial waters.⁹ Inevitably, neighbouring countries have reacted by improving their own capabilities, leading to a series of major naval build-ups from the Mediterranean to East Asia. A number of countries have also acquired a range of important asymmetric anti-access and area-denial (A2/AD) capabilities with the specific aims of blunting the US Navy's conventional military strength.¹⁰

At the same time that emerging powers have increased their naval capabilities, those of NATO declined, due to a series of military budget cuts across Europe. While the United States has seen large increases in military spending throughout the 2000s and is likely to remain the predominant naval power during the coming decades, its relative power is undoubtedly receding. This "elegant decline", noted by several analysts, is forcing the United States to re-examine its global maritime strategy and posture and might reduce maritime security in some areas, as the US pivots towards Asia.¹¹ The impact this power rebalancing will have on global maritime security depends entirely on the evolving geopolitical climate and whether emerging powers use their new capabilities to enforce the openness and stability of the maritime commons, or to limit access and bolster national territorial claims.

Table 1: Naval Capabilities of Major Powers

Navy	Aircraft Carriers	Other Surface Combatants	Submarines	Principal Amphibious Ships	Patrol and Coastal Combatants
USA	11	103	71	29	28
China		78	71	1	211+
Russia	1	32	65		80

⁸ United States Department of Defence, 2012, p. 3.

⁹ Veens, 2012

¹⁰ Abisellan, 2012.

¹¹ Kaplan, 2007; Palmer, 2010.

India	1	20	15	1	61
Brazil	1	14	5	2	42

Source: The Military Balance, 2012.

This focuses a light on why emerging powers are pursuing these capacities in the first place. Navies have traditionally been built and maintained for defence, to safeguard national interests and to project power or influence. Opponents have primarily been other states and non-state actors, such as pirates, or combinations thereof. However, maritime power is not exclusively synonymous with naval warfare. It is a much broader concept that entails the control of international trade and commerce; the usage and control of ocean resources; the operations of navies in war; and the use of navies and maritime economic power as instruments of diplomacy, deterrence, and political influence in time of peace.¹² Thus, emerging powers have sought to acquire maritime power capacities for a variety of reasons.

First, the world's oceans are home to a growing number of active and dormant territorial conflicts, from the East and South China Seas to the Arabian Gulf and the Mediterranean. Many of these involve conflicts over the delimitation over Exclusive Economic Zones (EEZ) and the ownership of contested islands. The opening of the Arctic, to which several emerging powers are drawn for trade and economic resource reasons, has added a new set of issues. Though there is almost universal political agreement that the militarization of the Arctic should be avoided, the reality is that currently only militaries are capable of providing some of the services needed for commercial shipping. Moreover, given the weakness of the Convention on the Law of the Seas (UNCLOS), "claimants with the best-developed tools will be the most capable of exploiting the legal limbo in maritime disputes."¹³ Foreign fishing fleets, for example, are able to deplete the fish stocks of other countries, lacking these capabilities.

Second, the control and protection of critical sea-lanes and infrastructure has grown in importance for new emerging powers in line with their growing economic capacities and needs. In 2010, 47 % of Chinese oil imports came from the Middle East and another 30 % from Africa.¹⁴ Without these supplies, the Chinese economic engine would all but stall, making the protection of the sea-lanes a vital national interest for China. Moreover, due to the rapid increase of carbon fuel prices and the growing demand for rare metals over the last decades, deep sea drilling and ocean floor exploitation have become financially more feasible. This has led to an increase in offshore prospecting and drilling in many parts of the world's oceans and revived dormant conflicts over delimitation, as in the South China Sea. Just like critical sea-lanes, these oil platform and pipelines, once constructed, require enhanced maritime security and protection from other actors.

Third, the perceived importance of littoral waters (green and brown water) has increased significantly. To most states these have been the only maritime environment in which they operate, so the new dynamic is about the mixing of naval capabilities that are relevant on the oceans with those needed in shallow often archipelagic coastal waters. For navies, operating in littoral waters is both more dangerous than on seas, and requires them to consider other potent actors. The increased effectiveness and proliferation of land-based anti-ship weapons and small-boat tactics means that in littoral environments traditional navies are more vulnerable than they have been. Technological change and the availability of A2/AD capabilities therefore encouraged the development of counter capabilities.

Finally, maritime power still remains a visible expression of international status and military prowess. After centuries of foreign domination, navies are therefore regarded as an emblem of their new status. Thus the active pursuit of naval shipbuilding programmes across Asia has some uncanny historical

¹² Tangredi, 2009.

¹³ Holslag, 2012, p. 5.

¹⁴ US Energy Information, 2012.

parallels with the build-up of the Imperial German navy prior to the First World War. Nationalism has become a powerful driving force in many emerging powers and encourages the pursuit of prestige projects, including aircraft carriers and stealth fighters. A long history of mistrust of American and western power and intentions and a strong desire for military autarky further fuels this naval build-up.

For all of these reasons, there has been a visible increase in naval assets and capacities amongst a broad set of actors. Although this proliferation of naval assets does not in itself provide a direct challenge to the EU's own security, it does bear the potential for greater confrontation amongst some of the emerging players and between them and the United States. While economic interdependence and globalization have significantly reduced the likelihood of a naval conflict between the great powers, history has shown that on its own this is not a sufficient condition to prevent conflict from breaking out. As economic nationalism and protectionism grow, seemingly peripheral incidents and localized disputes have the potential to escalate into broader conflicts. However the huge costs attached to any such conflict and the low probability of an outright victory will continue to act as a strong deterrent.

While any direct confrontation between the US and China therefore appears unlikely, this does not preclude the possibility of clashes between middling powers, proxy wars, or low-intensity and covert conflicts. With both China and the US vying for allies around the Asia-Pacific region, this might encourage brinkmanship behaviour by small states eager to exploit the backing of one of the great powers to bolster their own territorial claims. Similarly, great powers might attempt to use proxies in order to change the strategic balance in certain regions, while avoiding direct confrontation. Clashes amongst the rising powers can also not be entirely excluded within the foreseeable future. Thus China's attempts to widen its influence in the Indian Ocean put it at odds with a rising India and have fuelled competitive dynamics. Conflicts amongst middling powers, such as the two Koreas, also have the potential to draw in a wide range of other actors. Finally, low intensity and covert actions involving sabotage and non-state actors to bolster competing spheres of influence, is not unlikely in the future.

All of this indicates that shifts in the evolving maritime balance of power have a considerable potential to cause friction and conflicts and undermine the openness and security of the maritime commons. Although the proliferation of naval assets does not in itself provide a direct challenge to the European Union, given that it has few concrete interests in the most contested zones, it does pose a potential threat to European trade interests as well as to the future of NATO. Given the EU's international trade interests and energy dependence, any confrontation that disrupts commercial traffic would have a significant impact on the EU's economic interests. Moreover the shift of US geostrategic attention away from the Atlantic raises questions over the future of the transatlantic alliance and its potential involvement in faraway conflicts. For these reasons the EU has vital interests in resolving maritime conflicts and building a robust international regime, while maintaining its own naval capabilities.

Table 2: Assessment of Undiscovered Sea-based gas and oil reserves¹⁵

Region	Oil (bbl billion)	Natural Gas (tcf)	Natural Gas Liquids (bbl billion)
Arctic Ocean			
Barents Sea Shelf	11	380	2
North of the Arctic Circle	90	1.7	44
Timan-Pechora Basin Province, Russia	1.6	9	

¹⁵ U. S. Geological Survey. Data includes both on-shore and off-shore oil and gas resources within basin.

Laptev Sea Shelf Province, Russia	3	32	0.8
Atlantic Ocean			
West African Coastal Province	3.2	23.6	721
Four West Africa Geologic Provinces	71.7	187.2	10.9
Indian Ocean			
Four East Africa Geologic Provinces	27.6	441.1	13.7
South Africa Coastal Province	2.1	35.9	1.1
Bonaparte Basin, Browse Basin, Northwest Shelf, and Gippsland, Basin Provinces, Australia	4.7	227	
Central Burma Basin and the Irrawaddy–Andaman and Indo-Burman Geologic Provinces, Myanmar	2.3	79.6	2.1
Assam, Bombay, Cauvery, and Krishna–Godavari Geologic Provinces, South Asia	3.5	79.3	1.7
Mediterranean Sea			
Levant Basin Province, Eastern Mediterranean	1.7	122	
Libya and Tunisia	3.9	38.5	1.5
Nile Delta Basin Province	1.8	223	6
Red Sea Basin Province	5	112	
Arabian Peninsula and Zagros Fold Belt	86	336	
Pacific Ocean			
North Sakhalin Basin Province, Russia	5.3	43.8	0.8
Papua New Guinea, Eastern Indonesia, East Timor	5.8	115	
South China Sea			
South East Asia	21.6	299	

2.3 Emerging Maritime Security Threats

Apart from the challenges and risks that arise from a more diverse and complex maritime balance of power, the EU faces a number of important asymmetric or non-conventional threats that are likely to grow in the future. Some of these threats are co-dependent on the emerging maritime security context. Thus, illicit activities and armed non-state actors are likely to thrive in an environment that is characterized by a failure of international cooperation and growing conflicts. Others, such as illegal immigration and terrorist threats, will continue to pose an important challenge to the EU regardless of the evolving international context, but are easier to mitigate given robust international regimes. While countering and checking these threats will remain a priority for the EU, any revision of EU maritime strategies and capabilities should therefore be couched in a vision of the future maritime context.

First, the persistent challenge of failed and collapsing states in the EU's neighbourhood and in particularly the wider Middle East continues to pose a threat to the EU. While there has been a visible trend away from the costly state building exercises of the 1990s and 2000s, state failure and civil wars

will continue to require EU and NATO intervention. These will be necessary not only to prevent the creation of destabilizing lawless zones on the EU's maritime borders, but also to prevent genocide and crimes against humanity under the responsibility to protect paradigm; both of which pose a direct challenge to the EU in terms of spill-over and migration. This means that the EU will require sea-based power projection capabilities able to support aerial and land operations, as during the 2011 Libya intervention. In addition it will need the ability to control ungoverned maritime spaces in its vicinity.

Second, international terrorism poses a continuing threat to EU maritime security in a number of ways.¹⁶ Hijacking of large recreational vessels and cargo ships, such as in case of the abduction of the *Achille Lauro* in 1985 pose a challenge comparable to that emerging from plane hijackings. Moreover, just as in case of the 9/11 attacks, hijacked tankers and cargo vessels could provide terrorists with a potential weapon to cause dramatic loss of life or cause ecological disasters. In addition, there is a risk resulting from direct attacks on civilian or military vessels, either at sea or when moored in a harbour, as was the case with the attack on the *USS Cole* in the port of Aden in October 2000. Attacks on port facilities or energy installations such as LNG terminals and pipelines poses another potential challenge that could pose high economic costs and could spell ecological disaster. Finally, terrorist could use the sea to infiltrate and attack land based targets, as was the case with the 2008 Mumbai attacks. While much has been done by international actors to counter this threat, continuing vigilance is required.

Third, within today's complex maritime environment there is a palatable risk to the freedom of the seas posed by both non-state actors, such as pirates, as well as conventional actors who might use the threat against vital sea routes as a source of political leverage.¹⁷ Piracy remains a considerable threat to maritime trade in various regions, including the Gulf of Aden, the Strait of Malacca and the Gulf of Guinea. Moreover, piracy has proven to be a more global and adaptable phenomenon in recent years that has sought to exploit weaknesses in the international security architecture wherever they arise. State actors, such as Iran, similarly threaten the freedom of the seas along strategic chokepoints, such as the Strait of Hormuz, for political reasons and have the ability to impose high economic costs if challenged. Finally armed non-state actors, such as Hezbollah, have acquired the ability to target and disrupt international commerce and challenge conventional forces if threatened in a conflict.

Fourth, illegal migration poses a continuing and growing challenge for the EU. While it is controversial to classify illegal migration as a "security threat", the capabilities required to deal with illegal migration, at least to a certain extent, involve maritime assets and coastguards. Although not all illegal migration to the EU is sea-based, there is a steady flow of migrants along the Mediterranean, West African and Black Sea routes, often involving rickety and not seaworthy vessels.¹⁸ Moreover, demographic trends in Sub-Saharan Africa and the challenges posed by climate change and environmental degradation are likely to increase the flow of illegal migrants to the EU, posing a host of both political and security challenges to the EU that will particularly increase the burden on EU coast-guards and SAR teams.

Fifth, transnational crime continues to be an important challenge to the EU that is often related to the challenges of illegal immigration, piracy and even terrorism. A large share of the drugs enters the EU through a number of maritime routes. Illegal migration and human trafficking, similarly, is organized by large transnational networks. Arms trafficking, in particular of weapons of mass destruction, pose a particularly worrisome challenge for the EU in the future due to their potentially catastrophic impact.

Finally, environmental security remains an important challenge for the EU, given the large increase in maritime shipping and the resulting potential for maritime accidents and oil spills. Similarly, the

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¹⁶ Germond, 2011.

¹⁷ Hoffman, 2010.

¹⁸ Frontex, 2012.

precarious situation of fish stocks in all of the EU's adjacent seas, illegal fishing and potential conflicts over exclusive economic zones to exploit halieutic life all represent important maritime challenges that require European capacities to track and patrol maritime traffic over wide swaths of maritime space.

Although each of these issues represents a considerable security threat in its own rights, many of them have increasingly taken on a cumulative nature and effect.¹⁹ Thus, illicit activities, terrorism and piracy have the potential to coalesce and reinforce each other. Similarly, climate change and ecological disasters can cause state collapse and heighten resource competition. In order to effectively respond to these various maritime threats, the EU therefore needs a comprehensive strategy that acknowledges the interconnectedness of different threat factors. Beyond that, the EU will need to further strengthen its maritime capabilities – including on a defence industrial level – work with its allies and partners around the globe and engage in early and effective crisis prevention and crisis management efforts. Given the increasingly interconnected nature of maritime security today, it seems unlikely that any EU-centric strategy that ignores the wider maritime context would be able to deal with these issues effectively.

2.4 Future Maritime Governance Scenarios

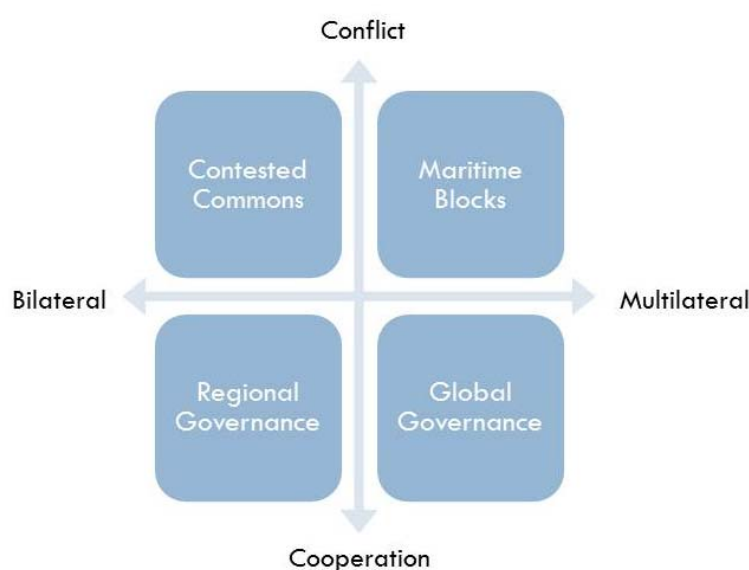
As the EU revisits its maritime posture and strategies in light of recent geostrategic shifts and considers the full horizon of challenges and threats to EU interests, it faces a number of widely divergent scenarios concerning the future governance of the global maritime system. These scenarios provide the backdrop for the future development of EU capabilities and strategies. Each scenario suggests a widely different set of challenges and roles for European maritime power in the future. Moreover, each of them would have a profound impact on the way the EU interacts with its international partners. In order to be able to protect its maritime interests, the EU needs to be prepared for each of these scenarios, even as it seeks to bring about the outcome that it deems most beneficial for itself and others.

Global Governance: Under a first scenario, growing economic interdependence and a diffusion of power will encourage greater multilateral maritime cooperation. With no single actor able to pursue its interests through military means, there is an incentive for all actors to agree to further strengthen international governance and conflict mediation, in order to jointly explore maritime resources and trade routes. The international law of the seas will be strengthened by further accessions to UNCLOS and the adoption of additional guidelines on conflict resolution and the governance of the high seas. Frozen maritime conflicts will be resolved in order to allow for the common exploitation of sea-based resources and to provide for security of the sea lanes, and international actors will work in concert to curtail the impact of crime, piracy and terrorism and to protect halieutic resources. This scenario would come closest to the EU's vision of "effective multilateralism" and would have the most positive impact on the EU's maritime security policies, which should adjust in order to allow for greater cooperation in broader international coalitions and to develop niche capacities for international missions. The EU has undertaken measures as part of its Integrated Maritime Policy to encourage such an outcome through various channels.²⁰

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¹⁹ Rahman, 2009.

²⁰ European Commission, 2009.

Figure 2: Future Maritime Governance Scenarios

Maritime Blocks: Under a second scenario, a global maritime governance system would be undermined by the growing competition between the US and China, as well as potentially other emerging actors. Although it is likely that for the time being the US would maintain the upper hand in terms of capabilities and resources, it is possible that in the long run this would result in the formation of two maritime blocs. This could come about either due to a rapid increase in Chinese capabilities, or due to further cost-saving measures by the US. China would rule the roost in the Asia Pacific, while the US would dominate in the Atlantic and parts of the North Pacific. Both would effectively set the code of conduct in their respective spheres of influence, while rallying multilateral coalitions behind them. Conflicts and frictions would arise where their respective spheres of interest overlap, most notably in the Indian Ocean and Pacific. For the EU this would represent a dangerous scenario given the importance of both countries to its own welfare and the fact that many of its most critical maritime flows currently traverse the Indian Ocean.

Regional Governance: Under a third scenario, a greater diffusion of power would prevent great power confrontation, but also undermine a more consensual global regime. Instead the focus would shift towards the development of regional security systems. In the Asia Pacific region, ASEAN would be strengthened and provide a greater contribution to maritime conflict resolution. In the Indian Ocean, the Indian Ocean Naval Symposium would grow to fill a similar role. In the Mediterranean, the Euro-Mediterranean Partnership would deepen and tackle long-standing frozen conflicts. While the effectiveness and rules of these various regimes would vary considerably each of them would provide a measure of collective security, deter both internal and external challenges and threats and provide security and stability for maritime commerce and resource exploitation. In the past, the EU has attempted to “export” its model of greater regional cooperation around the world, but has been largely unsuccessful. While a regional governance model would be broadly in the interest of the EU, it might restrict its access and global influence and would require a greater focus on its neighbourhood. Moreover, the presence of out-of-area actors in these regions might spell problems.

Contested Commons: Under the last scenario, the current rebalancing of maritime power would result in growing global fragmentation. This would imply that maritime power would become increasingly diffuse, not just amongst different states and regions, but also between states and non-state actors. While the US will remain the preeminent naval power, it would no longer act as a guarantor of the global maritime commons, but focus on more narrowly defined national interests and goals.

Dysfunctional regional and global governance systems would be unable to fill the gap and economic nationalism and protectionism would increase and stymie global trade flows. The potential for territorial conflicts and regional tension would be high, without an effective international arbitrator. Regional hegemony might provide a measure of stability within their respective spheres of influence, but the number of ungoverned maritime spaces would inevitably grow, providing an incentive for uncontrolled exploitation and empowering non-state actors to play a larger role. For the EU this would undoubtedly be the worst case scenario, as it would multiply the amount of challenge it faces in its neighbourhood and disrupt its international trade routes.

In the end, it is likely the future maritime context will contain elements of each of these different scenarios. While the UNCLOS and multilateral institutions will continue to matter, regional governance systems will proliferate, some more effective than others, and the US-China strategic competition will ebb and flow, but never escalate or allow the formation of hostile maritime blocs. Private actors and maritime armed groups will maintain some disruptive power and require persistent vigilance. Navigating this more complex and chaotic maritime system at a time that its fate more than ever depends on maritime flows will be considerably more difficult for the EU than in the past and require careful manoeuvring.

Figure 3: Summary of UNCLOS Provisions

RIGHTS OF COASTAL STATES		RIGHTS OF OTHER STATES
Territorial Sea (zone up to 12 nautical miles)	Exclusive sovereignty over the water, seabed, and airspace. 1. The coastal State shall not hamper the innocent passage of foreign ships through the territorial sea except in accordance with this Convention. 2. The coastal State shall give appropriate publicity to any danger to navigation, of which it has knowledge, within its territorial sea. 3. The coastal State may take the necessary steps in its territorial sea to prevent passage which is not innocent. 4. The coastal state can exercise its criminal jurisdiction in connection with any crime committed on board the ship during its passage if: a) the consequences of the crime extend to the coastal state b) the crime disturbs the peace of the country or good order of the territorial sea c) the ship's master or diplomatic agent/consular officer of the flag state requested the assistance of the local authorities d) it is necessary to suppress illicit traffic in narcotic drugs.	1. Innocent passage through the territorial sea. Passage is innocent so long as it is not prejudicial to the peace, good order or security of the coastal State.
Contiguous Zone (zone up to 24 nautical miles)	May exercise the control necessary to 1. prevent infringement of its customs, fiscal, immigration or sanitary laws and regulations within its territory or territorial sea; 2. punish infringement of the above laws and regulations committed within its territory or territorial sea.	
Continental shelf (seabed and subsoil of the submarine areas that extend beyond its territorial sea throughout the natural prolongation of its land territory to the outer edge of the continental margin, or to a distance of 200 nautical miles)		1. Right to lay submarine cables and pipelines on the continental shelf.
Exclusive Economic Zone, EEZ (zone up to 200 nautical miles)	Sovereign rights for 1. exploring and exploiting, conserving and managing the natural resources, and other activities such as the production of energy from the water, currents and winds; 2. establishment and use of artificial islands, installations and structures; 3. marine scientific research; 4. protection and preservation of the marine environment.	1. Freedoms of navigation and overflight 2. Laying of submarine cables and pipelines 3. Other internationally lawful uses of the sea related to these freedoms, such as those associated with the operation of ships, aircraft and submarine cables and pipelines, and compatible with the other provisions of this Convention.
High Seas (Waters beyond a nation's EEZ)		1. Freedom of navigation 2. Freedom of overflight 3. Freedom to lay submarine cables and pipelines; 4. Freedom to construct artificial islands and other installations permitted under international law; 5. Freedom of fishing; 6. Freedom of scientific research
Straits (used for international navigation between one part of the high seas or an EEZ and another part of the high seas or an EEZ)	States bordering straits shall not hamper transit passage and shall give appropriate publicity to any danger to navigation or overflight within or over the strait of which they have knowledge. There shall be no suspension of transit passage.	All ships and aircraft enjoy the right of transit passage, which shall not be impeded. Transit passage means the freedom of navigation and overflight. Ships and aircraft, while exercising the right of transit passage, shall: 1. proceed without delay through or over the strait 2. refrain from any threat or use of force against the sovereignty, territorial integrity or political independence of States bordering the strait, or in any other manner in violation of the principles of international law embodied in the Charter of the United Nations 3. refrain from any activities other than those incident to their normal modes of continuous and expeditious transit unless rendered necessary by force majeure or by distress 4. comply with other relevant provisions of this Part. Foreign ships may not carry out any research or survey activities without the prior authorization of the States bordering straits.

3. THE EU'S MARITIME NEIGHBOURHOOD

The EU's maritime neighbourhood consists of a variety of highly diverse regions. These include three Inland seas – the Baltic Sea, the Mediterranean Sea and the Black Sea – as well as important sea-lanes in the Atlantic and along the West African coast.²¹ Given their geographic proximity, these maritime areas are of particular significance for the political and economic development of the EU. They provide a thoroughfare for European trade and an important source of energy and food supplies. They are also a centre of economic development and of European power projection and connect the EU with critical global flows. It is here that Europe's maritime power is the highest and that the EU is able to shape regional maritime governance through its various multilateral initiatives. At the same time, any threats and challenges in the EU's maritime neighbourhood directly affect the EU's coastal state and the EU as a whole. Territorial disputes, piracy and terrorism are just as important in this regard, as pollution, environmental degradation and overfishing.

This chapter provides an overview of the evolving maritime security situation in the EU's neighbourhood. It will analyse the security challenges the EU faces in each of its neighbouring maritime regions and discuss future developments and their potential implications for Europe. These challenges vary significantly in line with the different characteristics and dynamics of each of these highly diverse regions. This means that the EU will need to design targeted, regional responses in order to manage potential security risks. At the same time, a number of common developments across each of these regions are noted that are connected with the evolving global maritime context and require a more coordinated and strategic response. To this end, the conclusions of the chapter provide a number of tentative recommendations for the future of EU security.

3.1 The Mediterranean Sea

3.1.1 Significance

The Mediterranean Sea is a zone of transit and exchange that carries around 30 % of all global seaborne trade in volume, as well as 25 % of worldwide seaborne oil traffic. Out of the estimated 564 million tons of non-bulk traffic that passed through the Mediterranean in 2005, only 25 % were intra-Mediterranean trade, while 75 % had an origin or destination outside of the Mediterranean. Currently most of the EU's seaborne trade with Asia and the Middle East is shipped along the Mediterranean route. However, Mediterranean flows are increasingly integrated with and dependent upon developments in other maritime zones. Recently, instability in the Gulf of Aden has meant that some Asian traffic has been diverted around the Cape of Good Hope. Similarly, the upgrading of the Panama Canal might lead to a further reorientation of Asian flows.²²

The Mediterranean is also home to some critical energy and communications infrastructure. These include currently four gas pipelines connecting Europe with North Africa, numerous LNG terminals, as well as important submarine communications cables. The recent discovery of gas in the Eastern Mediterranean, as well as the exploitation of existing reserves in the Southern and South-Eastern Mediterranean imply that the region will remain an important energy provider for Europe in the foreseeable future. This will only be reinforced by existing plans to construct large-scale solar projects in the southern Mediterranean.

²¹ While the West African coast is often considered as part of a "wider Mediterranean" area, due to some important connections, this study will discuss both of them separately, as they increasingly display dynamics of their own.

²² The enlargement of the Panama Canal is expected to be completed by around 2014 and has the potential to divert some traffic from East Asia to Europe to the Atlantic route and away from the Mediterranean.

In addition to its role as a transport artery and energy hub, the Mediterranean contains important halieutic resources and half of the EU's existing fishing fleet is located in the Mediterranean. Overfishing, pollution and environmental degradation, however, remain a constant threat to existing stocks and the wider maritime environment.²³ Moreover, climate change is expected to hit the Mediterranean hard, with sea-level rises estimated at 3-61 cm threatening coastlines and the already limited stocks of drinking water.²⁴

Access to the Mediterranean is controlled by three important chokepoints: The Strait of Gibraltar on one end and the Suez Canal and the Turkish Straits on the other. The Suez Canal and SUMED pipeline are strategic routes for oil shipments from the Persian Gulf to Europe, carrying some 3.8 million bbl/d of petroleum and close to 18,000 ships in 2011. The Turkish Straits, for their part, have grown in importance for Europe, due to the increase of oil exports from the Caspian Sea, amounting to some 2.9 million bbl/d in 2010. The Turkish Straits are also one of the most congested sea-traffic routes in the world, carrying 50,000 vessels a year and control the only access route to the Black Sea, making them a key thoroughfare to Central Asia.²⁵

3.1.2 Security Challenges

Since the end of the Cold War, the EU has faced no conventional security challenge in the Mediterranean, due to NATO's unchecked military dominance and the presence of the US Sixth Fleet. However, recent geopolitical changes suggest a gradual shift in the regional balance. The re-emergence and growing assertiveness of Russia and Turkey in the Eastern Mediterranean, as well as the increasing presence of out-of-area actors, such as China, paired with declining defence budgets across Europe, suggest that a long-term shift is underway. While this slow rebalancing process has the potential of increasing security across the region, this would require greater cooperation with the new actors and a solution of old conflicts.

The Russian navy returned to the Mediterranean for the first time in 2008. Since then it has held regular exercises in the region and has sought to rebuild its presence in the Eastern Mediterranean, with a focus on its naval resupply facility at Tartus in Syria. In 2012, Russia conducted one of its largest naval exercises in the Eastern Mediterranean since the end of the Cold War, in an apparent show of force related to the Syria crisis. While Russian naval power remains fragile it appears likely to grow in the future based on current plans.

Others have followed the Russian example. In 2012 China and Iran both dispatched naval warships through the Suez Canal for the first time and appear intent on showing greater flag in the future. Although China's future role remains uncertain, its large scale investments into logistic and infrastructure projects in the Mediterranean, like the port of Piraeus in Greece, suggest that it will only increase. The dispatch of Chinese warships during the Libya crisis should also be considered within this changing political context.

In the Eastern Mediterranean, Turkey's ambitious naval shipbuilding programme is likely to shape the regional security context, with Turkey expected to add twice as many warships to its arsenal over the next two decades than France or the UK.²⁶ While the emergence of Turkey as a naval power in the Eastern Mediterranean could have a positive security impact, Turkey's opposition to UNCLOS and its

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²³ According to the European Environment Agency 44 % to 78 % of all fish stocks in the region are outside safe biological limits, with the Adriatic being worst hit. See: European Environment Agency, 2010.

²⁴ ScienceDaily, 4 March 2009.

²⁵ US Energy Information Authority, 2012.

²⁶ Kraska2012.

growing assertiveness in regards to some delimitation disputes could also have a destabilizing effect in the region.

Despite the growing presence of new actors and declining defence budgets in Europe, NATO's dominance is unlikely to be tested in the near future. Indeed, in line with the build-up of the NATO missile defence shield, additional naval capabilities will be shifted to the Mediterranean. However, the presence of non-NATO forces and growing militarization of the region, increase the potential that unintended incidents may occur.

Table 3: Non-EU Mediterranean Navies

	Submarines	Principal Surface Combatants	Patrol and Coastal Combatants	Mine Warfare
Algeria	4	3	24	
Egypt	4	8	51	14
Israel	3/6		59	
Lebanon			11	
Libya	2	1	11	4
Morocco		3	49	
Syria			32	7
Tunisia			25	
Turkey	14	18	52	27

Source: The Military Balance, 2012.

While conventional threats to EU's interests in the Mediterranean therefore appear manageable for the time being, the EU has to face a number of non-conventional challenges as well as a series of active and dormant conflicts which might be revived as a result of the deteriorating regional security climate since 2011. It is also possible to note clear differences between the security environment of the eastern and western part of the Mediterranean. While the security situation in the Eastern Mediterranean is shaped by the rise of Turkey and Russia and connected to the situation in the Persian Gulf and Indian Ocean, the Western Mediterranean is facing a different set of challenges that are more connected to dynamics in the Sahel and Atlantic region.

In the Eastern Mediterranean the EU is facing a number of conflicts with potential for escalation. Israel's naval blockade of the Gaza Strip that prevents seaborne transport to and from Gaza has led to a collapse of the Palestinian fishing industry and has thwarted the exploitation of natural gas in the *Gaza Marine Field*. While the Gaza ceasefire agreement of November 2012 has temporarily defused tensions, the security situation remains fragile. With relations between Turkey and Israel still on edge, following the 2010 Gaza aid flotilla, any renewed incident might spark a new stand-off. In Lebanon, the UNIFIL Maritime Task Force, comprising several European countries, has faced a calmer situation. But given Lebanon's growing domestic turmoil and the risks of a wider international confrontation with Syria, the situation here remains similarly fragile.

Apart from these on-going conflicts, the Eastern Mediterranean is home to a large number of frozen conflicts over the delimitation of territorial waters and exclusive economic zones.²⁷ While many of these have been dormant, there is a risk that some of them might be revived. The Aegean Dispute, which brought Turkey and Greece to the brink of war on several occasions, has considerably lessened since the late 1990s, but remains unresolved. Despite years of explorative talks, no agreements have been

²⁷ A total of 7 EU member states are involved in territorial conflicts across the entire Mediterranean.

made over the delimitation of territorial waters and the continental shelf.²⁸ Turkey's rising power and growing assertiveness now risks reigniting tensions with crisis-ridden Greece that is under pressure from right-wing populists at home.

The discovery of commercial quantities of natural gas has also raised tempers, most notably between Turkey, Cyprus and Israel.²⁹ Tensions have flared after the decision by Cyprus to begin drilling for gas in the south-eastern extremity of its Exclusive Economic Zone. Turkey has questioned Cyprus' EEZ, which has been recognized by Israel, the EU and the US³⁰. Instead, Turkey supports the highly implausible claims of Northern Cyprus to an EEZ that encompasses most of the island and has threatened to use its naval forces to support this claim. While there is potential for greater cooperation in the exploitation and transport of natural gas, this appears unlikely absent an overall solution to the Cyprus issue. With Turkey stepping up its efforts to increase international recognition of Northern Cyprus, prospects for reunification are quickly diminishing.

Cyprus itself is increasingly drawn into the emerging rivalry between Turkey and Israel in the Eastern Mediterranean. While Turkish foreign minister Ahmed Davutoğlu has stated that he considers Cyprus as "the lynchpin of Turkey's regional and global naval strategy," Tel Aviv has stepped up its own strategic cooperation with the Republic of Cyprus and is in the process of negotiating basing rights for Israeli forces.³¹ In spring 2012, Israel, Greece and the US conducted joint naval exercises near Cyprus that included the protection of natural gas platforms and critical infrastructure.³² Following the suspension of Israeli-Turkish-US exercises in 2009, this appeared as no uncertain message to Turkey, concerning the US position.

Russia, after having been absent from the area for over a decade, is also seeking a greater role in the Eastern Mediterranean. Apart from aforementioned naval exercises in 2012, Russia's growing investments and €2.5 billion loan to Cyprus in 2011 seem to indicate a new level of engagement. Russia is also eager to participate in the exploitation of Israeli and Cypriot gas and has cooperated with Turkey on the South Stream project. Suspected Russian arms deliveries to the Syrian regime has further heightened tension with the EU and cast doubt over Russia's role in the region. The EU, for its part, has been largely peripheral to these developments and has failed to put forward its own vision of how to resolve conflicts in the Eastern Mediterranean.

In the Western Mediterranean, the situation has been markedly different. Here some of the main security risks stem from the growing illegal flows across the Mediterranean. These are, to a large extent, connected to the growing instability in the Sahel and West Africa, which have been heightened by the Libyan civil war and the capture of northern Mali by Islamist rebels. This has further increased illegal immigration, arms trafficking, drug smuggling and the presence of criminal and terrorist networks that are increasingly interlinked. Some of these illegal flows particularly of drugs and other contraband originate from Latin America, creating a close connection between the Western Mediterranean and the West Africa region, which functions as a way station for many of these flows on their way to Europe. With local law enforcement and security services overstretched or even dismantled, following the Arab Spring uprisings, the ability of North African countries to control or mitigate these flows has decreased, creating new pressures for the EU.

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²⁸ Key to the conflict is Turkey's reluctance to accept an extension of Greece's territorial sea from six to twelve nautical miles, sanctioned under UNCLOS, for fear that it would limit its access to the High Seas. International Crisis Group, 2011.

²⁹ In 2010 the US Geological Survey released a report that estimates that the greater Levant Basin contains 122 tcf of recoverable gas and 1.7 billion barrels of recoverable oil.

³⁰ Emerson, 2012.

³¹ Seufert, 2012.

³² Ravid, 2012.

Many of these non-conventional threats are stretching the capacities of EU navies and coast guards. Irregular migration flows, are presenting a particularly acute challenge. According to an estimate by the ICMPD, more than 100,000 irregular migrants cross the Mediterranean each year. Accidents are common and it has been estimated that up to 1,500 refugees drowned in 2011 in their attempt to cross to Europe.³³ Migratory flows have further increased in response to the recent uprisings and unrest and are unlikely to diminish in the short run. Maritime terrorism also remains a serious concern across the Mediterranean. Terrorist attacks and hijackings pose a serious challenge to commercial shipping, tourism, critical energy infrastructure, and harbour facilities. Worryingly, some non-state actors, such as Hezbollah have recently acquired advanced capabilities and the smuggling of arms has increased, following the break-down of authoritarian states³⁴. Illegal fishing, finally, continues to be a problem in the Mediterranean that requires robust policing and inspections, with reports of at least on Chinese fleet conducting illegal operations in the region in 2012³⁵.

In response to these non-conventional threats, EU members have launched a number of common border control missions through FRONTEX and have sought greater cooperation with third countries through readmission agreements and joint border operations. The European Patrols Network, founded in 2007, has provided an important tool in order to share operation information between EU member states. Other EU policies, such as the Integrated Maritime Policy for the Mediterranean, the Joint Action Plans with partner countries and the Union for the Mediterranean framework, enable the EU to address regulatory and governance issues connected to maritime security³⁶. Efforts to increase maritime surveillance through the Common Information Sharing Environment (CISE) will be particularly relevant in the future. Sub-regional initiatives, such as the 5+5 process, and joint exercises and meetings between Mediterranean navies and coast guards are also important in order to create greater synergies. Finally NATO's *Operation Active Endeavour*, in the Eastern Mediterranean, provides a valuable deterrent against illegal activities.

Despite all of these measures, the maritime security environment in the Mediterranean will remain volatile and prone to rapid changes stemming both from endogenous and exogenous developments. Potential crisis in the Persian Gulf, Horn of Aden and South Atlantic are likely to have important spill-over effects for maritime security in the Mediterranean. Similarly, the uncertain political situation in many countries of the southern and eastern Mediterranean might heighten instability and lead to a revival of old and new conflicts. Emerging powers and new actors are likely to further exacerbate the situation, at least in the interim. In order to contain these risk factors and guarantee a stable security environment, EU member states will need to be vigilant and make greater efforts to integrate their resources and capabilities and cooperate with non-EU Mediterranean countries. Unless the EU succeeds to work with others in order to create a cooperative system for maritime governance in the Mediterranean, competitive pressures are likely to gain the upper hand.

3.1.3 Future Challenges & Implications

The geostrategic importance of the Mediterranean will increase further in the future, as a result of ongoing regional and global trends. These trends have the potential to significantly increase the political and economic dynamism of the Mediterranean region and provide substantial benefits to all of the Mediterranean coastal states. But they also bear considerable risks that could undermine maritime

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³³ UNHCR, 2012.

³⁴ During the 2006 Lebanon War, Hezbollah hit the Israeli Corvette INS Hanit with a Chinese built anti-ship missile, indicating a new level of sophisticating and preparedness by non-state actors.

³⁵ EcoNews, 4 June 2012.

³⁶ European Commission, 2009.

security in the Mediterranean, by increasing tension and conflict across the region. The European Union, with its unique mixture of policy tools and instruments, is in a strong position to encourage greater regional cooperation and governance and prevent a return to zero-sum politics. However, it should be under no illusion about the growing dangers of the current situation. With the regional balance in flux, small incidents have the potential to spiral out of control and growing global and regional competition will reduce the potential for greater cooperative governance. In this volatile situation, several potential challenges appear most threatening.

State Collapse: The collapse of state authority in some countries in the southern and eastern Mediterranean has created maritime zones that are only insufficiently controlled and could potentially provide a safe haven for terrorists, smugglers and organized crime. Currently, these include parts of Libya and Egypt's Sinai Peninsula, as well as the Syrian coastline; other areas might follow. With instability spreading and the political and security situation in almost all post Arab Spring states uncertain, there is growing risk that some of these areas might permanently slip out of state control. This could have severe consequences on several levels.

The creation of lawless maritime zones as a result of state collapse in the Mediterranean could pose severe risks to maritime traffic and energy flows, if non-state actors are able to take hold. Criminal networks and terrorist groups are already benefitting from large lawless land areas in the Maghreb, Sahel and southern Arabian Peninsula. In case of a loss of state control over coastal areas, this could have an immediate impact on maritime security. Moreover, state collapse is likely to increase illegal flows, such as drug trafficking and human smuggling to Europe. The potential of a second wave of migration, following the failure of democratic transition processes, remains especially acute and requires preparations on side of the EU.

Regional Conflicts: The discovery of natural gas in the Eastern Mediterranean could have a hugely beneficial impact on energy and water security in the region. However, it also bears a considerable conflict potential that could involve some of the major non-EU maritime powers; namely Turkey and Israel. The EU needs to act rapidly in order to prevent conflict over these resources, as well as other potential conflicts that may arise from long-standing arguments over Exclusive Economic Zones and the delimitation of territorial waters. Growing tension over these issues, even if they do not take the form of military conflict, would reduce regional cooperation and development and prevent the cooperative exploitation of energy reserves.

Ultimately, in order to defuse tension in the Eastern Mediterranean, the EU will need to tackle some of the oldest and most complex regional crisis, namely the Cyprus issue and the Palestine question. While these conflicts have lain dormant for a long time, they have the potential to be reignited, given the current volatile situation in the region and the gradual rebalancing of regional power. That means that it will no longer be sufficient for the EU to simply "manage" these conflicts, but it needs to push for imaginative solutions. In the case of Palestine, the Gaza ceasefire and the UN non-membership might provide for such an opening.

Geopolitical Competition: The global shift of power from the Atlantic to the Pacific, as well as the growing competition between China and the United States will have a direct impact in the Mediterranean. Rather than decreasing the presence of the US in the Mediterranean, the "pivot to Asia" is likely to spell a greater presence of the US and China, as well as other important rising powers in the Mediterranean. This is inevitable, given the growing interconnectedness of strategic sea lanes across the globe. As a result, geopolitical conflicts and crisis in other parts of the world are likely to increasingly affect maritime security in the Mediterranean. Due to the growing presence of out-of-area actors, conflicts in the South China Sea or the Persian Gulf are increasingly likely to spill-over into the Mediterranean. Moreover, managing out-of-area actors, which have not the same stake in regional

developments, will require new approaches. The presence of illegal Chinese fishing fleets in the Mediterranean is only one potential example in this regard.

Ecological Disaster: With Mediterranean shipping expected to double or triple until 2025 and the impacts of climate change forecasted to rise, the environmental impacts in the Mediterranean could be severe. Competition over fishing stocks, drinking water and other resources are likely to rise substantially in the future. The erosion of coastal areas, land degradation, a decline in drinking water and demographic growth will further heighten migratory pressures and pose numerous challenges to the EU. In order to manage these challenges, the EU will need to engage its Mediterranean partners on a diverse range of governance issues, from fisheries to maritime spatial planning. EU member states, for their part, would benefit from further integrating their coastguards and navies and to jointly provide special capabilities, such as anti-pollution and search and rescue vessels, as well as capacities for maritime surveillance and scientific evaluation.

3.2 The Black Sea

3.2.1 Significance

Ever since the EU's eastern enlargement, the Black Sea has steadily gained in significance for the European Union. During the Cold War, the region was the scene of a testing stand-off between the Soviet Union and NATO that, however, never escalated. Today, it is a meeting point of some of the major Eurasian powers, including the EU, the US, Turkey and Russia and a stepping stone between Europe and Central Asia.³⁷

For the EU, the Black Sea represents an important transit route for energy imports from the Caspian, as well as increasingly an energy provider in its own rights. Given competing plans for the construction of pipeline infrastructure, most prominently South Stream and the scaled-down Nabucco project, as well as various on-going deep-sea explorations for oil and gas, the region's strategic importance is likely to grow further, raising the prospects for tensions involving the Black Sea littoral states, as well as external actors.

Like most of the EU's adjacent seas, the Black Sea faces some serious environmental challenges and its fishing stocks have been severely depleted. A period of economic growth amongst the littoral states has considerably increased commercial traffic and pollution and further oil drillings and pipeline projects will inevitably affect the marine environment and heighten the risk of accidents and spills.

Access to the Black Sea through the Turkish Straits, a major chokepoint, is controlled by the Montreux Convention of 1936 that precludes external actors from establishing permanent naval basis and limits the tonnage of battleships able to transit the Straits. While this has meant that most military security challenges are of a regional nature, there is no shortage of conflicts amongst regional powers.

3.2.2 Security Challenges

In the Black Sea, most of the EU's potential military and strategic concerns relate to the Russian Black Sea Fleet, stationed in Sevastopol. Although Russia's Black Sea Fleet is progressively aging and several of its vessels face imminent decommissioning, it has proven its operational capacity during the 2008 Russian-Georgian War, during which it conducted several offensive and support operations. In a bid to modernize its fleet, Russia has pledged to add 15 new warships and submarines to the Black Sea Fleet by 2020. While it is uncertain whether Russia will be able to honour this pledge in full, at the very least

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³⁷ Sherr, 2008.

three new frigates, currently under construction, are expected to join the fleet by 2013-2014. Russia is also expected to move further naval assets to the region for the 2014 Olympic Winter Games in Sochi.³⁸

Although there is currently no imminent risk of military confrontation between Russia and Georgia, the region's unresolved frozen conflicts represent a continuing risk factor. In the maritime domain, any attempt by Georgia to reassert its maritime authority over incoming sea traffic into Abkhazia might trigger a confrontation. Other conflicts between Russia and Georgia and between Georgia and the unrecognized entities of Abkhazia and South Ossetia might also spill over into the maritime domain.

When it comes to relations between Russia and Ukraine, the 2008 Kharkiv Agreement has for now resolved an on-going dispute over the stationing of the Russian Black Sea Fleet in Sevastopol.³⁹ However, Ukraine recently insisted that it wants to be consulted over the rearming of the Russian fleet. Other bilateral relations remain largely non-conflictual, although there are several open issues concerning the delimitation of the continental shelf that might become more heated due to on-going oil explorations.

The US, in line with the 1936 Montreux Convention, does not maintain a naval base in the Black Sea and has shown less interest in the region since 2008. However, the build-up of the NATO missile shield, as well as US-Georgian naval exercises have drawn considerable criticism from Russia, which remains hostile to a greater US presence in the region. Turkey similarly has been eager to keep external actors out of the Black Sea.

In terms of non-conventional security risks, the Black Sea also represents a number of significant challenges. The absence or collapse of state control over certain areas (such as Abkhazia) has provided an opening for numerous illicit activities, involving organized crime. As a result illegal migration and drug trafficking remain major issues, as does the proliferation of arms. Currently there appears to be no significant risk of terrorism and piracy in the Black Sea, although the proliferation of WMD remains a potential concern. More recently the EU has focused greater attention on improving fisheries management in the Black Sea, which are severely threatened by overfishing and environmental degradation.⁴⁰ While a plethora of regional institutions exist in order to counter these security threats, most notably the Black Sea Economic Cooperation, BLACKSEAFOR and Black Sea Harmony, bilateral tensions have meant that these could not yet develop to their full potential and remain ineffective, despite considerable regional leadership. Similarly, the EU's Black Sea Synergy initiative has advanced at a relatively slow pace, despite its initial positive reception.⁴¹

Table 4: Non-EU Black Sea Navies

	Submarines	Principal Surface Combatants	Patrol and Coastal Combatants	Mine Warfare
Russia ⁴²	1	5	16	9
Ukraine	1	1	10	5
Georgia			17	
Turkey ⁴³	14	18	52	27

Source: The Military Balance 2012.

³⁸ Dubien & Vaquer i Fanés, 2010

³⁹ The Kharkiv Accords of 2010 extended Russia's lease on naval facilities in the Crimea by another 25 years to 2042 with another 5 years renewal option in exchange for a discount on Russian gas exports to Ukraine.

⁴⁰ European Parliament, 2011.

⁴¹ European Commission, 2007.

⁴² Represents Russia's Black Sea Fleet, not overall naval capabilities.

⁴³ Represents both Black Sea and Mediterranean naval capabilities.

3.2.3 Future Challenges & Implications

The geo-strategic importance of the Black Sea can be expected to grow in the future, due to its developing importance as an energy transit hub and its potential as an energy producer. While this could incentivize greater cooperation and development, there is also a persistent risk that the region might become embroiled into a new “great game” and will see heightened tension and confrontation. Some of the most significant risks facing the Black Sea region will include some of the following:

Geopolitical spill-over: A worsening of relations between Russia and NATO could see Russia attempting to increase its regional influence to counter the perceived threat from NATO missile defence. A further build-up of Russian and Turkish naval assets is likely to have an impact on the maritime security environment in the Black Sea region and might fuel greater competitive dynamics and naval build-ups.

Regional spill-over: Any regional crisis in the south Caucasus or the Persian Gulf might create some spill-over effects in the Black Sea region, as it might draw in some of the coastal states. In case of a conflict with Iran, the US might be tempted to use the region as a staging area, which could put it at odds with Turkey and Russia. Similarly conflict in the South Caucasus could easily affect relations between the coastal states and trounce regional cooperation initiatives.

Energy Infrastructure: The build-up of new energy infrastructure in terms of pipelines and deep sea drills require greater security and disaster management capacities. Unless these are conceived through collaborative regional framework, the potential for security incidents and environmental disasters are likely to grow, adding to the potentials risks facing the regional security environment.

3.3 The Baltic Sea

In the Baltic NATO will remain the primary western actor in military matters, but the EU has a broader set of responsibilities regarding Baltic Sea environmental, economic and security matters. The European Union Strategy for the Baltic Sea Region (EUSBSR) provides a good starting point for addressing these issues.

3.3.1 Significance

The Baltic Sea has historically tied coastal cities in the region to each other, with important political, economic, cultural and security implications – all of which continue to have an impact today. The Baltic Sea is practically the European Union’s internal lake, and is the lifeline for exports and imports for its northernmost member Finland and to a lesser degree Sweden. It is also one of the world’s most ecologically sensitive maritime environments. The EU has significant economic, environmental and societal security interests, which it to some degree shares with the only non-EU member of the Baltic, Russia.

Shipping through the Baltic Sea has increased dramatically during the past decade, whether measured in the number of ships, weight of goods or value. More than 2000 ships sail the Baltic at any given moment (not including recreational vessels). In 2011 ports in Baltic Sea countries handled 23 % of seaborne goods handled in major European ports (measured in gross weight of goods). Part of the reason is that oil transports through the Baltic have increased by 300 % during the past decade. These exports make up 40 % of Russian oil exports and are viewed by Russia as being of strategic importance (oil exports also make up 40 % of Russian GDP). The volume of shipments and size of oil tankers is expected to grow further. The increased oil transports and Nord Stream gas pipeline have combined to make the Baltic Sea Russia’s most important energy transport corridor.

3.3.2 Security Challenges

The Baltic Sea exposes the European Union and its members to a number of challenges from the perspective of maritime security. However, security concerns in the Baltic Sea are primarily non-military ones; and, NATO remains the preeminent military security actor in the Baltic. These security concerns relate to (1) the safety of shipping, both of goods and people, (2) the increasing possibility of environmental disasters that are the result of the growing volumes of oil and chemicals being shipped through the Baltic Sea, and (3) the degradation of the Baltic Sea habitat, due to chemical imbalances and the low replacement rate of water in the Baltic Sea (as well as chemical warfare agents dumped during the Cold War). All of these and other issues are in the process of being addressed as part of the implementation of the EU Baltic Sea Region Strategy.⁴⁴

The decades long history of cooperation regarding environmental issues (primarily through HELCOM) and the fact that the Baltic Sea is practically an inner lake for the EU makes it easier to address maritime security challenges related to the environment, shipping and the movement of people. The Helsinki Convention (HELCOM) was signed in 1992 and entered into force in 2000. It was preceded by the Convention on the Protection of the Marine Environment of the Baltic Sea Area in 1974. While not enjoying the same public popularity as the Arctic Council, the Council of the Baltic Sea states is since its founding in 1992 become an important forum for regional inter-governmental cooperation on a wide range of environmental, economic, educational, civil security and energy related issues.

The Baltic Sea as a whole and the Gulf of Finland specifically is the most rigorously tracked shipping and maritime area in the world. Despite this the increased volumes of traffic are seen to have increased the risk and likelihood of a major oil related environmental disaster. Cooperation on this front has increased significantly and multinational disaster preparedness exercises have become more common, the most recent one being Balex Delta 2012 held outside Helsinki, Finland. EU regulations regarding double hulled ships were warmly received by Baltic Sea states, most of whom would also welcome more stringent requirements on the 'ice-capabilities' of ships operating in the Baltic Sea. Piracy is not a concern in the Baltic Sea, but the robust ferry networks that connect Baltic Sea ports serve as conduits and enablers of human trafficking. The ferries could also be interesting targets for terrorists or other extremists. With the exception of scenario based exercises, national authorities have not yet mandated tighter safety measures or checks.

Military and strategic level security concerns around the Baltic Sea are directly related to Russia, and are likely to be primarily addressed through NATO, though the European Union can play an important political role in any military security challenges. The Baltic Sea incorporates multiple issues of strategic potential, which may have security implications for Europe and are certain to impact EU-Russia relations in the future.

The Baltic Sea is Russia's most important energy corridor. Forty per cent of Russian oil exports flow through the Baltic Sea (a number that is set to increase further). The recently completed Nord Stream gas pipeline further ties Russia and Europe together in terms of energy security, and though it is unclear how it will be able to develop new sources of gas to fill the pipeline, Russia is seeking to further increase the capacity of Nord Stream. Pointing to military doctrine which defines as a core task of the military the protection of strategic energy infrastructure, Lithuania, Latvia, Estonia and Sweden have raised concerns that Nord Stream will provide Russia with a reason to increase its security presence throughout the Baltic Sea. Partially because of the importance of the Baltic Sea as an energy corridor, Russia has started a program to modernize the fleet, which currently consists of approximately 40 ships

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⁴⁴ European Commission, 2009.

and over a hundred planes and helicopters. The focus of the upgrades is on multi-purpose corvettes and diesel-electric submarines (the Baltic Sea is well suited to some types of submarine operations). The headquarters of the fleet is in Kaliningrad, the second central maritime security issue for the EU in the Baltic Sea.

Kaliningrad does not pose a traditional maritime threat to the EU. The primary challenges caused by Kaliningrad can be felt in surrounding EU member states. However, Kaliningrad does require Russian views on the region to be considered more than if the only Russian territory bordering the sea was found in the Bay of Finland.

The third issue of strategic maritime interest is the potential expansion of the NATO-US anti-ballistic missile shield and components to the Baltic Sea. Practically unavoidably, components of the system will sail through the Baltic Sea, aboard American ABM/BMD equipped Aegis ships. Russia has on numerous occasions stated that it considers this a provocation, and enumerated a range of potential countermeasures. In reality, some of the countermeasures have little to do with BMD directly, and more to do with maintaining a credible second strike nuclear capability, but pre-emptive strikes against not only fixed BMD sites in Europe but also command centres and space based assets are possible countermeasures. Russia has also threatened the deployment and use of effective weapons/munitions against mobile ballistic missile defence systems. At its most basic level this could be advanced anti-ship missiles fired from upgraded Baltic Fleet corvettes.

Ultimately, the Baltic Sea exposes the EU to different challenges than the Union's southern sea, the Mediterranean. The primary maritime challenges are related to Eco security and shipping, not conventional military or strategic challenges. However, particularly the status of Kaliningrad and the increasing importance of the Baltic Sea as Russia's foremost energy corridor must not be ignored

3.3.3 Future Challenges & Implications

Environmental catastrophe: The consequences of a significant oil or chemical spill on the impacted coastal regions would be significant. Thick ice during winter months, when the Bay of Finland and Bothnia are frozen, would make the clean-up of major spills even harder.

Energy and Exploration: The Baltic Sea does not have known potential for energy exploration. It is, however, one of Europe's most important energy corridors, and is viewed to be of strategic importance for both Russia and the EU.

Improving cooperation: Currently cooperation on a range of maritime security issues is achieved through a network of interlocking security communities (the Nordics, the Baltic 3 and the "Hansa-core" of Germany and Poland), two large international organizations (EU and NATO) and issue-specific multilateral cooperation. The Baltic Sea region would benefit from a stronger regional focus and a more active role by Germany, particularly its northern *lander*. The region should also seek to upgrade the status of the Council of Baltic States. Without a clear voice, the Baltic Sea region, primarily regarding its economic and environmental security aspects may find itself side-lined between increasing Mediterranean cooperation and growing international attention to the high-north and the Arctic.

3.4 West Africa

3.4.1 Significance

While the coastline of West Africa hardly represents a region in its own rights and is often considered as part of the EU's "wider Mediterranean" area, the sea lanes traversing the West African coast along the Canary Island and past the Cape Verdes into the Gulf of Guinea have become of growing importance for

the EU, due to the critical and often illicit flows that they carry. Thus a large part of the drug trade and significant amount of illegal immigration reaches the EU along these sea routes. Moreover, instability around the Horn of Africa and rising insurance prices have meant that a growing share of Asian maritime flows have been diverted around the Cape of Good Hope and reach the EU via the Southern Atlantic and West African sea-lanes.

The Gulf of Guinea itself has also become of greater geostrategic importance, due to significant oil discoveries in the region. As a result, the US has recently declared the Gulf of Guinea an area of “strategic national interests” that could require military intervention⁴⁵. Moreover, the region is home to important fish stocks that are increasingly being targeted by international fleets from as far away as China. At the same time, the countries in the region remain notoriously unstable and are prone to frequent coups and political crisis that function as an enabler for much of the illicit trade and illegal migration from the region to Europe.

3.4.2 Security Challenges

West African maritime security faces a variety of challenges, including illegal migration, drug trafficking and piracy. Illegal migration from West Africa to the EU is a continuing problem. The West African migratory sea route leads from West Africa to Spain via the Canary Islands. The main embarkation points are in Senegal and Mauritania and the main countries of origin are Mali, Mauritania, Guinea and Senegal. Illegal border crossing into the Canary Islands have risen steadily and peaked in 2006 at around 30,000, but have decreased sharply after that. In 2009, 2244 illegal border-crossings were reported from the Canary Islands compared with 196 in 2010. The cooperation between Spain and West African countries, Mauritania, Senegal and Mali, is developing, which is one of the main reasons for the decrease, as is the presence of patrolling assets near the African coast⁴⁶. Nevertheless, the unstable political situation in many West African countries due to poverty, regional disparities, weak governance and institutions, may lead to conflicts and heighten migration flows. In particular, the unstable situation in Mali, Mauritania, Niger and Nigeria is a cause of concern for the EU.

Drug, mainly cocaine, trafficking through West Africa is another serious security challenge for the EU. A growing European cocaine market has brought up trafficking from South America and traffickers are increasingly using West Africa as a transit route by taking advantage of the weak governance of the countries. Around 13 % of all drugs reach Europe via the West African route⁴⁷. Most of the cocaine is transited from South America to West Africa cross the Atlantic on tourist boats, cargo freighters, container ships, and even submarines. The bulk shipments are mainly controlled by South American traffickers, but West Africans play an important role in bringing the drugs to Europe. These drugs are trafficked to Europe mainly via commercial air flights.⁴⁸ The UNODC has estimated that in 2009 some 35 mt of cocaine may have left South America for Africa of which some 21 mt actually arrived in Europe.⁴⁹

Merchant trade is essential to West Africa and its economic development and, thus, the commercial shipping lanes and oil routes represent an important maritime security dimensions in the region. Container trade on the West Africa route has grown by 5.5 % between 2000 and 2008 and is forecasted

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⁴⁵ Paterson, 2007.

⁴⁶ FRONTEX has undertaken several operations in the region in the past. In addition, the Corymbe mission of the French navy in the Gulf of Guinea acts as a deterrent to reduce illegal activities in the region and helps develop and strengthen the naval capabilities of coastal nations (Corymbe, a permanent mobile base in the Gulf of Guinea, 2012 (Frontex, 2012).

⁴⁷ UNODC, 2011, p. 21.

⁴⁸ UNODC, 2008.

⁴⁹ UNODC, 2011, p. 40.

to increase another 6 % by 2013, but remains small compared with other trade routes.⁵⁰ Piracy is not as common in West Africa than at the Horn of Africa but has, however, increased especially along the coast of Nigeria and elsewhere in the Gulf of Guinea. Much of this piracy is directly targeting oil transport infrastructure and vessels. Terrorism, separatist movements and arms trafficking also remain challenges that the EU needs to take into account.

The economy of West African countries has grown strongly in recent years, and trade with the EU is expected to increase in the future.⁵¹ In the region, Nigeria is a major oil supplier for the EU, with approximately 5.8 % share of total EU oil imports, followed by Côte d'Ivoire and Ghana.⁵² In the future, the share might significantly increase due to recent oil and gas discoveries. Recent estimates of undiscovered hydrocarbon resources include 24 billion barrels of oil and 110 trillion cubic feet of natural gas, much of it located offshore.⁵³ Extraction of these resources will inevitably affect regional security and if improperly managed could heighten political instability, crime, corruption and piracy and attract foreign competitors.

Recently, West Africa has also attracted growing attention from new out-of-area actors, especially China. Just as in other areas on the African continent, Chinese commercial investments and interests have grown considerably in recent years. China's presence has been particularly strong in Cape Verde, where the Chinese government has funded major infrastructure projects and is planning to build a fisheries processing centre to cater for the Chinese fleets operating in the Atlantic⁵⁴. China's growing presence, especially in the fishing sector, represents a potential challenge to EU policies, which have encouraged responsible management of fish stocks through the EU's fisheries partnership agreements (FPAs) with several West African countries.⁵⁵

3.4.3 Future Challenges & Implications

Crisis in West Africa: The political situation in many West African countries remains volatile, Mali being a prime example. Regional crisis have the potential to further increase illegal migration along the West African route. This would increase demands for EU assets and resources to patrol waters around the Canary Islands and along West African shipping lands. Moreover any future EU intervention in this volatile region is likely to require sea-based assets. Terrorism and the growing reach of Al Qaida and other radical groups also represent a potential threat to maritime shipping. Piracy, which is already considerable around the Gulf of Guinea, could further increase as a result of crisis and state failure along the West African coast.

Oil and Gas exploration: Any increase in the EU's energy imports from West Africa, would likely require greater resources and management regarding the safety of shipping lanes and oil platforms. Natural resource discoveries could also act as a conduit for further political crisis and heighten dormant boundary disputes in the Gulf of Guinea and elsewhere in the region. The EU has an interest in developing these resources in a sustainable and cooperative fashion that contributed to the development of the region.

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⁵⁰ UNCTAD, 2011.

⁵¹ Currently, the EU is West Africa's main trading partner. EU exports of goods to the ECOWAS countries have increased annually by 5.9 % during 2000–2010, while imports increased by 6.2 % over the same period (Eurostat, 2012).

⁵² Eurostat, 2012.

⁵³ USGS 2010. USGS 2011.

⁵⁴ Horta, 2008.

⁵⁵ It has been estimated that illegal, unreported or unregulated (IUU) catches by China's distant water fleets amount to 2.5 million tons per year in the Africa region (Blomeyer, et al., 2012).

The above-mentioned challenges demand closer cooperation between the EU and West African countries. Weak governance in many West African countries has fuelled illegal activities, including drug and migrant flows. The EU therefore has an interest in working with West African governments in order to fight international crime and trafficking. Closer cooperation, by for example providing greater training for West African coastguards, could have a positive effect on maritime security in the region.

3.5 Conclusions

Europe's maritime neighbourhood consists of a number of highly diverse maritime regions. Each of these regions faces a radically different climatic, political, economic and ecological reality and set of security challenges, which will require particular area-specific responses. The nature of the challenges and actors concerned varies radically between these different regions, as does the EU's ability to mitigate risks and resolve crises. While the EU inevitably will remain a central actor in the Baltic and the Mediterranean Seas, its ability to affect changes in the South Atlantic and even Black Sea is likely to be somewhat less pronounced in the future. Despite these rather large differences, all of the EU's maritime regions are currently experiencing a number of roughly similar developments that are connected to the evolving global maritime context.

First, each of the EU's maritime regions is increasingly connected to the wider global flows and international developments in sometimes far-away regions. Thus, the Mediterranean has become closely linked to developments in the Indian Ocean, Asia-Pacific, and even Central America. The Black Sea is open to spill-over from the Gulf region and the central Asian land corridors. Baltic shipping, for its part, will be influenced by the development of the Arctic routes. West African sea lanes, finally, will be shaped by infrastructure projects and the security situation in Latin America and the Horn of Africa. The resulting internationalization of the EU's maritime neighbourhood spells both greater interdependence and more uncertainty for the EU.

Second, developments in each of the EU's maritime neighbourhoods are increasingly influenced by a new set of rising powers and the presence of unfamiliar out-of-area actors. The BRICs and Turkey, in particular, will increasingly influence the maritime security environment in the neighbourhood. Russia's attempt to upgrade its naval capabilities in the Baltic, Black Sea and Mediterranean has a direct impact on the strategic planning of EU member states. Turkey's growing naval power in the Eastern Mediterranean has both the potential to contribute to greater security, as well as to lead to greater tension and animosities. China's growing economic and political presence in West Africa and the Mediterranean is considered by many with suspicion. The appearance of these new actors has the potential to raise tension that need to be carefully managed.

Third, the EU's maritime neighbourhood has become more crowded, congested and competitive. Maritime traffic has grown exponentially and pollution, overfishing and environmental degradation is threatening the marine environment. This is particularly problematic on the high seas (a majority of the Mediterranean), where the EU's legal powers are limited. Overcrowding and congestion heightens the risks of accidents and spillages and impose new demands on European first responders. Simultaneously, competition for halieutic and energy resources has increased, while the "multilateral urge" amongst the EU's neighbours has notably decreased. Illegal, unreported and unregulated (IUU) fishing by foreign fleets has become a common occurrence and "sovereignist" thinking by littoral countries is fuelling long-dormant delimitation disputes.

Finally, European navies face a number of new security requirements in the neighbourhood. Critical sea-based infrastructure, such as pipelines, submarine communication cables, oil platforms and wind parks need to be secured. Foreign fishing fleets, commercial traffic and private shipping need to be monitored and controlled. Maritime non-state actors that have leeches onto critical global maritime

flows, such as pirates, terrorists and criminal syndicates, need to be deterred and defeated. All of this suggests new task profiles for European navies in the neighbourhood, which are required to take on a greater bandwidth of security and law enforcement roles, stay at sea for longer periods, and monitor maritime flows over greater distances.

To be able to fulfil this growing task profile, working with others will be particularly important. This does not only require the appropriate capabilities, but also confidence and coalition building measures and continuous dialogue. In this regard initiatives like NATO's Mediterranean Dialogue, the Union for the Mediterranean and the Black Sea Synergy are invaluable. Similar multilateral dialogues in other adjacent areas, such as West Africa, could be valuable. The ability to build maritime capacities, where they are lacking, through training and assistance, in particular on the African continent, is furthermore needed. By adopting a comprehensive approach towards north-south maritime cooperation and drawing on the special ties developed by some of its member states, the EU is well placed to furnish greater regional cooperation⁵⁶.

With territorial disputes being fuelled by the new security climate, the EU also needs to take a more proactive role in resolving these disputes. This is necessary not only in order to defuse tension and provide for a more cooperative security environment, but also to prevent the interference of external actors.⁵⁷ Thus, the EU's inability to mediate the Cyprus conflict or take a greater leadership on the Syria crisis has allowed for greater involvement of external actors, including Russia and China. The EU should therefore do more in order to resolve territorial disputes in the neighbourhood and promote adherence to UNCLOS by all of its partners.

Finally, in order to be able to continue and shape developments in its maritime neighbourhood, the EU will have to be able to act from a position of strength. That requires continuous investment in its naval power and a greater use of pooling and sharing amongst EU member states. Some of its neighbours, like Russia and Turkey, have embarked on ambitious fleet building programs, while non-state actors are continuously improving their asymmetric capabilities and may have acquired advanced capabilities as the result of lingering instability in the southern neighbourhood. In a time of falling defence budgets, this implies that the EU's relative naval power is going to decline. In order to deter potential aggressors and check asymmetric threats, the EU will need to signal resolve and find innovative ways of managing its relative decline, by spending its limited resources more efficiently and by making greater use of its existing capabilities.

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⁵⁶ Germond, 2010.

⁵⁷ Holslag, 2012

4. SEA LINES OF COMMUNICATIONS (SLOCS)

This study identifies three sea lines of communication which are as vital as they are challenging to Europe, thus requiring more attention in the context of CSDP. The “southern corridor” stretches from the Gulf of Suez through the Red Sea and on through the Indian Ocean towards the Malacca Straits. The “eastern corridor” starts from the Malacca Straits and continues through the South China Sea to the East China Sea. The “northern corridor” comprises the Arctic sea routes which may in the future link the Pacific to the Atlantic. The two aforementioned corridors supply Asia with energy and raw materials and carries consumer goods produced in Asia, as well as energy and raw materials, to Europe. The Strait of Hormuz along the southern corridor and the Malacca Straits on the eastern corridor are the two busiest maritime sea-lanes in the world, and also major choke points. The northern corridor is expected to provide an alternate route, alleviating the risks of blockages in the congested straits along the other corridors, provided that the ice conditions turn more favourable for navigation in the wake of climate change.

This chapter will outline the significance of each of the three corridors, analyse the security and other challenges related to the maritime flows and resource exploitation, and discuss the future developments and their implications to Europe. In the southern and eastern corridors, the main risks for flow security include piracy, spill-over effects of territorial disputes, and even the potential of proxy wars between rival great powers. Environmental degradation and competition for sea-based resources are cross-cutting issues in all three areas. In the northern corridor, the risks are mainly related to the combination of harsh natural conditions and the lack of adequate infrastructure needed for safe navigation. In relation to all the corridors, the EU is in need of comprehensive strategies which facilitate preparation for minimizing the risks and their adverse effects.

4.1 The Southern Corridor

4.1.1 Significance

The shipping lanes stretching from the Gulf of Suez through the Red Sea and on through the Indian Ocean where they unite with traffic from the Persian Gulf and continue until they wind into the Strait of Malacca, represent the world’s most vital maritime highway. This “southern corridor” supplies Asia with a majority of the vital petroleum resources and raw materials that it requires to fuel its astonishing boom. In return it carries consumer goods, petroleum and other raw materials to Europe and beyond. Bound by Suez in the West and Malacca in the East, the southern corridor also transverses some of the world’s major chokepoints, the Bab el-Mandab in the south and the Strait of Hormuz in the north.

Access to the Persian Gulf is controlled by the Strait of Hormuz between Oman and Iran, which represents what is most likely the most important chokepoint of international commerce in the world. In 2011 some 17 million bbl/d have flowed through the Strait on a daily basis, representing around 35 % of all seaborne trade of oil and approximately 20 % of international oil trade overall.⁵⁸ About two-thirds of these shipments are carried by super tankers with a capacity in excess of 150,000 deadweight tons. Although the Strait is 21 miles wide at its narrowest point, the shipping lanes transversing the area measure merely 2 miles in width, which makes them extremely vulnerable to blockage by a hostile party. While some bypass capacity exists – most notably in form of Saudi Arabia’s East-West pipeline and the recently constructed UAE pipeline – it is nowhere near able to compensate for the Straits.

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⁵⁸ Energy Information Administration, 2012.

The southern fork of the corridor passes through the Bab el-Mandab which connects the Red Sea with the Gulf of Aden. Like the Strait of Hormuz, the Bab el-Mandab is traversed by a narrow 2 miles wide shipping lane that carries some 3.4 million bbl/d of petroleum in 2011.⁵⁹ Although there are territorial conflicts between some of the littoral states, most notably Eritrea and Yemen, the major threat for international shipping as it enters the Gulf of Aden and the Indian Ocean stems from international piracy, operating out of ungoverned areas along the coast of Somalia and other littoral countries.

The importance of the Indian Ocean itself has grown considerably in recent decades, due to its role as an intersection of different geostrategic and economic interests and its impressive growth in intra-regional trade.⁶⁰ The western Indian Ocean, off the coast of East Africa, is also regarded as one of the last remaining frontiers for petroleum prospecting and home to important and contested fishing stocks.

Along this southern corridor, the EU faces three main clusters of issues that threaten the security of maritime traffic and could have large geostrategic implications. First, piracy and armed robbery in the waters around the Horn of Africa continues to pose a threat to international shipping and imposes a large toll on European flagged vessels which increasingly resort to hiring private security teams. Second, the unresolved conflict with Iran poses a major threat to shipping along the Strait of Hormuz and to the overall security and stability of the Persian Gulf, directly affecting European interests. Finally, the brewing geostrategic competition between the US and China over the Indian Ocean represents a worrying prospect for the future with the potential of destabilizing the entire region.

4.1.2 Security Challenges

The Gulf of Aden is a critical gateway through which an estimated 20,000 to 30,000 vessels pass every year, and close to 30 % of Europe's oil and petroleum products pass every day. Globally, around 12 % of the world's oil supply and 15 % of traded goods are transported through the Suez Canal and the Gulf of Aden.⁶¹ One of the more visible sources of disruption to maritime traffic through this area has been the persistent if not growing piracy activity around the Horn of Africa. While globally piracy attacks in international waters decreased during the period of 2003 and 2007 from 452 incidents to 282, piracy around the Horn of Africa skyrocketed over the same period, due to the political instability and lawless spaces in Somalia and adjacent territories.⁶² By 2008, most international estimates indicated that the waters around the Horn of Africa and the Gulf of Aden had become the most dangerous place on the high seas, a new "epicentre" of maritime piracy in the world.⁶³

Thus, the International Maritime Organization (IMO) has reported that the number of piracy incidents around the Horn of Africa increased from 134 to 222 in 2009. Similarly, the International Chamber of Commerce reported a total of 217 incidents with 47 vessels hijacked and 867 crewmembers taken hostage by Somali-based pirates in 2009. This accounted for more than a half of all the incidents of piracy in that specific year in the world. The 2010 figures by the IMO suggest that the majority of incidents of piracy occurred around the Horn of Africa. However, given the expanded area of operation, the number of incidents in the relative vicinity of the Horn decreased from 222 to 172 and increased in the Indian Ocean from 27 incidents in 2009 to 77 in 2010.⁶⁴ According to the ICC International Maritime Bureau, piracy attacks in the area increased through 2011, but have dropped off since then, as a result of

⁵⁹ Ibid.

⁶⁰ Michel & Sticklor, 2012.

⁶¹ Ndumbe & Moki, 2009, p. 103; Kraska and Wilson, 2008, p. 41.

⁶² IMO, 2009: Annex 4; Hallerberg, 2010, p. 3.

⁶³ See e.g. Ndume and Moki, 2009, p. 102-104.

⁶⁴ IMO, 2010, p. 2; IMO, 2011, p. 2; ICCCS, 2010.

the international response and the increased usage of private security.⁶⁵ The organization *Oceans Beyond Piracy* estimated that the costs of Somali piracy to the global economy in 2011 were \$7 billion.

Despite the increase in the amount of piracy incidents, piracy around the Horn of Africa did not become a full-fledged global security issue until the United Nations Security Council (UNSC) issued a chain of key Resolutions in 2008.⁶⁶ UNSC Resolution 1816 in June 2008 created a “historic precedent”⁶⁷ by extending the Chapter VII activities from traditional armed conflict to combating piracy at sea. The resolution expressed grave concern that “the threat that acts of piracy and armed robbery against vessels pose to the prompt, safe and effective delivery of humanitarian aid to Somalia” as well as to “the safety of commercial maritime routes and to international navigation.” Determining that the incidents of piracy “exacerbate the situation in Somalia” which itself “continues to constitute a threat to international peace and security in the region”, the UNSC moved to act—for the first time in history—under Chapter VII of the Charter of the United Nations to counter the threat of piracy to international peace and security, sanctioning an international operation around the Horn of Africa.⁶⁸

The European counter-piracy response took the form of coordinated action by an *ad hoc* coalition of European states, but in the name of the EU as a whole. This resulted in a robust naval operation, in form of “EUNAVOR Somalia: Operation ATALANTA” launched on 10 November 2008. The European Council defined the operation as a “military operation” in support of UNSC Resolutions 1814, 1816 and 1838, and tasked it with accomplishing two specific objectives. First, the operation was given the humanitarian objective of protecting the vessels of the World Food Programme (WFP) that deliver food aid to displaced persons in Somalia. Secondly, and more importantly, the operation was given the less specific, but more strategic, objective of protecting the vulnerable vessels cruising off the Somali coast, as well as the deterrence, prevention and repression of acts of piracy and armed robbery therein. In short, it was tasked to secure and maintain global flows around the Horn of Africa.⁶⁹

Despite some recent successes in curtailing piracy and armed robbery around the Horn of Africa, a continuing presence of the EU and the international community will be required. The nascent revival of a political process in Somalia and the military losses inflicted on the *Harakat al-Shabaab al-Mujahideen* by an African coalition raise the prospects of a more permanent solution to the piracy problem. However, a comprehensive solution to the Somali conflict still remains a long way off and growing instability in other littoral countries, including Yemen, suggests that a continuation of the international presence around the Horn of Africa will be required for the foreseeable future. Indeed, there appears to be a growing linkage between the conflicts and militant groups in Somalia and Yemen that suggests that a holistic approach is required in order to jointly address the situation at the Horn of Africa and the Arabian Peninsula.⁷⁰

The Persian Gulf is home to approximately 60 % of the world’s proven oil and gas supplies and remains the prime energy producing region in the world. Access to the energy resources of the Gulf is therefore

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⁶⁵ ICC International Maritime Bureau, 2012.

⁶⁶ UNSC, 2010, p. 5; Kraska & Wilson, 2009, P. 62. Prior to THE resolutions, in November 2007, the International Maritime Organization (IMO) had advised that the TFG should agree the use of foreign warships to conduct counter-piracy operations in the Somali waters.

⁶⁷ Zou, 2009, p. 586.

⁶⁸ Traditionally, the Chapter VII has been evoked in the context of armed conflicts that are deemed as threats to international peace and security. For the first time, the threat of piracy was made relatively equal with the threat of conflict or war. This may be an implication of the recognition of the growing importance of critical flow activities and their security. However, the threat of piracy was also linked to the “situation in Somalia” that was indicated as the overall source of the threat. Zou, 2009, p. 586-587.

⁶⁹ The Council of Europe, 2008.

⁷⁰ Ulrichsen, 2012.

vital to sustain the global economic system.⁷¹ With most of the world's petroleum spare capacity located in the region, the Gulf countries, moreover, effectively control the international price of crude oil. In recent years, Gulf oil has fuelled the astonishing economic boom experienced by Asian economies, with more than 85 % of crude exports from the region destined for the Asian markets, in particularly China, Japan, India and South Korea. While EU and US imports of Gulf petroleum products have declined in line with these developments, both continue to have a vital interest in preserving free access for international shipping and to safeguard their investments. Any challenge to the security of the Gulf, moreover, can be seen as a direct challenge to the position of the United States as the prime regional power, as well as its status as the predominant international security provider.

The United States has been the prime security actor in the Persian Gulf since the middle of the twentieth century. In this position it has acted robustly against all threats to international shipping through the Strait of Hormuz, as during the 'tanker war' of the 1980s.⁷² To this end, the US Navy's Fifth Fleet has been stationed in Manama, Bahrain and the US maintains a variety of other bases around the region, as well as important military partnerships with some of the Arab Gulf States. European countries are present in the Gulf through their participation in the Combined Maritime Forces, a multi-national naval partnership involving 27 countries. France also maintains a naval base in the UAE and both the UK and France have stationed aircraft in various Gulf countries.⁷³

In face of growing tensions over Iran's suspected nuclear programme, the US has considerably beefed up its military presence in the Gulf in order to deter an Iranian threat to the Strait. Two aircraft carrier groups are now permanently on-station in the Fifth Fleet's area of operations. In addition, the US has moved a floating operational base, *the Ponce*, to the Gulf together with important mine countermeasure capabilities, as well as additional fighter jets.⁷⁴ Throughout 2012 the US has also held various large military exercises in the Gulf with the involvement of several European navies.

Despite this, Iran continues to represent a realistic threat to shipping in the Gulf. Although Iran's conventional naval capacities are small compared to the mustered might of the US and allied forces, it possess important asymmetric assets, including mini submarines, speed boats, advanced mines and coastal cruise missiles that it could use to temporarily block the Straits and threaten commercial traffic.⁷⁵ Iran has variously threatened to use these assets to close the Straits in response to an attack on its nuclear facilities and some have argued it might be even willing to do so pre-emptively. According to a recent media leak, Iran's strategy might also involve causing massive oil spills in the area that might hinder access to the Straits and would have lasting environmental consequences.⁷⁶

In the past, the main factor deterring Iranian actions against Gulf shipping has been its own economic dependence on the Straits in order to export its petroleum supplies. However, given the recent EU embargos of Iranian oil and gas, Iran's energy exports have witnessed a dramatic decline.⁷⁷ Although China and India have continued to buy Iranian crude, EU financial sanctions have started to affect crude purchases from Asia as well. While there are some signs that these sanctions might force Iran back to the negotiation table, the risk of a confrontation remains real and is likely to grow unless a

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⁷¹ Energy Information Administration, 2012.

⁷² The US Operation Earnest Will from July 1987 to September 1988 was the largest naval convoy operation since WWII and was aimed to protect commercial Gulf shipping from Iranian attacks in the 1984-88 tanker war.

⁷³ In total 10 EU member states participate in the Combined Maritime Forces that are headquartered at the US base in Manama, including: Belgium, Denmark, France, Germany, Greece, Italy, the Netherlands, Portugal, Spain and the UK.

⁷⁴ Shanker, Schmitt & Sanger, 2012.

⁷⁵ Himes, 2011.

⁷⁶ Follath, 2012.

⁷⁷ Fineren & Bakr, 2012.

comprehensive solution can be found. In particular the threat of an Israeli or US air strike is likely to draw an immediate Iranian response that could target Gulf shipping and oil producing facilities.

The EU's regional strategy in the Gulf, long premised on reintegrating Iran into a new regional security structure through negotiations and positive incentives, has recently changed in favour of a more forceful approach that employs wide-ranging sanctions and greater security cooperation with the US.⁷⁸ As a result, the EU has lost its place as the main trade partner of Iran and despite its offer of good offices is unlikely to play a considerable role in any future negotiations. While any future confrontation over the Strait of Hormuz would involve few European countries that are able and willing to muster the appropriate naval capabilities, the EU is likely to be severely affected by any crisis in the region; both due to its impact on oil prices, as well as due to the potential spill-over it might have on the Mediterranean and Black Sea regions. As such it is in the vital short term interests of the EU to try and defuse the current stand-off and prevent a possible military confrontation in the region.

The Indian Ocean is fast becoming a prime location for the growing geostrategic rivalry between the United States and an emerging China. As the United States strategic gaze pivots east, away from Europe and towards Asia and its growing economies, China is anxiously looking west towards the long and exposed supply routes that are feeding its insatiable thirst for Middle Eastern oil. Both countries' interests intersect in the Indian Ocean. This has led to ample speculations about the potential of a new 'Great Game' about to unfold in the vast expanses of sea between the Horn of Africa and the Indonesian archipelago. It is here, according to Robert Kaplan's *Monsoon*, that the new centre of gravity of world politics will shift and that the 21st century's global power dynamics will be revealed.⁷⁹

Much of this new dynamic is fuelled by China's desire to protect its vital sea lines of communication with the Middle East and deepen its trade and strategic cooperation across the region. This, amongst others, has been one of the main motivations for China to build its own blue water navy and increase its diplomatic, commercial and naval presence in the region.⁸⁰ To this end, China maintains a naval task force in the Gulf of Aden to deter pirate attacks and conduct military diplomacy. China has also spent much effort on developing a "string of pearls" of commercial harbours and naval facilities along its sea lines across the Indian Ocean. These have included amongst others major Chinese investments in Gwadar harbour (Pakistan), the Port of Colombo (Sri Lanka), the seaport of Chittagong (Bangladesh) and the constructions of terminals at Kyaukpyu (Myanmar) to connect to the Sino-Burmese pipelines.⁸¹

While most of these represent commercial ventures, many analysts have pointed towards their potential dual use capacity and have speculated that the Port of Gwadar could soon be converted into a Chinese naval hub. This growing Chinese presence in the Indian Ocean has spooked the United States, which feels increasingly outmanoeuvred. It has also drawn the attention of India, which has improved its naval capabilities and strengthened its strategic cooperation with Japan, Singapore and Australia. The attendant growing rivalry between India and China, should it intensify, could have a destabilizing impact on the wider region. While a direct confrontation between India and China appears unlikely, their rivalry could provide a source for political instability in some of the littoral countries. Already, both are competing for influence in the Maldives and Sri Lanka. Others are likely to follow.

The United States in response has engaged in a closer strategic and diplomatic relationship with India and some of the other countries around the Indian Ocean and maintains a strong military presence in Diego Garcia, the Persian Gulf and Australia. While there is some potential for greater geostrategic

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⁷⁸ Parsi, 2012.

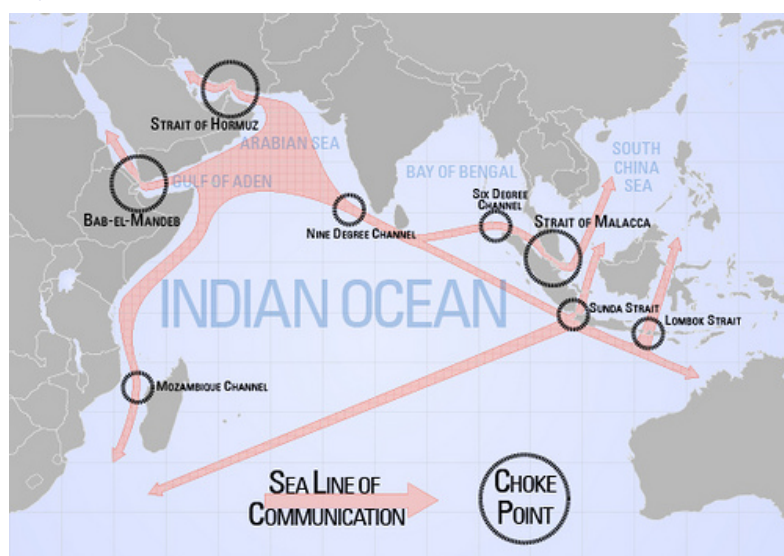
⁷⁹ Kaplan, 2010

⁸⁰ Michel & Sticklor, 2012.

⁸¹ Chosky, 2011.

friction between the US and China in the Indian Ocean in the long run, few analysts expect an immediate threat, pointing to China's still underdeveloped naval capacities. This suggests that for the time being great power competition in the area will remain a strategic problem not a looming crisis.

Figure 4: Indian Ocean SLOCs & Choke Points



Source: MrDevlar, <http://www.flickr.com/photos/mrdevlar/4922429758/>

The Indian Ocean is also increasingly interesting as a potential source of natural resources. Fishing is currently of most immediate interest to the EU. In the coming decades, deep-sea mining may also increase, depending on the cost-benefit developments. The International Seabed Authority has already awarded South Korea and China exclusive mineral rights to blocks of seabed, and other countries, including India and Japan, are also developing relevant technologies.⁸² Competition over resources may potentially increase instability in the region. From the Indian perspective, the Chinese advances are particularly worrisome also from a strategic perspective.

The EU has been increasingly drawn towards the Indian Ocean as a result of its operations around the Horn of Africa and the region's growing geostrategic importance. This has led to greater EU investments into regional maritime cooperation, for example through the EU's Critical Maritime Routes Programme and its support for a start-up project on Regional Maritime Security MASE.⁸³ The European Commission has also funded a regional surveillance plan for fisheries and encourages sustainable fisheries management in the Indian Ocean through its SmartFish Programme.⁸⁴

4.1.3 Future Challenges & Implications

Undoubtedly the EU's southern maritime corridor faces some of the most severe political, military, economic and environmental challenges in the coming decades. Moreover, this happens at a time that the EU will increasingly lack the tools to influence the situation along these vital waterways. While the problems are legion and the EU's abilities are limited, some of the most important challenges include:

Crisis in the Gulf: For the time being, the long-term outlook for the Persian Gulf region remains highly uncertain. In the worst case scenario, any military confrontation might have an adverse effect on regional stability, obstruct shipping and transport for the foreseeable future, and spread instability to

⁸² Stratfor, 2012.

⁸³ See: http://www.eeas.europa.eu/piracy/regional_maritime_capacities_en.htm.

⁸⁴ See: <http://www.smartfish-ioc.org/#!programme>.

neighbouring areas. For the EU this could be particularly problematic in the Eastern Mediterranean where Iran still holds considerable sway. Any Iranian response to a military strike on its nuclear facilities could also directly target European naval assets stationed in the Gulf. The EU should therefore work hard to bring the conflict to a negotiated solution and avoid any damaging confrontation. To ensure a stable regional balance and counter rising Asian interests in the Gulf, the EU member states should also maintain their current presence in the region in form of their participation in form of the CME, regular port calls and military diplomacy.

Piracy and Regional Instability: The defeat of al-Shabaab and the revival of the political process in Somalia provide some budding hope that the region might start to stabilize. However, for the time being there are few alternatives to continuing anti-piracy operations around the Horn of Africa in order to protect vital shipping lanes. Moreover, Yemen's chronic instability and the potential for political crisis in other countries around the Horn and along the East African coastline provide reason for caution. Potential oil discoveries along the coast similarly might have an ambiguous impact on regional security. This suggests a long-term European presence might be required. Ultimately, however, the EU needs to realize that anti-piracy operations only provide a stop gap measure, as the real problem is state weakness in Somalia and elsewhere. This suggests further European support for these countries, including potentially training East African navies.

Great Power Conflict: While the growing geostrategic dissonance between China and the US might provide the greatest potential threat to regional stability and to the vital shipping lanes transversing the Indian Ocean, for the time being it remains at most a "cold conflict" with little prospects of moving into a hot phase. However, what seems certain is that the region will increasingly move into the limelight of geostrategic attention and that future regional crisis and conflicts – either involving some of the emerging powers or their proxies – are no longer entirely beyond the pale. The EU has to carefully weight its options in this situation. In many ways it has a keen interest to not get drawn into a potential conflict of interests or a budding 'great game' in the region. At the same time, its transatlantic commitments and the historic interests would automatically tilt it in one direction. Its main interests therefore is in preventing a further hardening of the front, by promoting collective security solutions and working with all of its partners, while maintaining at least some presence in the region that enables it to atoned to developments by conduct port calls and military diplomacy.

4.2 The Eastern Corridor

4.2.1 Significance

The shipping lane from the Malacca Straits through the South China Sea and around Taiwan to the East China Sea is one of main arteries of the global trade flows. This shipping lane is very vulnerable to disruptions. The 900 km long Malacca Straits are only 2.7 km wide at their narrowest point, and therefore, shipping traffic can get severely congested, and the risk for collision is significant. This makes the straits a major choke point. The South China Sea is the scene for fierce competition over hydrocarbon resources, fisheries and sovereignty in which involves all the coastal states. East China Sea also has its share of sovereignty disputes. The waters around Taiwan, including the Taiwan Strait, are a potential clashing point for a major military conflict between China and the United States.

The volume of traffic passing through this "Eastern Corridor" is such that any disruption would have immediate and severe consequences for the global economy. The Malacca Straits are one of the most heavily trafficked straits in the world, second only to the Hormuz Strait. Between 70,000 and 80,000

ships pass through the Malacca Straits annually.⁸⁵ That accounts for more than one third of world trade, and includes almost 50 % of global energy shipments.⁸⁶ The volume of trade passing through the straits has increased by one third over the last decade, although there has been some fluctuation and the rise has not been steady.⁸⁷ In terms of the flags that the vessels passing through the straits are flying, those of Germany and Greece are among the most common ones.⁸⁸ Most of the ships passing through the Malacca Strait would also be navigating through the South China Sea. Up to 80 % of all the oil imports to Japan, South Korea, China and Taiwan pass through this sea lane.

The natural resources in the South China Sea are of global significance. Even according to most conservative estimates, the region holds reserves of 30 billion barrels which would equal a year's worth of global consumption at current rate, or one third of the estimated, undiscovered oil reserves in the Arctic.⁸⁹ The gas reserves are expected to be manifold. China, Vietnam, the Philippines, Malaysia and Indonesia are already drilling at their coasts. China is also developing capabilities for deep sea mining, and may begin explorations in 2013.⁹⁰ The annual fish landing stands for one tenth of the global yield.⁹¹ Overfishing is a serious threat to the sustainability of the fish stocks.

The region through which the Eastern Corridor passes is also one of the possible stages for the predicted rivalry between the United States and China. There it would take the form of a naval arms race between the United States and China which is actively increasing its blue water capabilities. The countries are at odds in relation to the freedom of navigation: According to its interpretation of the UNCLOS, China does not approve of military activities in its Exclusive Economic Zone, whereas the United States (which has not ratified the UNCLOS) maintains that the same freedoms for intelligence gathering, surveillance and reconnaissance activities, exercises, and operations that exist in the high seas, also exist within any country's EEZ. As China's territorial claims over the South China Sea are both extensive and ambiguous, the United States has reason to be concerned. However, it would be misleading to regard the region solely through the prism of China-United States rivalry. Many of the issues are deeply rooted in the local soil and are related primarily to the history and troubled relations of the countries within the region.

4.2.2 Security Challenges

The Malacca Straits are international waters, and therefore all ships have free passage through them. The straits have been identified as one of the seven world oil transit choke-points by the US Energy Information Administration.⁹² The Singapore Strait is where the waters of the Malacca Straits are the narrowest and shallowest. The harbour of Singapore is one of the biggest and busiest in the world. Blockage in the Malacca Straits would demand the traffic to be rerouted around the Indonesian archipelago through Lombok Strait or Sunda Strait. The largest ships, such as super tankers, can only pass through the Lombok Strait. Due to the existence of the alternate routes, a blockage in the Malacca Straits would not block the whole Eastern corridor. Bypassing the Malacca Straits would increase the costs, but not necessarily to a significant degree.⁹³

⁸⁵ Singh, 2012. Duchâtel, 2011.

⁸⁶ MIMA. *The Economist*, 2004.

⁸⁷ Mohd Rusli, 2012, p. 44. Singh, 2012, p. 113.

⁸⁸ Mohd Rusli, 2012, p. 44.

⁸⁹ USGS, 2008. EIA, 2008. USGS. 2010.

⁹⁰ Stratfor, 2012.

⁹¹ Heileman.

⁹² US Energy Information Administration, 2012.

⁹³ Duchâtel, 2011, p. 9.

Until recently, piracy has been a serious problem which was affecting even oil transports. The attacks reached a peak in the year 2000 when over one hundred attacks took place. The situation has improved significantly since the mid-2000s when the littoral states stepped up their patrolling. During the last few years only 1–2 actual or attempted attacks have taken place annually. However, the situation remains precarious, and ships passing through the straits are still advised to maintain strict antipiracy watches.⁹⁴

The South China Sea poses currently no specific risks for shipping, except for piracy. The number of actual and attempted attacks has been between 13 and 31 over the last few years. Furthermore, the combined number of attacks in all of South East Asia was 80 in 2011 which stands for 18 % of all piracy attacks in the world. The most dangerous waters are those near the coasts of Indonesia (including the Natuna Island) and Malaysia.⁹⁵ In addition to piracy, there have been cases of separatism-induced terrorism in the Philippines and Indonesia which has the risk of affecting their maritime environments.

Potentially, however, the South China Sea has an acute danger of becoming the scene for naval skirmishes between the littoral states. The states are involved in a tightening competition over fisheries and hydrocarbon resources. There is also growing interest to deep-sea mining especially from the part of China which, according to Stratfor, has stated that it wants to begin production using deep-sea mining in 2030.⁹⁶ This is linked to territorial disputes over both the islands and other land features and the maritime zones that can be awarded to those features. Many features of the Spratly Islands, in particular, are subject to conflicting claims. With the exception of Indonesia (which makes no claims on contested features) and Brunei, all the other claimants aim to demonstrate that they are in actual control of as many of the features as possible. In terms of the maritime zones, the claimants rest their claims on both the UNCLOS provisions as well as historical evidence which predate the UNCLOS. Only Malaysia, Brunei and Indonesia base their claims solely on the UNCLOS provisions. China, Taiwan (whose claim is identical with China's) and Vietnam all have claims which are not entirely consistent with the UNCLOS but are rather ambiguous and reach much wider. Similarly the Philippines, despite having defined its baselines in accordance with UNCLOS, has declared that the contested Spratly Islands are an integral part of its territory. Even following the provisions of the UNCLOS would be of limited usefulness, not only because of differing interpretations of the said provisions and the fact that the different parties base their claims on widely differing sets of arguments, but because the coastal states would still have to be able to make some sort of compromises.

Facilitated by the ASEAN, the parties have agreed to a Declaration on Conduct of Parties in the South China Sea (DOC, 2002) which calls for all the parties to refrain from provocations and the use of force. However, several parties have arguably failed to follow the recommendations of the DOC. Realizing the weakness of the DOC as a political statement, the ASEAN has been working on a Code of Conduct that would lay down the principles for resolving the disputes. However, as witnessed by the latest ASEAN Ministerial Meeting, held in July in 2012, which failed to agree on its position on the South China Sea issue, the ASEAN is far from united.⁹⁷ The claims of the ASEAN member states overlap, and in particular Vietnam has made almost as extensive claims as China. Therefore, even without China's involvement and its refusal to discuss the disputes multilaterally, the issues would still be very complex.⁹⁸

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⁹⁴ IMB, 2012. Singh, 2012, p. 114. Eklöf, 2006, p. 104 (Figure 2). – Eklöf points out that the figures provided by the IMB are likely to reflect only a fraction of the attacks.

⁹⁵ IMB, 2012. Eklöf, 2006, pp. 102–103, also points out that the IMB figures from different regions are not always comparable due to the difficulties related to their data gathering.

⁹⁶ Stratfor, 2012.

⁹⁷ BBC News Asia, 2012.

⁹⁸ Kallio, 2012.

Despite the richness of the fisheries, hydrocarbon and possible mining resources in the South China Sea, the ownership of the islands and maritime zones may actually be of secondary importance. If the issue were just about natural resources, the parties could rationally be expected to reach a solution allowing for joint exploitation and management. That this has proven to be impossible suggests that the primary cause for the conflicts lies elsewhere. Indeed, it seems that at the core of these territorial disputes are fundamental issues regarding sovereignty which makes solving the disputes very difficult. The countries with the biggest claims, China and Vietnam, are still struggling to overcome the humiliations caused by both Western and local colonizers. To relinquish any existing claims on sovereignty would be interpreted domestically as a major sign of weakness of the government. Especially in China, and to a degree also in Vietnam, the legitimacy of the ruling Communist Party rests upon nationalism and is tied to the Party's ability to safeguard national stability, unity and territorial integrity.⁹⁹

Over the last years, many skirmishes have taken place between the law enforcement agents and fishermen or exploration/surveillance vessels. Due to the economic interdependence of the actors, allowing the situation to escalate from isolated incidents into a military conflict with wider consequences is in nobody's interests. However, incidents are expected to continue and to become more frequent. In regard to China, it is worrisome that China's central government seems to both lacking a coherent South China Sea policy, and incapable of controlling all the different actors involved.¹⁰⁰ This increases the risk of situations getting accidentally out of hand. However, serious clashes between naval forces of the claimants have so far remained few. The last major incident, leading to some tens of casualties, happened in 1988 between China and Vietnam. Currently, the naval forces of the coastal states are relatively limited, which serves as a deterrent to more-than-limited military action.

China is rapidly building up its blue-water navy, and it is possible that in the next two decades it may reach naval dominance over the other coastal states in the region. Vietnam has also increased its military spending considerably, and is buying new submarines, frigates and corvettes.¹⁰¹ The heavy military spending by both Vietnam and China increases the likelihood of more serious clashes, and domestically there is more pressure to use force in order not to appear weak.

The South China Sea is also of interest to the maritime powers outside the region. The United States Navy (the 7th Fleet) and the Royal Navy are actively operating in the region. The United States has mutual defence treaties with the Philippines, Japan and South Korea. The United States has several military bases in the Asia-Pacific region, including the new US Marine Corps base in Northern Australia. The US Pacific Command also has a bases in Japan (the US Marines base in Okinawa is to be relocated in Guam) and in South Korea. The US Navy is also planning to deploy littoral combat ships to Singapore, as well as looking at increasing calls to Subic Bay Naval Base in the Philippines and Cam Ranh Bay in Vietnam.¹⁰² The United Kingdom is party to the Five Power Defence Arrangements, a series of bilateral agreements with Australia, New Zealand, Malaysia and Singapore, stipulating that the five states will consult each other in the event of external aggression or threat of attack against Peninsular Malaysia or Singapore. A joint naval and air force exercise was held in the South China Sea in 2011.¹⁰³ The British Army maintains a garrison in Brunei.

⁹⁹ Kallio, 2011, p. 11–22. Thayer, 2009.

¹⁰⁰ International Crisis Group, 2012, p. 29.

¹⁰¹ SIPRI, 2012. The Economist, 2012.

¹⁰² US Secretary of Defence Leon Panetta, 2012. The Washington Post, 2012.

¹⁰³ Australian Government, Department of Defence, 2012.

Table 5: Principal Navies of the South China Sea littoral States

Navy	Submarines	Principal Surface Combatants	Patrol and Coastal Combatants	Amphibious Vessels and Landing Ships	Mine Warfare
China ¹⁰⁴	20	28	est. 40	52	est. 10
Taiwan	4	26	73	15	12
Vietnam	2	0	56	6	13
Philippines	0	1	65	7	0
Malaysia	2	8	37	1	4
Indonesia	2	11	66	30	11

Source: The Military Balance, 2012.

Both Vietnam and the Philippines are trying to get pledges for support from the United States, and while the US in principle maintains impartiality, it has in practice sent contradictory signals, such as criticism directed unilaterally at China. Vietnam has leased oil exploration blocks to an Indian oil company, which has led to calls among some Indian foreign policy commentators that the Indian government should be prepared to protect the investments with naval force, if need be. These developments are seen as direct provocations by China which is already engaged in competition over regional influence, akin to an arms race, with both the United States and India.

The Taiwan Strait, although in the side-lines of the main corridor, is potentially a major international hotspot, and a conflict in the strait would undoubtedly cause disruptions to a wide area around it, including the Philippine Sea and the East China Sea through which the bulk of the shipping to and from Japan and South Korea flows. The reason for the Taiwan Strait being a hotspot is the so called Taiwan Issue, an unresolved remnant of China's civil war. The People's Republic of China maintains that Taiwan is a part of China and while Taiwan (or rather, the Nationalist Party led government of the Republic of China on Taiwan) agrees in principle, there are insurmountable differences regarding the conditions, methods and timetable of the unification, not to mention the increasing number of Taiwanese who question its very desirability. The United States, which sided with the Nationalists during China's civil war, still provides security guarantees for Taiwan, much to the dislike of China.

Shows of military strength by China, Taiwan and the United States in the Taiwan Strait have occasionally taken place, and therefore, there remains a risk of accidental escalation also in the future. Nothing suggests that the situation will deteriorate in the short term, as the relations between China and the current regime on Taiwan are developing positively. Nevertheless, it can be argued that the Taiwan Issue is one where rationality may cease to prevail if the legitimacy of the Communist Party were to be put at stake for some reason. For the Communist Party, the reunification of Taiwan is a holy task: without Taiwan, China's sovereignty remains incomplete. Therefore, an attempt to a military solution from China's side is not wholly out of the question, no matter how unlikely it seems.¹⁰⁵

The EU calls for a peaceful resolution of the differences between the two sides of the strait. Although the EU's position related to the Taiwan Issue is dictated by the Union's "One China Policy", the EU does not support China's reunification policy as such. The policy simply means that the EU does not recognize Taiwan as a sovereign state and therefore has no diplomatic or formal political relations with Taiwan.¹⁰⁶

¹⁰⁴ Figures represent the Chinese South Sea Fleet, not the total capabilities of the Chinese navy.

¹⁰⁵ Kallio, 2011, pp. 29–31.

¹⁰⁶ EEAS.

The East China Sea has on its shores some of the busiest harbours of the world at the starting/ending points of the Eastern Corridor in China, Japan, South Korea and Taiwan. The port of Shanghai has become the biggest in the world both by cargo tonnage and as a container port. Of the other nine biggest ports in the world, several are on China's eastern coast, including Ningbo (not far from Shanghai), Tianjin, Qingdao, and Qinhuangdao. South Korea's Busan is also among the ten largest ports in the world (the remaining four are Singapore, Rotterdam, Guangzhou, and Hong Kong).¹⁰⁷

No major risks for shipping exist on the East China Sea, but potentially the disputes over certain islands may become a cause of even military conflicts. Japan is involved in disputes with China (over the Senkaku/Diaoyu islands), South Korea (over the Dokdo/Takeshima islands; also North Korea claims them), and Russia (over the Kuril islands/Northern Territories). Like in the South China Sea, the economic interdependence of the countries involved can be expected to prevent the escalation of the minor skirmishes which are a regular occurrence. However, the unpredictability of the North Korean regime adds an additional element of risk in the region.

The island disputes in the East China Sea are linked to domestic policies in both China and Japan. In both countries, nationalism among the population is a force which can influence (or which can be stirred up to influence) foreign policy actions. Again, governments cannot afford to appear weak, which increases the risk of actions aimed at demonstrating one's sovereignty getting out of hand. The island disputes are also all interconnected. Japan cannot relinquish its claim on any one case without its other claims also being questioned. China, for its part, cannot appear weak in the East China Sea without being suspected of being weak in the South China Sea as well.

4.2.3 Future challenges & Implications

The geo-strategic importance of the Eastern Corridor will remain high in the foreseeable future. The Eastern Corridor has its chokepoints and risks, but so far the coastal states have been able to manage maritime issues in a way which has made it possible for the traffic to grow. In the Malacca Straits, cooperation to reduce the risk from piracy has been quite successful. Nevertheless, the risks related to the chokepoints in the Eastern Corridor, and the limitations that the narrow and shallow straits pose to the size of the ships, have led the China, Japan and South Korea become increasingly interested in developing alternative routes, such as crossing the Arctic Ocean.

Regional conflicts: For the nations outside the region through which the Eastern Corridor passes, the disputes in the South China Sea give most reason for concern in the short and medium term. Although the skirmishes have so far been small, the stakes are high as the demand keeps growing for the natural resources in the region. Therefore, it is more likely that different types of clashes will become more frequent and intensified than the other way around.

At the same time, there has been positive development, as well. Despite the maritime disputes, the countries have been able to settle their land boundaries successfully with relatively few exceptions, and Vietnam and China have been able to settle their border in the Tonkin Bay. Advances have been made in maritime cooperation and joint exploration. Encouraging and promoting such developments is very much in the EU's interests.

The EU has repeatedly expressed concern over the maritime safety and security of the South China Sea region, usually in the context of EU-ASEAN meetings. However, encouraging "ASEAN and China to advance a Code of Conduct and to resolve territorial and maritime disputes through peaceful,

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¹⁰⁷ Marineinsight.com, 2011.

diplomatic and cooperative solutions”,¹⁰⁸ is probably not the best way to promote a peaceful solution. First, referring to ASEAN and China as two sides in the disputes is misleading, because many ASEAN member states have conflicting claims with each other, and the dispute is thus not between China and ASEAN but involves all of the coastal states. Second, mentioning a Code of Conduct implies fixing the principles under which the disputes should be resolved, such as the provisions of the UNCLOS, and it is doubtful whether either China or Vietnam would be willing to tie their hands, as both have made more extensive claims than what the UNCLOS would allow for. Third, the disputes are so complex that aiming at their resolution is too ambitious in short and mid-term. Instead, the emphasis should be on encouraging conflict management and shelving the territorial disputes. The EU should also maintain strict neutrality towards the claims made by the different parties.

Great power conflicts: The global shift of power from the Atlantic to the Pacific will have implications to the Eastern Corridor, as many issues related to the regional stability have China as the common denominator. China is engaged in economic and increasingly also political and even military competition with the United States, although the interdependency between the two is also growing. Also Russia and India seem to have power projection ambitions in the region. Therefore, great power conflicts cannot be overruled in the mid or long term. If the competition turns into hostilities, proxy wars are probably more likely than direct clashes between the great powers. The mutual defence treaties of the United States would provide a rationale for its involvement in a territorial conflict between, for example, the Philippines and China. Despite the Five Power Defence Arrangements, it is unlikely that any conflict over the land features or maritime zones in the South China Sea would make it necessary for the United Kingdom to get similarly involved.

As argued above, the presence of other naval forces in the region, such as those of the United States, and possibly in the near future also of India, increases the risks for clashes. Jonathan Holslag argues rightly that “the European Union should not be satisfied with playing the role of dumb deputy in America’s quest for naval dominance”.¹⁰⁹ Due to their close trade relations, the EU and China have shared interests and the Eastern Corridor is equally vital for both. For the United States, the corridor is not directly of similar importance. Therefore, in regard to the territorial disputes, the EU should weigh each issue separately and against its own interests, and discourage the involvement of any third party, including the United States.

Ecological disaster: The marine environment, including the coral reefs, is severely threatened in the South China Sea. Combined with the lack of fishing management regimes in the region this may lead to a collapse of fish stocks. Unlike developing the hydrocarbon resources in the South China Sea, which is unlikely to be of direct interest to the EU, the fate of the fish stocks has implications closer to home. The pressures for other fishing sources would increase, quite possibly even in the Arctic Region which is becoming increasingly important also for the EU. Therefore, the EU should promote environmental protection and fisheries management in the South China Sea, and work pre-emptively against potential future overfishing in the Arctic.

4.3 The Northern Corridor

During the last decade the Arctic region re-emerged in international political considerations. Global warming, a continuous reduction of sea ice¹¹⁰ and related changes in the regions ecosystem determine

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¹⁰⁸ The joint EU–US statement on the Asia-Pacific region, 2012.

¹⁰⁹ Holslag, 2012, p. 19.

¹¹⁰ Arctic sea ice has reached its lowest seasonal minimum extent in the satellite record since 1979 on September 16, 2012; see NSIDC, 2012.

the Arctic's reality today and even have climatic implications on other parts of the world. As a consequence these ecological developments are already irreversibly affecting the region, leading to an interconnected mix of environmental changes, political and societal challenges and economic opportunities. The region has already become an area of serious economic considerations, opening up increased potentials for hydrocarbon resource exploration, shipping, fishing, and tourism, all having potentially severe effects on the Arctic's fragile environment.

To date, the most comprehensive studies on the Arctic marine shipping and resource exploitation are two products of the Arctic Council (AC), namely the Arctic Marine Shipping Assessment Report 2009 (AMSA) and the Arctic Oil and Gas 2007. The AC remains the most relevant intergovernmental forum for cooperation in the Arctic as it brings together not only the eight Arctic states¹¹¹ but also indigenous peoples and several observer states. The EU has been supportive of the work done by the AC, facilitating research and policy decisions by the Arctic states and relevant international organizations, aimed at strengthening sustainable development in the region.

4.3.1 Significance

As the Arctic sea ice continues to decrease, Arctic waters and expected hydrocarbon resources will become far more accessible for exploitation and transportation. The United States Geological Survey (USGS) provides the most trustworthy although still fairly speculative assessment about Arctic hydrocarbon resources, estimating that the region holds "about 30 % of the world's undiscovered gas and 13 % of the world's undiscovered oil [...], mostly offshore under less than 500 meters of water".¹¹² Additionally, the Arctic also holds other mineral resources, e.g. iron ore, copper, zinc or rare earths, in particular in Greenland but also other regions. From the EU's energy interest's point of view, Norway and Russia and the already discovered but barely developed rich hydrocarbon resources in the Barents and Kara Sea and on the Yamal Peninsula are of particular relevance.¹¹³ The offshore hydrocarbon potential is also expected to be high in Greenlandic waters; yet the prospects still remain rather unclear, as sufficient development steps have not yet been taken.¹¹⁴

Three Arctic shipping routes have the potential to transform commercial shipping, namely the Northern Sea Route (NSR), the Northwest Passage (NWP) and the Transpolar Sea Route (TSR), the only Arctic shipping route lying outside any coastal state's Exclusive Economic Zone and therefore considered High Seas. In addition, the Arctic Bridge Route (ABR), a potential route from Murmansk (Russia) to Churchill (Canada) could also be considered (see Graph1).

Trans-Arctic shipping along these routes offers both economic and strategic advantages due to shorter distances between Asia, Europe and North America, a decrease in days at sea and consequent (fuel) cost savings. However, navigation will continue to be challenging in summer months due to varying ice conditions and the amount of floating sea ice and icebergs. This is especially true in the NWP where drift ice will continue to make navigating the narrow straits difficult and dangerous even when the Arctic

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¹¹¹ Canada, Denmark (in relation to Greenland), Finland, Iceland, Norway, Russia, Sweden and the United States. The term 'Arctic coastal states' comprises Canada, Denmark, Norway, Russia and the United States.

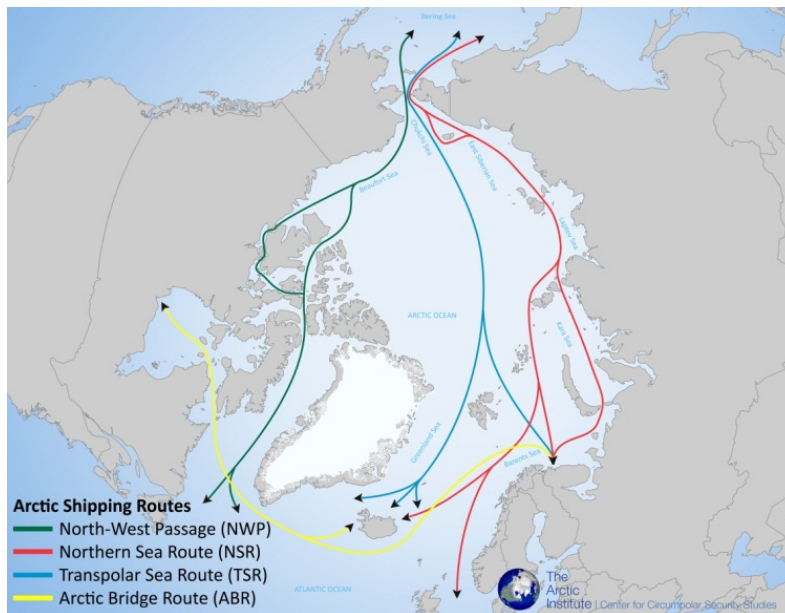
¹¹² Gautier, et al., 2009, p. 1175; yet the survey and its figures have often been publically depicted in simplified terms, not indicating the very scant geological information the estimations are based on. Budzik also concluded "high costs, high risks, and lengthy lead-times can all serve to deter their development in preference to the development of less challenging oil and natural gas resources elsewhere in the world" (Budzik, 2009, p. 14).

¹¹³ Already today Norwegian gas exports cover almost 20 % of the European gas consumption (Norwegian Ministry of Petroleum and Energy & Norwegian Petroleum Directorate, 2012, p. 44). In 2011, 78 % of Russian exports were destined for European markets (US Energy Information Administration, 2012).

¹¹⁴ The British oil and gas exploration and production company Cairn Energy is the only company that has so far unsuccessfully drilled off Greenland's shores.

Ocean is relatively ice-free. Additionally, the Canadian claim that the waters of the NWP are part of its territorial and internal waters, place limitations to the freedom of navigation, strongly contested by the US, as well as the EU, viewing the waters as an international strait.

Figure 5: Arctic Shipping Routes



Source: Humpert, 2012

Currently, the opening of the NSR for commercial navigation is perceived as the most attractive option with savings in navigation distance of about 40 % as compared to the Suez Canal and the Malacca Straits.¹¹⁵ Nevertheless constraints, especially on significant draft and beam restrictions for vessels operating along the NSR, legal uncertainties regarding dominant jurisdiction and transit fees¹¹⁶ and the existing lack of relevant port and safety infrastructure and search and rescue capabilities, remain.

Yet, as already stated in Russia's current Arctic strategy,¹¹⁷ the country plans to invest significantly in infrastructure related measures, including ports and marine checkpoints during the following decade.¹¹⁸ In 2012, the NSR has seen a new cargo record, transporting more than a million tons of different goods, mostly petroleum products and iron ore between Europe and Asia.¹¹⁹ This is still a modest figure compared to the late 1980s and early 1990s when there was a large amount of inter-Soviet Union cargo traffic. However, it is estimated in the AMSA that by the year 2020, the volumes of maritime traffic on the NSR will be about 40 million tons of oil and gas per year.¹²⁰

¹¹⁵ Humpert & Raspotnik, 2012 (b), p. 291.

¹¹⁶ The term 'NSR' defines the entire sea area north of Russia, including Russia's Exclusive Economic Zone, territorial sea and internal waters, and not only one specific single route. Russia claims formal jurisdiction over this sea area. Other states have *de facto* accepted the Russian control over these waters with several exceptions, e.g. the United States which regards the NSR as an international strait open to transit passage (Ragner, 2008, p. 5). The Commission refers to the need to defend the principle of freedom of navigation and the right of innocent passage in both its Arctic Communications from 2008 and 2012. Yet, the term 'transit passage' was only used in the Council Conclusion from 2009.

¹¹⁷ Russian Security Council, 2008.

¹¹⁸ In April 2012 the Russian government announced to spend 1.3 trillion roubles (€33 billion) on economic and social projects in the Arctic until 2020, see RIA Novosti, 2012. For the development of ten emergency centres along the NSR €23,4 million are invested, see Barentsobserver 2012 (a).

¹¹⁹ Barentsobserver, 2012 (b).

¹²⁰ AMSA, 2009, p. 119.

In the coming decades, the TSR can potentially impact global navigation and transport patterns, as the continuous loss of multi-year ice and a further decline of the sea ice volume will improve the possibility of trans-Arctic navigation via the TSR.¹²¹ Being the shortest of the three Arctic shipping routes, the TSR would even further cut the travel times in comparison to the NSR, and would additionally not limit the size of the vessels.¹²² The opening of the TSR could also enhance Iceland's strategic position at the European entrance and exit to the Arctic Ocean, potentially making the Nordic country a future European transshipment hub.

Nevertheless, trans-Arctic shipping will not serve as a substitute for the existing sea lines of communication and navigation in the near future but rather provide additional (regional) transport capacities, especially for bulk shipping and destination shipping. Consequently, increased future exploitation of Arctic energy resources would have a decisive input on regional shipping considerations, especially in Norwegian and Russian waters, which highlights the functional interaction of these two sectors. Trans-Arctic shipping, especially along the NSR, could also significantly rise by a disruption of currently unimpeded SLOCs.

Both a full-scale exploitation of the potentially valuable Arctic hydrocarbon resources as well as the creation of regular trans-Arctic transport lines are still highly speculative because too many variables, both regionally and globally, remain uncertain. Due to several ecological drivers, e.g. the natural climate variability in the Arctic and human-induced impact, reliable predictions on a seasonally ice-free state of Arctic waters will continue to be difficult.¹²³ Additionally, future economic development in the area will not only depend on favourable regional climatic conditions but also on global economic and geopolitical developments and regional technological innovations and investments, e.g. oil and gas production potentials in other regions, including the price variability of these resources, the likely global exploitation of shale gas and other gas hydrates, the increasing role of renewable energy, lasting shifts in the global trade dynamics and world trade patterns, the role of the marine insurance industry, logistical and infrastructural developments along the new shipping routes or improvements on new Arctic marine technologies.

One of the important findings of AMSA is that the Arctic Ocean is already today a scene for a flurry of economic activities, including shipping of raw materials, tourism, and fishing. The scale is increasing rapidly, but at the same time, the challenges are already there, and need immediate attention. These challenges are related to areas such as environmental protection (there is no efficient method for cleaning up oil spills in icy waters), safety (there is very little capacity to assist a cruise ship which has hit an iceberg), or the sustainability of fish stocks.

Although the global relevance of Arctic fishing remains rather low, representing only 4 % of the overall global catch, the industry is key for several Arctic actors, especially Greenland, Norway and Iceland. The EU only holds a share of 4 % of all Arctic catches, but is considered a highly relevant import market for these Arctic countries.¹²⁴ The effects of climate change will alter the region's marine ecosystem and consequently have an influential impact on Arctic fish stocks. The lack of relevant scientific data and a

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¹²¹ Humpert & Raspotnik, 2012 (b).

¹²² Soviet ocean law experts and Russian scientist have continuously maintained the opinion that Russian jurisdiction applicable to the NSR would include sea-lanes beyond its own Exclusive Economic Zone if part of the trans-Arctic voyage includes Russian waters. Consequently the NSR would overlap with the TSR and any potential application of Russian jurisdiction would cause an (diplomatic) outcry of the world's shipping nations, see Østreng, 2012, pp. 262 and 264.

¹²³ According to the NSIDC a region (termed as a satellite data cell) is considered ice-free with a respective ice concentration of less than 15 %.

¹²⁴ Rudloff, 2010, p. 11 and 12.

robust management system, including the problem of overfishing in other regions will further increase the pressures on these stocks.

4.3.2 Security Challenges

Media tends to oversimplify these complex multidimensional issues in the Arctic by visualizing the region as one of conflict rather than cooperation. Regional development is often paraphrased as a future venue of great-power politics with colliding interests and intentions – a zero-sum game paradigm, including the often predicted ‘geopolitical scramble and race’ for the Arctic.

However, the existence and outlined commitment to UNCLOS¹²⁵ and the progressing work of the AC prove that there is no “Wild North”. The development of the Arctic is currently proceeding in a cooperative and peaceful manner; however, bilateral disputes between Arctic states still exists: the Canadian-Danish territorial dispute over Hans Island in the strait between Ellesmere Island and Greenland,¹²⁶ as well as the US-Russian Bering Sea and the US-Canadian Beaufort Sea maritime boundary dispute. Even though Arctic Ocean conflict cannot be precluded, common interests in these areas suggest a cooperative development in the future. In that regard the treaty between Norway and Russia, concluded in 2010 and solving the longstanding maritime delimitation dispute in the Barents Sea serves as prime example.

The AC, the region’s multilateral high-level forum was only established in 1996 (Ottawa Declaration), encompassing the eight Arctic states, and providing the organizations representing the indigenous peoples of the region seats as permanent participants. Yet, a forerunner, the Arctic Environmental Protection Strategy was already adopted in 1991, dealing with the protection of the Arctic marine environment and the conservation of its flora and fauna. Significant signs of the success of the AC include the first binding agreement negotiated under the auspices of the AC, the Agreement on Cooperation on Aeronautical and Maritime Search and Rescue in the Arctic, and the currently discussed plan by the AC member states to sign a binding treaty concerning the response for potential oil spills in the region.¹²⁷

The emerging access to Arctic waters does not only involve potential economic gains, particularly for the A8, but can also include specific conventional and non-conventional maritime challenges: criminal activity, terrorist incursions and a potential risk of inter-state (rivalry and) conflict.¹²⁸ Dangers of pollution, the remoteness of the area, lasting harsh weather conditions, still unsatisfying search and rescue capabilities, communication and information technologies and the possibility of human or man-made mistakes hamper commercial utilization and pose considerably more significant security and safety threats.

Conventional security threats remain as all Arctic states have consistently reiterated their intention to develop their military capabilities in the Arctic region. However, it remains to be seen whether these

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¹²⁵ All Arctic states, except the United States and significant external actors have ratified UNCLOS and reiterated their regional-related commitment to its principles. Yet, the United States recognizes UNCLOS as a codification of customary international law. Additionally, the five Arctic coastal states issued the Ilulissat Declaration in 2008, stating that the orderly settlement of potential overlapping maritime claims will be resolved in accordance with international law.

¹²⁶ A tentative agreement between Canada and Denmark regarding the maritime delimitation dispute in the Lincoln Sea was reached in November 2012. Yet, the issue of sovereignty over Hans Island was not addressed, see Foreign Affairs and International Trade Canada, 2012.

¹²⁷ Arcticportal, 2012. Arctic Council, 2012.

¹²⁸ Huebert et al., 2012, p. 22. An analysis of recent policy developments in the region currently reveals 6 major findings and consequent security challenges: 1) unprecedented national attention to Arctic policy, 2) non-Arctic states and organizations seek roles in the Arctic, 3) desire for cooperation but resolve to protect national interests, 4) remilitarization of the Arctic, 5) emphasis on environmental security and 6) underlying causes of policy developments, see Huebert et al. 2012.

military build-ups, e.g. the announced plans by Russia to strengthen its Arctic capabilities¹²⁹, are mainly directed at modernization, changes in equipment, force levels and force structure in order to successfully tackle regional-related challenges, especially with regard to *environmental security* and the increased accessibility and economic development of the region, including potential illegal activities (e.g. smuggling, illegal immigration).¹³⁰

Consequent Arctic monitoring and necessary security and policing presence are currently exercised unilaterally by the respective Arctic states, but also in several bi- and multilateral drills, e.g. the annual Norwegian-Russian exercises POMOR or BARENTS, the Arctic Roundtable 2011, initiated by US EUCOM¹³¹ or the Norwegian, Russian and US naval exercise Northern Eagle 2012. The fact remains that for the time being, the presence of military vessels and surveillance technologies form a crucial part of the search and rescue resources available in the Arctic Ocean.

The complexity and pace of the recent developments have not only attracted the attention of the region's immediate vicinity, but also of non-Arctic actors, e.g. the EU, China, Japan and South Korea. These external actors, who have steadily expressed their wish to be involved in Arctic matters, especially as permanent observers to the AC, share different specific interests regarding future Arctic development, either from a political, economic, environmental or social point of view. In addition to the EU, China is currently the most influential external actor. Lacking an explicit Arctic strategy, China still keeps a low Arctic profile, following a 'wait-and-see approach'. Yet, China is gradually increasing its research efforts, while also developing cooperation with small Arctic actors like Iceland or Greenland. China's Arctic interests stem from the need to develop alternate routes for shipping in case the Eastern Corridor were to become insecure, as well as the desire to explore for raw materials, e.g. hydrocarbon resources and minerals, and fisheries.¹³²

Japan's Arctic intentions on the other hand are still rather unclear and potentially economically related;¹³³ it is likely that Japan, like China, is looking at the Arctic first and foremost for reasons of security of supply.

The EU has become vocal about its Arctic interests and intentions with a number of official documents published by the EU institutions since 2008. The Commission, the Council and the EP have continuously stressed the regions geopolitical and geo-strategic importance for the EU, highlighting the economic and strategic advantages of Arctic energy resources and shorter shipping routes, including the EU's Member States respective rights and duties as port and flag states. Research activities, related financial capacities, technology and know-how, e.g. with regard to the EU's monitoring and surveillance capabilities for communication, navigation and observation in the Arctic are the key outlined instruments for the EU to join future regional development. Yet, further steps to consolidate the articulated objectives are currently still missing, rather indicating a lack of EU-Arctic prioritization.

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¹²⁹ Russian Security Council, 2008.

¹³⁰ Wezeman, 2012, p. 13 and 14.

¹³¹ Pettersen. 2012.

¹³² Humpert & Raspotnik, 2012 (a).

¹³³ November 2012 has seen the first liquefied natural gas (LNG) transport from Statoil's Hammerfest plant to Japan via the NSR (Barentsobserver, 2012 (c)).

Additionally, a slightly insensitive initial policy approach, especially by the EP¹³⁴ has been met by a lot of scepticism by the Arctic states and rather hampered than helped the EU's path towards permanent observer status in the AC. In that regard, Arctic actors often misinterpret the complexity of the EU's decision-making apparatus and its different colliding interests and institutions, making it difficult for the EU as an external actor to substantiate its Arctic role. The latest Joint Communication by the Commission and the High Representative¹³⁵ tries to sensitize the EU's policy steps, in order to push for a stronger involvement in Arctic affairs. However, on-going discussions in the EU's policy arena tend to indicate a different understanding of the regions geographical definition. Whereas, e.g. Norway and Russia claim exclusivity and sovereignty over the European Arctic offshore area, the EU, e.g. the Commission, refers to the Arctic as part of the global commons.¹³⁶

4.3.3 Future Challenges & Implications

The Arctic is undoubtedly experiencing a multifaceted change with severe implications on its environment – yet it remains debatable how the different but still interconnected variables and their stakeholders will influence the region's future, its potential economic benefits and related maritime security challenges.

Energy resources and Arctic shipping: the Arctic may contain a considerable amount of yet undiscovered oil and gas resources, with the biggest potential in Russian territory. As the largest share of resources lie already within respective national jurisdiction, an often-perceived Arctic race for hydrocarbon resources seems unlikely. However, stakeholder competition could arise with regard to exploitation and consumption. The same applies to the potential of minerals. From today's perspective (trans-)Arctic shipping routes will not immediately serve as a substitute for existing maritime corridors, but could provide additional capacity and become a feasible niche factor.

Implications to the Arctic environment: climate change and its already occurring consequences to the region's environment are explicitly emphasised throughout the Arctic state's strategies and policies; yet often only in combination with the benefits of economic development.¹³⁷ The highly sensitive Arctic environment and its variety of ecosystems could be sustainably damaged by pollution from outside and inside the Arctic, e.g. black carbon, oil spills or nuclear waste.¹³⁸

Globalization of the region: both the climate/environmental changes in the Arctic and its global impact, as well as the potential economic benefits the region provides, have brought external actors, e.g. the EU and China into the Arctic arena. As a consequence of these related (economic and political) developments, the Arctic states, especially within the AC will have to decide on how to incorporate external interests, rights and obligations.

4.4 Conclusions

For the purposes of defining the necessary actions that the EU has to consider in the future, the challenges related to flow security and resource exploitation in all the three sea lines of communication

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¹³⁴ Several notably examples are the push for an international treaty for the Arctic in 2008, inspired by the Antarctic treaty system, the debate around the Spitsbergen Treaty in 2011, initiated by MEP Diana Wallis or the proposed amendments by the EP's environment committee in September 2012 concerning the Commission's proposal for a regulation on safety of offshore oil and gas prospection, exploration and production activities. Additionally, the 2009 regulation on trade in seal products has not been particularly well perceived by several Arctic actors, e.g. Canada, Greenland and Norway.

¹³⁵ European Commission, 2012.

¹³⁶ Østhagen, 2012.

¹³⁷ Heininen, 2011.

¹³⁸ Emmerson & Lahn, 2012, p. 38.

discussed above, namely the southern, eastern, and northern corridor, need to be discussed both regionally and thematically. Each corridor, as a geographical region, has its own special characteristics that may require area-specific responses, but there are also some cross-cutting themes which bear similarities from corridor to corridor.

The most pressing cross-cutting issue currently is piracy. Long term European involvement in anti-piracy operations will be required in the future. At the same time, it is important to realize that such operations only provide a stop gap measure. In the southern corridor, the root cause for piracy is state weakness in Somalia and elsewhere. Here the EU should increase its support for state building and invest further in regional maritime capacity building. Similarly in the eastern corridor, the EU should encourage relevant regional actions aimed at improving safety both in the short and long run.

Table 6: Overseas Military Bases of EU Member States¹³⁹

Region	Country	Troops
Mediterranean Sea		
Cyprus	United Kingdom	2430
Gibraltar	United Kingdom	370
North Atlantic Ocean		
Bermuda	United Kingdom	~600
Faroe Islands	Denmark	25
Greenland	Denmark	80
Senegal	France	260
South Atlantic Ocean		
Ascension	United Kingdom	23
Falkland Islands	United Kingdom	1520
Gabon	France	450
Gulf of Aden		
Djibouti	France	1400
Indian Ocean		
BATUK Kenya	United Kingdom	120
Diego Garcia	United Kingdom	40
La Reunion/Mayotte	France	140
United Arab Emirates/Indian Ocean	France	250
South China Sea		
Brunei	United Kingdom	550

¹³⁹ Ministries of Defence of Denmark, France and Netherlands. The Military Balance 2012.

South Pacific Ocean		
French Polynesia	France	800
New Caledonia	France	1000
Caribbean Sea		
Antilles	France	900
Netherlands Antilles and Aruba	Netherlands	500

The other cross-cutting theme is related to environmental concerns in general, and over-fishing in particular. When marine environments get damaged, or change due to climate change, the pressures build up to utilize the living resources in other regions. As fishing fleets go further and further away from their home waters, effective management of the fish stocks becomes increasingly difficult, and the frequency of skirmishes between the fleets increases. The Arctic Ocean, being relatively less exploited than the other seas, and predicted to become the new fish basket of the world in the future, may become a scene for fierce competition in the future. This would have a direct impact on the EU, as the current fish stocks in the North Atlantic may migrate further north. Therefore, the EU should promote fisheries management in those seas which are currently being overexploited (a good example being the on-going SmartFish cooperation in the Indian Ocean) and work pre-emptively against potential future overfishing in the Arctic.

Last but not least in importance of the cross-cutting issues is the need to create responses to regional instability which is often related to territorial disputes, and possible military conflicts. The EU should promote collective security solutions and work with all of its partners in order to facilitate negotiated solutions to the conflicts. Where conflict solution proves difficult, conflict management should be promoted in the interim. To safeguard regional stability, the EU should utilize the current presence of its Member States, in form of overseas bases, where applicable.

In regard to the last mentioned theme, it is important to recognize the necessity to regard each region independently. In each region, the root causes for the disputes and conflicts vary in connection to local geopolitical and historical conditions. In the southern corridor, the growing rivalry between India and China, and in a longer term, the possible rivalry between China and the United States, are potential destabilizing factors. While recognizing the value of the Member States' transatlantic commitments, it would be in the interests of the EU not to get drawn into any 'great game' in the region. The growing importance of the Indian Ocean, combined with its relative proximity to Europe, may call for an Indian Ocean strategy of the EU.

In the eastern corridor the EU must carefully assess its policies and partnerships in order not to hurt its own interests. Siding with the United States may not automatically be the recommended cause of action when a rivalry between great powers is underway. In regard to territorial disputes, the EU should recognize their complex nature. While the UNCLOS provides the basic legal framework for solving such disputes, its provisions alone are inadequate for various reasons, and solutions can only be reached through negotiation and compromises between the claimants. The EU should therefore not side with any particular model for solving the issues and also maintain strict neutrality towards the different claims, as long as fundamental international legal principles are not violated. All in all, the EU should not tie its fortunes in the East to its Atlantic partnership with the United States but to weigh each issue separately and against its own interests.

Finally, the northern corridor has to be regarded as a special case. Many interests of the EU meet in the Arctic, which underlines the EU's need to stronger engage in Arctic development, as envisioned in the recently published EU Communication. The livelihood of the only indigenous people in the EU, the Sami, depends on the wellbeing of the Arctic environment and further impact of global climate change. Considering the EU's direct and indirect strengths as a global shipping actor, Arctic shipping can become increasingly important to the EU. Sustainable and environmentally sound exploitation of the natural resources in the region, firstly fish and in the longer term the hydrocarbon resources, must be a key concern for the EU. Notwithstanding the AC's expected decision on the EU's permanent observer status during the 2013 Ministerial meeting in Kiruna (Sweden), the EU should continue to offer support to the AC in its capacity building efforts, especially in the fields of maritime search and rescue and environmental protection.

5. THE EU AS A MARITIME SECURITY ACTOR

Since its launch in 1999 the EU's Common Security and Defence Policy (CSDP) has made significant progress. Taken together, the EU has carried out a number of both military and civilian missions over the past decade¹⁴⁰ – far more than NATO has. Guided by the 'Petersberg tasks' adopted in 1992, the EU has adopted a comprehensive approach to peace and security, encompassing humanitarian and rescue tasks, peacekeeping and crisis management tasks. One part of this mandate is maritime security. While the EU has been working on issues related to maritime security for a long time, it was not until the launch of *Operation Atalanta* in December 2008 that the CSDP instrument would explicitly address this issue in the form of a counter-piracy mission off the Horn of Africa. More recently, the EU has also launched another mission on the Horn of Africa, EUCAP Nestor, to support the enhancement of regional maritime security capacity in the region as a part of an overall comprehensive approach encompassing assistance to security forces, development aid, humanitarian assistance and governance assistance. Given the importance of the global commons to European commerce, maritime security constitute an area where we are likely to see additional EU action over the years to come.

This section of the study takes stock of the EU's role as a global maritime security actor with particular emphasis on the CSDP instruments. When discussing the EU's missions, this section is primarily concerned with two EU missions with explicit maritime security focus – EU NAVFOR Atalanta and EUCAP Nestor – leaving aside other mission such as EUTM Somalia which is land-based and aimed at the training of Somali security forces. This section will also discuss how the EU cooperates with other key international actors, in particular NATO, but it will not go into depth about cooperation with other actors involved in counter-piracy and maritime security off the Horn of Africa.

The section proceeds as follows: first, it will provide a brief background to the policy framework guiding the EU's activities in the area of CSDP and maritime security. Second, it will give an overview of the different EU actors involved in shaping the EU's approach to maritime security. Then follows a review of the various instruments (e.g. financial, etc.) and capabilities (e.g. military and civilian) the EU has at its disposal for its maritime security activities and who its international partners are. Then follows a case study discussion about the EU's and NATO's maritime security operations off the Horn of Africa, including their legal mandate, operational planning, and lessons learned. Then, a discussion about the capability and financial shortfalls, and the institutional and intra-institutional coordination arrangements for the missions mentioned above. Finally, a concluding discussion sums up the main findings. Methodologically speaking, this section will accordingly i), identify the policy framework guiding the EU's work in maritime security, ii) identify the actors involved and the instruments and resources available for EU maritime security, and iii) discuss lesson-learned from past or current CSDP maritime security missions.

5.1 Policy Framework

5.1.1 CSDP after Lisbon

An integral part of the EU's Common Foreign and Security Policy (CFSP), the Common Security and Defence Policy (CSDP) provides the Union with an operational capacity drawing on civilian and military assets. CSDP, formerly known as European Security and Defence Policy (ESDP), has made significant advances over the years. Notable milestones includes the agreement in 1999 on the Helsinki Headline Goal, which sought to give the Union a robust rapid reaction force, and the so-called Berlin Plus

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¹⁴⁰ As of November 2012, there are currently 20 CSDP missions serving on three continents. For a full list, see <http://www.consilium.europa.eu/eeas/security-defence/eu-operations?lang=en>

agreement in 2002 allowing the EU to draw on NATO military assets during its own missions. In 2003, the European Security Strategy was adopted to serve as the overall policy document guiding CSDP (see more below). More recently, the adoption of the Lisbon Treaty has brought several novel innovations in the EU foreign policy area, including the creation of the European External Action Service (EEAS) and the appointment of a new High Representative for foreign policy. The post-Lisbon structure aimed to address several problems, including civil-military cooperation and inter-agency coordination as well as political decision-making process. The Lisbon Treaty also sets out the broad objectives of EU external action which includes the advancement of 'democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law.' The Treaty further states that the CSDP instrument may be used for 'peacekeeping, conflict prevention and strengthening international security in accordance with the principles of the UN Charter'.

5.1.2 European Security Strategy (2003)

The adoption of the European Security Strategy (ESS) in December 2003 marked a significant step forward for the EU's emergence as a security actor. The first document of its kind, the ESS articulated a set of value-based priorities for the EU to guide its external security policymaking. The document also discussed the shared treat environment facing the Union and its member states around the world. When discussing the security environment, the ESS distinguishes between 'global challenges' and 'key threats'. Global challenges include the security-development nexus, competition for natural resources, and energy dependence, whereas the five key threats identified by the strategy are terrorism, proliferation of WMDs, regional conflicts, state failure, and organised crime. When discussing organised crime, the ESS notes that 'a new dimension to organised crime which will merit further attention is the growth in *maritime piracy*' (italicization is ours), but fails to provide any more specific details about how the EU should respond to this challenge.

The strategy presents three strategic objectives for the Union to defend its security and promote its values. These are: 'addressing threats through a mixture of instruments', 'building security in the neighbourhood', and 'promoting an international order based on effective multilateralism'. Finally, the strategy notes that the EU must become more active in pursuing its strategic interests, more capable, especially in terms of military capabilities, more coherent, by bringing together the various instruments and capacities, and better at working together with its partners, including the USA but also Russia and the rising powers in Asia, Africa and Latin America. Interesting to note is that while the ESS says very little explicitly on maritime security or the need to strengthen global supply chain security, several of the threats identified by the strategy (e.g. terrorism, WMD proliferation) could relate to piracy. The identification of a 'growing security-development nexus' can also be related to maritime security as maritime piracy off the Horn of Africa has partially been attributed to a decline in fishing and economic opportunities on shore. As a result of the ESS, the EU has subsequently developed separate sub-strategies in a number of areas on counter-terrorism and WMD proliferation. Even though the European Council in its conclusions on Maritime security strategy in 2010 noted that a 'Security Strategy for the global maritime domain' should be explored, no specific maritime security strategy has yet been put forward, despite some recurrent outside calls for such a strategy.¹⁴¹

5.1.3 Implementation Report on the European Security Strategy (2008)

At first glance, the 2008 Implementation Report on the European Security Strategy bears many similarities with the ESS. Both documents share similar titles and follow roughly the same structure.

¹⁴¹ See, for example, Germond, 2011.

However, the Implementation Report should not be confused as a revision or update of the ESS. The ESS Review did manage to slightly expand the scope of the threats to include nonstrategic threats such as cyber-security, climate change, and pandemics. The Implementation Report also contains a separate paragraph devoted exclusively to piracy. Here it states that piracy is the result of state failure and points out the dependence of the world economy on maritime trade. It specifically notes the piracy activities in the Indian Ocean and the Gulf of Aden and points to the EU's track record in responding to these threats. In a separate section, the document also notes that 'climate change can also lead to disputes over trade routes, maritime zones and resources previously inaccessible.'

5.2 Secondary Legislation

5.2.1 Commission Communication on an Integrated Maritime Policy (2007)

In its communication, the Commission proposed an Integrated Maritime Policy for the Union 'based on the clear recognition that all matters relating to Europe's oceans and seas are interlinked, and that sea-related policies must develop in a joined-up way if we are to reap the desired results.'¹⁴² The communication stated two overall objectives. First, working towards an integrated maritime policy for the EU and, second, to foster a knowledge and innovation base for the maritime policy. Accompanying the communication was an action plan for the implementation of these efforts. The action plan mentions a number of different projects, including a European network for maritime surveillance.

5.2.2 Resolution of the European Parliament on piracy at sea (2008)

The European Parliament, on 23 October 2008, adopted a resolution on piracy at sea calling for the EU to respond to piracy activities off the coast of Somalia. In the resolution, the Parliament, among other things, calls for increased coordination between relevant EU agencies conducting maritime surveillance of international waters. Calling for more information from the Council about the objectives of the EU's maritime security operations, the Parliament also urges the Council to address the problem of piracy as a criminal act under existing international law.¹⁴³

5.2.3 EU Council conclusions on Maritime security strategy (2010)

In a Council of the European Union meeting with the EU foreign affairs ministers on 26 April 2010, a brief conclusions concerning maritime security was adopted. This statement stressed the need for the EU to take an active role in promoting global maritime security by addressing the type of threats identified in the European Security Strategy (see above). According to the statement, this would require a combination of civilian and military capabilities involving both the EU institutions and the member states. A key deliverable envisioned by the statement was to call on the High Representative to work together with the Commission and the member states to explore a possible 'Security Strategy for the global maritime domain, including the possible establishment of a Task Force' within the context of CFSP/CSDP and within the framework of the ESS – something that has yet to materialize.

5.2.4 Strategic Framework for Horn of Africa (2011)

Reflecting the growing strategic importance of the Horn of Africa to the EU, the European Council on 14 November 2011 adopted a strategic framework for the Horn of Africa with the stated aim of contributing to 'the establishment of a peaceful, stable and democratic Somalia, promote sustainable economic and social development and eradicate the root causes of piracy'. The Strategy accordingly

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¹⁴² European Commission, 2007.

¹⁴³ See <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P6-TA-2008-0519&language=EN>

calls for a multisectoral EU strategy, encompassing five areas of EU action: i) building robust and accountable political structures; ii) contributing to conflict resolution and prevention; iii) mitigating security threats emanating from the region; iv) promoting economic growth; and v) supporting regional economic cooperation.

Regarding maritime security, the strategic framework notes the economic costs associated with piracy off the coast of Somalia. It further asserts that the EU will work to counter piracy through seeking to enhance local and regional capacity to fight piracy (including maritime capacities and prosecution and detention capacities) and better track financial flows from piracy. The strategy, however, leaves it for the EU's Special Representative (EUSR) for the Horn of Africa to develop 'a coherent, effective and balanced EU approach to piracy, encompassing all strands of EU action.' In general, the strategic framework for the Horn of Africa can be said to be a part of the Union's attempt to take a more 'comprehensive approach' to crises by integrating security and development/humanitarian assistance components under one over-arching policy agenda for the region.

5.3 Overview of actors involved in shaping EU's approach to maritime security

A variety of actors are involved in shaping the EU's overall approach to maritime security.¹⁴⁴ Key among these includes the European External Action Service (EEAS), with its functional departments and regional units; the Political and Security Committee (PSC); the EU Delegations overseas; and the European Commission (in particular, DG ECHO). This section will discuss their importance for maritime security.

5.3.1 European External Action Service (EEAS)

The Lisbon Treaty paved the way for the formal establishment of the European External Action Service (EEAS) in December 2010. Heading the EEAS is the High Representative. The role of the High Representative and the EEAS is to coordinate the EU's external policies, instruments and resources for a more coherent foreign policy. For this purpose, the EEAS was established as a merger of the external relations directorates in the Council Secretariat and the Commission. More specifically, the EEAS subsumed several vital components that previously belonged to the Commission. Several bodies inside the EEAS are involved in supporting CSDP missions. Most importantly, the EUCM and CIVCOM receive operational support from the European Military Staff (EUMS), the Civilian Planning and Conduct Capability (CPCC), and the Crisis Management and Planning Directorate (CMPD)

Moreover, the EEAS Crisis Response Department has a responsibility to monitor political and humanitarian developments across the world in order to enable the EEAS to respond in a timely fashion to potential and emerging crises. Within the crisis management department, the Crisis Management Board provides a platform at the highest level to meet and agree on horizontal aspects and to ensure that EU crisis prevention and response activities are coordinated. In doing so, the Crisis Platform brings together a wide range of EEAS crisis response and management structures, geographical and horizontal EEAS departments, relevant European Commission services and the EU Military Committee to ensure a comprehensive response to a particular crisis. With the creation of Crisis Platform we could also expect to see more integration between humanitarian assistance activities and the CSDP instrument during future crises situations in weak and fragile states under the rubric of 'comprehensive approach'. Early examples of this can be seen in the Horn of Africa and the Sahel.

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¹⁴⁴ To reiterate, to focus here is primarily on maritime security as it relates to CSFP/CSDP and not maritime security in the broad sense.

5.3.2 European Union Military Committee (EUMC)

As the highest military body within the Council, the EUMC directs the EU's military operations and provides the Political and Security Committee (PSC) with advice and recommendations on military matters, including strategic military options in a crisis situation, the operation concept and draft operation plan, and the termination options for an operation. It is composed of member state Chiefs of Defence of the member states. In a crisis situation, the EUMC exercises military direction and gives military instructions to the European Union Military Staff (EUMS). The EUMC also plays a role in capability development and works together with the PSC to develop the new Headline Goal. EUMC is also invited to by the Council review in 2013 the military capability shortfalls and priorities in contribution to the EDA's Capability Development Plan.

5.3.3 EU Military Staff (EUMS)

The EUMS, working under direction the EUMC, provides recommendations and advice to the High Representative and coordinates the military CSDP instrument with an emphasis on operations. More specifically, the EUMS performs the tasks of early warning, strategic planning, training and education, and situational assessment. Moreover, it houses the EU Operations Centre (see below). The EUMS is made up of military experts seconded by member states. The scope of the EUMS' activities falls under the locus of the concept of 'comprehensive approach' to crisis management. It thus encompasses the full spectrum of actions ranging from support to humanitarian assistance to security sector reform to complex military operations. The body is involved in coordinating military aspects together with the member states defence staffs, the European Defence Agency, the Commission, NATO, UN, AU and strategic partner states.

5.3.4 Crisis Management and Planning Directorate (CMPD)

The Crisis Management and Planning Directorate (CMPD) was set up in 2009 to "to the establishment of a new, single civilian-military strategic planning structure for CSDP operations and missions".¹⁴⁵ As such, the CMPD serves as an integrated strategic planning unit, located in the EEAS, providing advice to the High Representative and other EU Council bodies. The four main tasks of the CMPD are strategic planning of CSDP future missions, strategic reviews of existing CSDP missions, developing CSDP partnerships, and improving CSDP (through new policies, concepts, capabilities, trainings and exercises). According to Daniel Keohane, the creation of the CMPD marks an important step in the direction of better planning and carrying out of CSDP missions. CMPD has also taken the lead on developing a Joint Action Plan on Piracy. However, CMPD did reportedly not play any active role in developing the EU strategy for the Horn of Africa.

5.3.5 EU Operations Centre for the Horn of Africa

The European Council decided in December 2004 to establish an Operations Centre to plan and execute CSDP missions with a particular focus on the civil-military dimension. Although it has been ready for activation since January 2007, the first-ever activation of the Operations Centre occurred in March 2012. Previously, the EU had relied on the facilities of NATO and the member states. By initiating the operations centre, the EU has made another incremental step towards independent military capacity. Important to note is that the Operations Centre is not permanently staffed and fully equipped; it is only after activation by the Council that the Operations Centre is pulled together. A total of 103 officers and civilian staff coming from the EUMS, CMBP, CPCC, the regional desks of the EEAS or from the member

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¹⁴⁵ <http://www.consilium.europa.eu/eeas/security-defence/csdp-structures-and-instruments/cmpd?lang=en>

states are available to serve in this regard. The first activation of the Operations Centre was intended to create synergies between the three EU operations taking place on the Horn of Africa – the EUNAVFOR Atalanta mission, EUTM Somalia and EUCAP Nestor, which all fall within the context of the EU Strategic Framework for the Horn of Africa. Important to note is that the Operations Centre will not have command responsibility, but will support planning and conduct function of the missions. At its disposal to carry out these tasks, the Operations Centre for the Horn of Africa will have a staff of 16 military and civilian experts. The main tasks of the Operations Centre, as decided by the Council, is to:

- support the Civilian Operations Commander in Brussels for the operational planning and conduct of the upcoming EUCAP NESTOR mission;
- support the EUTM Mission Commander, based in Kampala (Uganda) and enhance strategic coordination between EUTM Somalia and the other CSDP missions in the Horn of Africa;
- liaise with EUNAVFOR Operation ATALANTA, whose Headquarters is in Northwood, UK;
- provide support to the EU's Crisis Management and Planning Directorate (CMPD);
- facilitate interaction between the Horn of Africa CSDP missions and operation and the Brussels-based structures;
- facilitate coordination and improve synergies amongst EUNAVFOR Operation ATALANTA, EUTM Somalia and EUCAP NESTOR, in the context of the Horn of Africa Strategy and in liaison with the European Union Special Representative for the Horn of Africa.¹⁴⁶

5.3.6 The Committee for Civilian Aspects of Crisis Management (CIVCOM)

Since 2000 the CIVCOM oversees the management of civilian operations and advises the PSC on available capacities for civilian crisis management. The body is composed of mid-level member state representatives who meet in Brussels on a weekly basis. CIVCOM is working in parallel with the EUMC in advising the PSC, providing information, drafts recommendations, and gives its opinion to the PSC on civilian aspects of crisis management.

5.3.7 Civilian Planning and Conduct Capability (CPCC)

The Civilian Planning and Conduct Capability (CPCC) was created in 2007 as a civilian counterpart to the EUMS and has taken on the structure of a civilian operational headquarters. As such, CPCC plans, conducts and reviews civilian CSDP operations under the political control and strategic direction of the Political and Security Committee and the overall authority of the High Representative. It does so in collaboration with the EEAS and the Commission. There are currently ten civilian CSDP missions receiving support from the CPCC, including the three most recent missions in South Sudan, Somalia and Mali.¹⁴⁷

5.3.8 Political and Security Committee (PSC)

In CSDP matters, the most important body supporting the Council, and also the ultimate decision-making authority on CSDP missions, is the Political and Security Committee (PSC). CSDP is a permanent intergovernmental body where decisions are taken by unanimity with the right of abstention but most often based on a consensus among all the EU states. Its stated areas of responsibility are:

- to monitor the international situation in the areas covered by the common foreign and security policy (CFSP);
- to contribute to the definition of policies;

¹⁴⁶ http://www.consilium.europa.eu/media/1634515/factsheet_opscentre_22_may_12.pdf

¹⁴⁷ See <http://www.consilium.europa.eu/eeas/security-defence/csdp-structures-and-instruments/cpcc?lang=en>

- to monitor implementation of the decisions taken under the responsibility of the High Representative of the Union for Foreign Affairs and Security Policy.

As such, PSC prepares the foreign ministers meetings, oversees CSDP operations and exercises political control and strategic direction of crisis management operations under the responsibility of the Council and the High Representative. The PSC is supported in its work by the EU military committee (EUMC) and by the Committee for civil crisis management (CIVCOM). The Lisbon Treaty ensured that the PSC be headed by an EEAS representative rather than a member state one.

5.3.9 EU Delegations

With the creation of the External Action Service (EEAS), the Commission's delegations were transformed into EU delegation administrated by the EEAS. The EU currently has some 140 delegations throughout the world. The task of EEAS in this regard is to build further on the diplomatic networks already existing to help prevent conflict and disaster and to support the management of acute crisis. In contrast to the former Commission Representations, the Delegations are also responsible for political-security reporting and contacts, which is of significant importance for risk and conflict assessment and CSDP missions. In several crisis settings, the EU has appointed a growing number of special representatives (EUSRs) to address tense situations in particular region. Some of these delegations have shown problems with local capacity and expertise on security issues such as counter-terrorism.

5.3.10 European Commission

After the Lisbon Treaty the European Commission the Commission still retains some aspects that are relevant to CSDP. One such is the Foreign Policy Instrument Service to administer those foreign policy issues not transferred to the EEAS and which fall outside of the mandate of DG ECHO and DG DEVCO. In particular, it co-manages the Instrument for Stability (IfS) together with the EEAS. The IfS is currently funding several maritime security-related projects. Another notable post-Lisbon development was the merger of the DG for Development with Europe Aid into the new DG DEVCO, consolidating many of the EU's financial instruments for development cooperation. With the Lisbon treaty, the Commission also reorganised itself to bring disaster relief and humanitarian assistance under the same administrative umbrella in the form of the new Humanitarian Aid and Civil Protection directorate (DG ECHO) with the intention that this would promote consistency between short and long-term objectives. Other Commission agencies with maritime security relevance include DG MARE and DG HOME. Another area that the Commission plays an important role is in supporting the development of an Integrated Maritime Policy.

5.3.11 European Parliament

The European Parliament plays an increasingly important role in the shaping of EU external policies, including CSDP. With the Lisbon Treaty, the Council is legally obligated to consult the Parliament on foreign and security policy issues. The Parliament has repeatedly called upon the Council to provide more information about the objectives of the EU's maritime security operations. The Parliament also plays a key role in deciding on the budget for the CSDP instrument.

5.4 EU Instruments

The EU's instruments for maritime security can be summarised as funding mechanisms, bilateral agreements, political dialogues, and military and civilian support. In this section, we examine each kind of instrument, briefly outlining its nature and its deployment (where applicable).

5.4.1 Financial Instruments

Through the Commission, the EU offers external assistance in the form of “targeted technical assistance”. The technical assistance given by the European Union focuses primarily on institutional and capacity building across the board (for instance judicial capacity building, police and law enforcement work, border management capacities, etc.)¹⁴⁸ The main EU instruments for funding technical assistance are: i) the Instrument for Stability (IfS), ii) the European Neighbourhood and Partnership Instrument (ENPI), iii) the Development Cooperation Instrument (DCI), and iv) the European Instrument for Democracy and Human Rights (EIDHR). The last one, however, has no direct maritime security relevance. The new multiannual financial framework for 2014-2020 will also include a new program called the Partnership Instrument (PI) that will also fund activities aimed at fighting piracy. While these instruments encompass almost the entire scope of the EU’s so called “financial toolkit” including development, poverty reduction and education, this paper will focus on maritime security-related activities. However, maritime security-related technical assistance activities that do not directly fall under one of these three instruments may also be included in the discussions. It is also important to note that the financial figures below are subject to change with the coming of the new multiannual framework programme for 2014-2020.

Table 7: EU Financial Instruments

Main Financial Instruments	Maritime security-related programme	Purpose	Geographical focus	Financial allocations
Instrument for Stability (IfS)	Critical Maritime Routes Programme (CMR)	Cooperative Mechanism on Safety of Navigation and Environmental Protection	Strait of Malacca and Singapore	€0.5 million (2011-2013)
		Enhancing Maritime Security and safety through Information sharing and Capacity building	Western Indian Ocean region	€7.6 million (2010-2015)
		Law enforcement capacity support	Seychelles, Kenya, Tanzania, and possibly Somalia	€1.6 million (2011-2013)
European Neighbourhood Partnership Instrument (ENPI)	SAFEMED	Promote maritime safety and security cooperation	Mediterranean region.	€5.5 million
European Development Fund (EDF)	Maritime Security Programme	Provide support in implementation of	Eastern and Southern Africa	€2 million (2012) €37.5 million

¹⁴⁸ The EU Commission has also identified such criminal activities as money laundering, drug trafficking and corruption as generally qualifying as counter-terrorism assistance, see: http://ec.europa.eu/development/icenter/repository/F36_terrorism_fin_en.pdf

	(MaSe)	the Indian Ocean Regional Strategy and Action Plan		(2013-2017)
Development Cooperation Instrument (DCI)	'Responding to migrants' needs and ensuring maritime security in Yemen'	Address border and migration issues with a maritime dimension.	Yemen, Gulf of Aden	€2 million (2010-2011)
Joint Research Centre	Pilot Project on Piracy, Maritime Awareness and Risks (PMAR)	Develop real-time maritime situational awareness solutions.	The Horn of Africa and Gulf of Guinea	€1 million (2010-2012) + €1 million (2011-2013)

5.4.2 Instrument for Stability (IfS)

The Instrument for Stability (IfS) replaced the Rapid Reaction Mechanism in the new thematic budget line of 2007-2013.¹⁴⁹ Currently, the overall budget of the instrument amounts to €2.06 billion. This amount is likely to be changed during the upcoming multiannual framework programme 2014-2020. Though the IfS falls under the authority of the EEAS, it is administrated by the Foreign Policy Instrument, which is implemented by the Commission. The IfS consists of two components. The first is a short-term "crisis response and preparedness" component, providing rapid and flexible funding to prevent conflict, to support post-conflict political stabilisation and to carry out early recovery after natural disasters.¹⁵⁰ Through this response, the Commission seeks to preserve, establish or re-establish essential conditions in order to provide development assistance programmes. The second component is more long-term-oriented and is intended for use in more stable contexts. It assists in capacity building for addressing specific threats, both global and trans-regional, which might affect a third country's security or stability in a negative way. This part of the IfS can also be used in order to strengthen the capacity of other international organisations or state and non-state actors in conflict prevention and post-conflict peace building. Through the long-term component, assistance is geared towards nuclear safety and non-proliferation, combating major threats to public health, and strengthening the capacity of law-enforcement, judicial, and civil authorities in their fight against terrorism and organised crime.

Regarding maritime security, the IfS instrument has since 2009 funded the Critical Maritime Routes Programme (CMR), which focuses on security and safety of essential maritime routes in areas affected by piracy to help to secure shipping and trading lines of communication with the long-term goal of improving maritime governance using the 'whole spectrum of maritime security and safety, beyond the short-term response to the piracy threat.'¹⁵¹ The initial focus of CMR was on the Strait of Malacca and Singapore where the EU supported the 'Cooperative Mechanism on Safety of Navigation and Environmental Protection'. More specifically, the IfS supported cooperation among stakeholders and capacity building on hazardous and noxious substances. With an indicative budget of €0.5 million for the period 2011-2013, implementation of this support was carried out by the IMO's Malacca and Singapore Straits Trust Fund.

¹⁴⁹ Smith, 2008, p. 67.

¹⁵⁰ See http://ec.europa.eu/europeaid/what/delivering-aid/funding-instruments/index_en.htm.

¹⁵¹ http://ec.europa.eu/europeaid/infopoint/publications/europeaid/documents/207a_en.pdf.

A second version of the programme 'Enhancing Maritime Security and safety through Information sharing and Capacity building' (MARSIC) would focus on the Western Indian Ocean, supporting maritime security and safety in the region by enhancing information sharing and training capacities. With a budget of €7.6 million for the years 2010-2015, the project seeks to contribute to the implementation of the regional Djibouti Code of Conduct targeted at fighting piracy and armed robbery against ships. As such, the project focuses on capacity building and training of maritime administration staff, officials and coast guards from the region (i.e. Djibouti, Yemen, Kenya, Tanzania). This includes assistance to setting up the Djibouti Regional Training Centre (DRTC) for maritime affairs and the Regional Maritime Information Sharing Centre (ReMISC) in Yemen, established in March 2011. A consortium of EU member states carries out the implementation of MARSIC. Another component, carried out by Interpol, supports national law enforcement capacities to combat maritime piracy in East Africa. It does so by assisting with advanced investigation techniques, ransoms and assets tracing and recovery, and providing equipment for performing investigations including on piracy financiers and organisers. With a geographical scope including Seychelles, Kenya, Tanzania, and possibly Somalia, this project has a budget of €1.6 million for 2011-2013. An additional component includes measures to improve maritime security in the Gulf of Guinea with a focus on piracy and armed robbery, but no specifics have yet been provided. The budget decision on IfS for 2012-2013 mentions that the CMR may be extended to other regions and cross-cutting issue so as to keep pace with constantly evolving maritime security threats. One such issue that has been discussed is linking maritime domain awareness in the Wider Western Indian Ocean and South Asia.

5.4.3 European Neighbourhood and Partnership Instrument (ENPI)

The European Neighbourhood Partnership Instrument (ENPI)¹⁵² is the financial instrument under the European Neighbourhood Policy (ENP)¹⁵³, the EU policy toward neighbouring countries in the areas of governance, rule of law, development and security. Operational since 2007, the ENPI replaced the Commission cooperation programmes TACIS (funding for the former Soviet Union) and MEDA (funding for Mediterranean countries). The budget for 2007-2013 is approximately €12 billion and most of its funds (around 90%) are directed toward bilateral technical assistance activities in the countries concerned and toward regional cooperation. While the regulation establishing ENPI does not make any specific reference to maritime security, ENPI has developed a programme called SAFEMED which promotes cooperation in maritime safety and security and prevention of pollution from ships by providing technical advice and support with countries in the Mediterranean region. With a budget of €5.5 million the programme has a number of different activity areas. One of these is security. Here the main activity is to support the implementation of the IMO's International Convention for the Safety of Life at Sea (SOLAS) maritime safety requirements. In addition, ENPI also provides funding to the Project on Integrated Maritime Policy in the Mediterranean (IMP-MED) which seeks to encourage nine Mediterranean states to develop integrated approaches to maritime affairs. This project is managed by Europe Aid together with the Directorate General of Maritime Affairs and Fisheries (DG MARE).

5.4.4 European Development Fund (EDF)

The main instrument of EU assistance to ACP countries is the European Development Fund (EDF). Dating back to 1959, the EDF's budget for the period 2008-2013 amounted to €22 682 million. The

¹⁵² Regulation (EC) No. 1638/2006, available online at: http://ec.europa.eu/world/enp/pdf/oj_l310_en.pdf

¹⁵³ Established in 2004, the ENP is the policy toward the neighbouring countries of the European Union without an immediate or medium-term perspective of EU membership. The aim of the ENP is to develop a "ring of friends" and to consolidate prosperity, stability and security based on human rights, democracy and the rule of law in these countries to avoid spill-over effects into the Union.

budget supports activities ranging from economic development to social and human development to regional cooperation and integration. Currently under the current EDF, the regional Maritime Security Programme (MaSe), providing support to Eastern and Southern Africa in support of the implementation of the Indian Ocean Regional Strategy and Action Plan to Mauritius to fight piracy and promote maritime security. The EU's support will primarily focus on help 'develop a strategy to tackle piracy on land in Somalia; enhance judicial capabilities to arrest, transfer, detain and prosecute piracy suspects; address economic impact and financial flows related to piracy; and improve national and regional capacities in maritime security functions, including surveillance and coastguard functions.' Currently, a pilot project of €2 million is underway providing rapid mobilization of immediate counter-piracy activities in the region in preparation for the establishment of MaSe in 2012 or early 2013. The funding for the period 2013-2017 is expected to amount to €37 million. A separate EDF project is 'Support to the Maritime transport sector', which focuses on the Gulf of Guinea. EU support will consist of the following measures: harmonisation of national and regional safety regulations, technical assistance and training to improve maritime safety, upgrading maritime data in ports and promote regional exchange of data, and increasing port efficiency in the region. The indicate budget for 2012-2015 is €5 million.

5.4.5 Partnership Instrument for cooperation with third countries (PI)

One novelty in the funding package for the new multiannual framework for 2014-2020 is the Partnership Instrument (PI), which is proposed to replace the previous Instrument for Cooperation which has been the EU's main programme for collaboration with middle-income countries. The proposed funding is €1131 million. This instrument's overall objective is to advance and promote EU interests by supporting the external dimension of internal policies and to address major global challenges. The PI is accordingly intended to go beyond strict development cooperation, allowing the EU to focus on more industrialized and developed countries or countries emerging away from bilateral development cooperation. More specifically the Partnership Instrument mentions activities in the areas of fighting organized crime and piracy as examples of areas it will be able to fund.

5.4.6 Development Cooperation Instrument (DCI)

The Development Cooperation Instrument (DCI) was initiated in 2007 with a budget allocation of about €2.2 billion.¹⁵⁴ The instrument is divided into three components, all with the aim of providing aid to developing countries in areas such as poverty eradication, education and health, governance, democracy, human rights and institutional reform, assistance in post-crisis situations and fragile states, food security, and migration and asylum issues.¹⁵⁵ At least one of the thematic programmes is directly related to maritime security. The programme 'Responding to migrants' needs and ensuring maritime security in Yemen' is a €2 million programme that focused on border and migration issues with a maritime dimension between the period January 2010 to June 2011. The main objectives are to help strengthen the policy, legislative and administrative framework in Yemen for migration management and border security; to enhance control of mobility; and assist victims of trafficking. The envisioned outcome includes the creation of a Mixed Migration Policy Task Force in Yemen.¹⁵⁶ Moreover, DCI will reportedly be involved in funding the EUROSUR border surveillance program in the Mediterranean (see more below).

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¹⁵⁴ Smith, 2008, p.59.

¹⁵⁵ See http://ec.europa.eu/europeaid/how/finance/dci_en.htm

¹⁵⁶ http://ec.europa.eu/europeaid/documents/case-studies/yemen_maritime-security_migrants_en.pdf

5.4.7 European Commission's Joint Research Centre

To address the issue of lacking maritime situational awareness, the EU is since 2010 conducting a Pilot Project on Piracy, Maritime Awareness and Risks (PMAR) implemented by the European Commission's Joint Research Centre. The project explores the potential use of civilian technical and affordable tools (such as satellite technologies) to develop an approach to obtain real-time maritime situational awareness. It is assumed that this could eventually prove helpful in terms of improving the capabilities to recognize maritime security threats of countries in the Western Indian Ocean Basin. So far, two projects have been initiated under the auspices of PMAR, one in the Horn of Africa and one in the Gulf of Guinea, both dealing with maritime surveillance.¹⁵⁷ In this regard, the EU Commission recently organized a conference in Mombasa, Kenya involving local and regional stakeholders to discuss maritime awareness and governance issues in the fight against piracy.¹⁵⁸ The Horn of Africa component stretches between 2010-2012 and the Gulf of Guinea between 2011-2013, each with an indicative budget of €1 million.

5.4.8 CSDP/CSFP budget

A key problem that has been singled out in the literature is the lack of resources to carry out EU missions. The EU has often found it hard to staff its missions and provide them with the material needed to be effective. Several reports have pointed to a lack of qualified personnel for civilian missions and a lack of equipment such as transportation planes for military missions. Civilian missions are currently financed directly through the collective CFSP budget, while military operations are primarily funded through the national budget, with only a small proportion (common expenditures) funded through the Athena mechanism (see more below). As of September 2012, the total available budget for CFSP in 2012 amounted to €372.4 million. The CSFP budget for the period 2014-2020 is still not decided on but is likely to exceed €2 billion in addition from member state contributions.

Relevant to the overall CSDP budget is the so-called Athena Mechanism. Since March 2004, this mechanism has functioned as the instrument responsible for administering the common funding of CSDP operations. Far from all EU military operations receive common funding. Currently only three missions receive Athena funding (i.e. EUFOR ALTHEA, EUNAVFOR ATALANTA, and EUTM SOMALIA). There are five previous examples of EU operations with Athena funding.¹⁵⁹ The kind of common funding provides through the Athena mechanism includes transport, infrastructure, and medical services as well as other costs linked to the national contingents. The member states contributions through the Athena mechanism are based their respective GDPs, covers some common cost, and normally cover in total about 10 % of overall mission costs. When it comes to civilian missions, things are a bit different. Civilian missions are funded in their entirety by the collective CSFP budget (see above).

¹⁵⁷ See European Commission (2012), Better early warning through detection tools: state of play of the PMAR projects, presentation by Alessandra Zampieri, Head of Unit Maritime Affairs, European Commission's Joint Research Centre, Seminar on piracy and armed robbery at sea, Brussels, 28 and 29 March 2012.

¹⁵⁸ For more information about the conference, see <http://ipsc.jrc.ec.europa.eu/events.php?idx=64>

¹⁵⁹ <http://www.consilium.europa.eu/eeas/security-defence/csdp-structures-and-instruments/financing-of-csdp-military-operations?lang=e>.

5.5 Other Relevant EU Agencies

5.5.1 European Maritime Safety Agency (EMSA)

The European Maritime Safety Agency (EMSA) is the Union's agency with legislation addressing maritime safety (and security) issues. While this agency has little to do with CSFP and CSDP in at least one area EMSA has worked together with EUNAVFOR to develop an integrated maritime monitoring service called MARSURV and which tracks merchant vessels in high risk areas off the coast of Somalia.¹⁶⁰ EMSA, which is currently set on receiving new enhanced roles, including the right to monitor pollution and public safety risks from oilrigs, and vessel traffic monitoring services, would also get a formal role in the on-going creation of a Common Information Sharing Environment (CISE) for the EU maritime domain. EMSA currently operates the 'SafeSeaNet' maritime domain awareness system, which tracks commercial shipping with sensor and satellite tools. Another initiative relating to maritime security is the 'integrated maritime policy', which seeks to provide a more coherent approach to maritime issue, including 'integrated maritime surveillance'. Integrated maritime surveillance seeks to address the problem of lack of information sharing between national border control, safety and security, customs and defence officials. It will do so by introducing CISE, currently under development, will integrate existing surveillance systems and networks.¹⁶¹

5.5.2 Frontex

Since 2007, the EU's border agency, Frontex, has been responsible for coordinating the protection of the EU's external borders between member states. As such, Frontex conducts joint border security operations, provides technical assistance to member states, and facilitates operational cooperation with third countries. Although not specifically responsible for maritime security, some parts of Frontex's missions include maritime surveillance (there have been repeated calls for a stronger role of Frontex in maritime security¹⁶²). For example, the joint Frontex operations HERA I and II coordinated between member state vessels patrolling the area off the coast of Senegal, Mauritania, Cape Verde and the Canary Islands to address the issue of irregular migration in the area. Another example of a maritime security operation is the Joint Operation Natilus 2007, which patrolled the Central Mediterranean maritime border using air and sea based patrols.

Another Frontex activity that relates to maritime security is the European external border surveillance system (EUROSUR). Originally proposed by the Commission in February 2008, EUROSUR is intended to assist member states in achieving complete awareness about their external border situation and assist with strengthening the reaction capability of law enforcement using satellite technology. The formal proposal to establish EUROSUR was presented on 12 December 2011 and includes a roadmap for the development, testing and implementation of the system.¹⁶³ In essence, EUROSUR provides a common framework for information exchange and cooperation between Member States and Frontex. Implementation of the new system has started, with member states with maritime borders already setting up their own national coordination centres for border surveillance. The other member states'

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¹⁶⁰ See more <http://www.eunavfor.eu/2011/05/eu-navfor-emsa-collaboration-results-in-significantly-increased-ability-to-track-merchant-vessels-in-fight-against-piracy/>.

¹⁶¹ See European Commission – DG Maritime Affairs and Fisheries 'Integrating Maritime Surveillance: Common Information Sharing Environment (CISE)', Brussels, 2010, available online at: http://ec.europa.eu/maritimeaffairs/policy/integrated_maritime_surveillance/documents/integrating_maritime_surveillance_en.pdf.

¹⁶² Maulny, 2010.

¹⁶³ European Commission – press release 'EUROSUR: 'connecting the dots' in border surveillance', (IP/11/1528), Brussels, 12 December 2011.

coordination centres are scheduled to be connected in 2012 and 2013. Meanwhile, Frontex is also developing other components of EUROSUR, including detection and surveillance capabilities such as satellite imagery. In this regard, EUROSUR will cooperate with the EU Satellite Centre and EMSA in providing services for the common application of surveillance tools) as well as with EUROPOL (in order to exchange intelligence on cross-border crime). EUROSUR is currently planned to become fully operational by October 2013, pending final approval from the European Parliament and Council. Following recent migration crises such as the 2011 Libyan refugee crisis, some MEPs have recently proposed that EUROSUR's mandate be strengthened to also include search and rescue (S&R) teams. The EU's border surveillance system has also received criticism for moving too fast without adequate attention to its 'technical feasibility, potential cost and...the use of drones and their implications for the EU's privacy and data protection rules.'¹⁶⁴ Other analysts have debunked some of these criticisms, however.

5.6 EU Military Capabilities

The current financial and economic crisis in Europe has already taken a heavy toll on European defence budgets, and further cuts are to be expected. Of course, this is not a new trend. Since the end of the Cold War, European NATO countries' defence spending has fallen by close to 20 % even though the combined GDP has risen by nearly 55 %. What is different now is the share magnitude of the on-going and planned defence cuts. Military spending among European countries has steadily declined from around 2 % of GDP in year 2000 to 1.74 % in 2009.¹⁶⁵ In 2010, the combined European spending on defence amounted to 194 billion according to the European Defence Agency (EDA).

Planned cuts in defence budgets are projected to be substantial and widespread, affecting the capabilities of many countries. There is already an apparent lack of key capabilities, including strategic airlift, strategic sealift, air-to-air refuelling (AAR), air-to-ground surveillance (AGS), deployable logistics, UAVs, CBRN defence, precision munitions, special operations, deployable follow-on forces, etc. The lack of some of these capabilities was highlighted during the 2011 Libya operation, particularly the air-to-air refuelling; intelligence, surveillance, reconnaissance (ISR); precise munitions; and the availability of air transport.¹⁶⁶ Maritime security relevant capabilities that the EU needs to devote more attention to developing include Maritime Patrol Aircraft (MPA) and Unmanned Aerial Vehicles (UAVs).

In terms of developing new capabilities, things have been improving somewhat, albeit not fast enough. The European Defence Agency's concept of "pooling and sharing", intended to raise Europe's capabilities. While pooling and sharing represents a paradigm shift in the area of capability development, it has so far been slow to yield concrete results. Moreover, the Lisbon Treaty even introduced the possibility of "reinforced structured cooperation", the CSDP version of "coalition of the willing" for some members ready to go ahead further on defence integration than others. Despite these recent initiatives, it still remains to be seen what the EU's sharing and pooling efforts will produce in practice. It seems that EU capability development is dependent on the development of a larger vision of EU common security and defence policy and what strategic objectives it entails.

Regarding maritime surveillance, EDA launched an initiative in 2006 together with currently 17 member states to develop a Maritime Surveillance Network. This project called MARSUR aims to create a network using existing naval and maritime information exchange systems. The overall goals of the projects are to 'avoid duplication of effort and the use of available technologies, data and information; to enhance

¹⁶⁴ Hayes & Vermulen 2012.

¹⁶⁵ European Defence Agency: Defence Data 2011.

http://www.eda.europa.eu/Libraries/Documents/Defence_Data_2010.sflb.ashx.

¹⁶⁶ EU Observer, 'NATO commander: EU could not do Libya without US', 20 March 2012.

cooperation in a simple, efficient and low-cost solution for civil-military cooperation; and to support safety and security'.¹⁶⁷ The MARSUR network is by the navies and is meant to enhance the exchange of data and information during maritime CSDP-operations. In designing the MARSUR network, the EDA has been collaborating with other EU agencies such as EUMS, DG MARE, Frontex, DG ENTR, JRC, DG HOME, etc. The project is expected to become fully operational by 2014. EDA has also launched projects to other maritime security-related projects: the Future Tactical Unmanned Aircraft System project that aims at developing maritime drones, and the Maritime Mine Counter-Measure project.

5.7 Other European Bilateral Initiatives and Joint Forces

5.7.1 Franco-British security and defence cooperation

In addition, there are several sub-regional and bilateral examples of such pooling and sharing frameworks have already seen daylight. One prominent such example is the Franco-British security and defence cooperation treaty. Aimed at achieving greater coordination between Europe's two largest defence players, the treaty has so far allowed for the development of a Combined Joint Expeditionary Force that may be deployed in a wide range of scenarios including high intensity operations. The two countries have also agreed to pursue bilateral cooperation on the procurement of UAVs, complex weapons, submarine technologies, and satellite communications, and to develop cooperation on counter-terrorism, and a joint expeditionary force. They are also to take steps toward aligning logistical arrangements including providing spares and support to the A400M. Regarding maritime capabilities, the UK and France have set the goal to by around 2020 develop an integrated carrier strike group drawing on resources from both countries. While Europe certainly needs access to carriers, developing new such capabilities is simply not currently on the table. Better then is to bring together the existing French and British carrier capabilities (as is already underway) while also making provisions for other European nations to rely on these assets in the event of joint operations.¹⁶⁸ Previous examples of cross-border military cooperation include the UK-Dutch Amphibious Force, the Belgian-Dutch naval cooperation, the Franco-German brigade, the Strategic Airlift Capability, and the European Air Transport Command.

5.7.2 Nordic Defence Cooperation (NORDEFECO)

Another example of sub-regional cooperation on pooling and sharing of capabilities is Nordic Defence Cooperation (NORDEFECO). Replacing the previously parallel collaborative arrangements, the new comprehensive structure, NORDEFECO, is a collaboration effort between the Nordic countries in the area of defence with the aim of strengthening the Nordic countries' defence capabilities by identifying synergies and promoting effective common defence solutions.¹⁶⁹ The five areas of cooperation are Strategic Development, Capabilities, Human Resources & Education, Training & Exercises, and Operations. At least one project relates specifically to maritime capacities. The Sea Surveillance Cooperation in the Baltic Sea (SUBCAS) is considered a successful cooperation initiative in maritime surveillance in the Baltic Sea.

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¹⁶⁷ http://www.eda.europa.eu/docs/eda-factsheets/marsur-factsheet-v2_09102012_cs5_bleu.

¹⁶⁸ Jones, 2011.

¹⁶⁹ NORDEFECO – Aims and Objectives. <http://www.nordefco.org/facts-abou/aims-and-o/>.

5.7.3 European Amphibious Initiative (EAI)

The European Amphibious Initiative (EAI) was launched in 2000 by “to forge close ties between the Spanish-Italian, UK-Netherlands and French amphibious forces.”¹⁷⁰ This cooperation initiative aimed at improving the ability of these forces to engage simultaneously in EU and NATO operations.

5.7.4 European Carrier Group Interoperability Initiative (ECGI)

The European Carrier Group Interoperability Initiative (ECGI) is an initiative to enhance European interoperability and capability in amphibious and carrier strike group operations through fostering enhanced cooperation and joint training and exercises at both tactical and operational levels. The rationale behind these actions is to allow for more rapid and effective deployment during EU or NATO missions.

5.7.5 European Maritime Forces (EUROMARFOR)

Dating back to the Petersburg Declaration in 1995, the European Maritime Forces (EUROMARFOR) was set up as a non-standing multinational military force to carry out naval, air and amphibious operations.¹⁷¹ Today, the cooperation initiative includes personnel from France, Italy, Portugal and Spain. The force is primarily intended to be used by the EU (under the CSDP instrument) or NATO, but can also be called into use by other international organisations such as the UN or OSCE. At its disposal, EUROMARFOR has an aircraft carrier, an amphibious force, submarines and escort frigates, naval patrol and mine hunters.¹⁷²

5.8 Alliances & Partnerships

5.8.1 NATO

NATO cooperation with the EU on military matters can be traced back to the Washington Summit in 1999 where it was agreed upon to develop the so-called ‘Berlin Plus’ arrangements. Subsequently adopted in March 2003 this arrangement provides the basis for EU-NATO cooperation on crisis management. Under this arrangement, the EU could draw on NATO assets and capabilities for its own crisis management missions, including command and operational planning assets. This rather flexible arrangement allows for NATO support to EU-led operations even though the Alliance as such is not directly involved. Following the adoption of the Nice Treaty in 2000, which raised ESDP as a separate EU policy area, a more institutionalized relationship between the two organizations developed in the form of joint meetings. In December 2002, the EU and NATO adopted a Joint Declaration formalized these relations centred around six founding principles, including the need for EU crisis management activities to be mutually reinforcing, effective mutual consultation and cooperation, and coherent and mutually reinforcing development of military capability requirements common to both organizations. Two examples of past EU missions drawing on NATO support are Operation Concordia and EUFOR Althea. A more recent development took place during the November 2010 NATO summit in Lisbon where the two parties agreed on improving the NATO-EU strategic partnership. This is reflected in the Strategic Concept, adopted at the Lisbon Summit, which calls the EU an essential partner for NATO.

Dispute this kind of rhetoric EU-NATO cooperation in practice has been notoriously tricky in many areas, with tensions and turf wars not being uncommon. Members of the European Parliament have

¹⁷⁰ <http://www.globalsecurity.org/military/world/europe/eai.htm>.

¹⁷¹ http://www.euromarfor.org/images/stories/EUROMARFOR_arte_final.pdf.

¹⁷² <http://www.globalsecurity.org/military/world/europe/euromarfor.htm>.

previously drawn attention to the insufficient coordination between the EU and NATO between their respective counter-piracy missions.¹⁷³ Somalia marks the fourth time both the EU and NATO deploy forces side by side. One can argue, and indeed some analysts have, that the decisions to deploy to separate EU and NATO missions to the Horn of Africa had considerably to do with the desire of both these organizations to demonstrate their effectiveness and importance, respectively.¹⁷⁴ This brings up the issue of redundancies and unnecessary overlaps between the two organizations. However, other analysts have pointed out that the international counter-piracy response off Horn of Africa stands out as an example of where the EU-NATO collaboration has actually worked quite well (see more below).

In addition to the EU, NATO plays a key role in maritime security off the Horn of Africa. Following a request from the UN, NATO launched its first anti-piracy mission to Somalia, Operation Allied Provider, which lasted between October and December 2008. Following this mission, Operation Allied Protector was launched in March 2009 to provide protection to World Food Programme (WFP) vessels in the area. It consisted of four ships derived from the Standing NATO Maritime Group Two (SNMG2).¹⁷⁵ This mission remained active until August 2009.¹⁷⁶ Building on these experiences, in August 2009, this mission was turned into a new mission – *Operation Ocean Shield*. The main objective of this mission is – like its predecessor – to protect WFP vessels as well as to strengthen regional anti-piracy efforts by “adopting a more comprehensive approach to counter-piracy efforts...[helping] local states build the capacity to combat piracy activities with minimal external assistance in order to create a lasting maritime security solution off the Horn of Africa.”¹⁷⁷ NATO recently agreed to extend the mission until 2014.¹⁷⁸ Operation Ocean Shield have enjoyed widespread contributions from 12 NATO member states, including the US, UK, Denmark and France, as well as 12 non-NATO states, including Australia, China, India, Russia, South Korea, Singapore and Indonesia. The mission has a six month rotating system involving different countries and headed by different admirals. The composition varies between 6 and 10 ships from multiple contributing nations.¹⁷⁹ Currently, the Allied Maritime Component Command based in Naples is in charge of the operation. All in all, the mission has included 31 different vessels, including two aircraft carriers, missile cruisers, frigates and destroyers. An estimated 800 personnel currently serve as a part of the mission.¹⁸⁰ The area of operation focuses off the Horn of Africa and includes the Gulf of Aden and the Western Indian Ocean stretching up to the Strait of Hormuz, covering an area of 2 million square miles.

5.8.2 African Union (AU)

The Africa Union (AU), a political union established in 2002 consisting of 54 African states (excluding Morocco), has played an active role in addressing crises in places like Darfur, DRC, Burundi, Côte d'Ivoire and Somalia. In terms of Somalia, the organisation launched the African Union Mission to Somalia (AMISOM) in February 2007, replacing the previous IGAD Peace Support Mission in Somalia (IGASOM). The mission was recently extended with another seven months in October 2012. AMISOM's mandate has been renewed by the UN Security Council on multiple occasions and is currently set on being reviewed again in January 2013. One of the contentious issues related to AMISOM's mandate is whether

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¹⁷³ See http://www.eu-un.europa.eu/articles/en/article_12158_en.htm.

¹⁷⁴ Murphy, 2011, p.131.

¹⁷⁵ Ibid., p.130.

¹⁷⁶ <http://www.aco.nato.int/page13974522.aspx>.

¹⁷⁷ For the full mandate, see http://www.manw.nato.int/page_news_archive_OOS_%202010.aspx.

¹⁷⁸ http://www.nato.int/cps/en/natolive/news_85230.htm.

¹⁷⁹ http://www.nato.int/cps/en/natolive/topics_48815.htm.

¹⁸⁰ This assessment is based on information available at <http://www.aco.nato.int/page208433730.aspx>.

the UN should fund its maritime security-related activities.¹⁸¹ According to UNSC Resolution 1772, AMISOM's mandate includes activities to support the transitional government structures in Somalia, implement the National Security and Stabilization Plan, train the Somali security forces, and to assist with delivering humanitarian aid. Included in these tasks is the support to Transitional Federal Government (TFG) forces fighting Al-Shabaab insurgents.¹⁸² AMISOM has also played a more direct role in countering the militants since 2010. The current deployment level consists of around 10,000 peacekeeping soldiers. AMISOM's force posture is predominantly organized around land sectors, it does have some limited responsibilities for the maritime sector as well, including interdicting Al-Shabaab logistic resupply and protecting sea lines of communication. The EU has actively supported the AMISOM mission. As of March 2012, the EU's total financial support amounted to €325 million. This support is a part of the EU's Africa Peace Facility (APF) and is a part of the EU's comprehensive approach to security and development in Somalia. These activities also fall within the scope of the EU's Strategic Framework for the Horn of Africa (see above).

5.8.3 ASEAN

While contacts between the Association of Southeast Asian Nations (ASEAN) and the EC dates back to the 1970s, formal cooperation began in 1980. The Nuremberg Declaration, adopted in November 2007, calls for stronger cooperation on a number of diverse issues, including 'terrorism, trafficking in persons, drug trafficking, *sea piracy*, arms smuggling, money laundering, cyber-crime, and international economic crime (italicization is ours).'¹⁸³ The EU and ASEAN have also agreed on an Action Plan for implementation of the Nuremberg Declaration. This document calls for EU technical assistance, information sharing, legislative and law enforcement support, and institutional capacity-building in the areas mentioned above. In response to the 18th ministerial meeting between the EU and ASEAN in Madrid on 26 May 2010, a Plan of Action was crafted. This plan referred to as the 'Bandar Seri Begawan Plan of action to Strengthen the ASEAN-EU Enhanced Partnership (2013-2017)', outlines a number of areas where cooperation between the two entities is to be strengthened. This Action Plan notes the need for a 'substantial EU contribution in the area of maritime security' and calls for strengthened cooperation on maritime security, including 'sea piracy, armed robbery against ships, hijacking and arms smuggling'.¹⁸⁴ During the most recent EU-ASEAN meeting in Brussels on 25 April 2012, maritime security featured on the agenda alongside other pressing issues.¹⁸⁵ Previously, senior EU and ASEAN officials have also met to discuss EU support to the joint management of maritime resources and fishing policies to ASEAN. The EU's offer of support consisted of sharing of expertise on these areas, drawing on the Union's experiences in resolving maritime disputes in the Baltic and Mediterranean. Due to internal divisions within ASEAN itself, this offer has not brought forth any real product.¹⁸⁶

5.8.4 United Nations

The United Nations Security Council has taken steps towards strengthening the political and legal framework for dealing with maritime security and piracy in recent years. In 2008, following a request from the International Maritime Organization (IMO)¹⁸⁷, the Security Council adopted a series of resolutions under chapter VII of the UN Charter and with the support of the Somali Transitional Federal

¹⁸¹ See http://www.securitycouncilreport.org/monthly-forecast/2012-10/somalia_2.php.

¹⁸² See http://www.africa-union.org/root/au/auc/departments/psc/amisom/AMISOM_Mandat_Tasks.htm.

¹⁸³ See http://eeas.europa.eu/asean/docs/action_plan07.pdf.

¹⁸⁴ See http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/EN/foraff/129884.pdf.

¹⁸⁵ http://europa.eu/rapid/press-release_IP-12-405_en.htm?locale=en.

¹⁸⁶ Khandekar, 2012.

¹⁸⁷ France apparently also played an instrumental role in advocating these resolutions.

Government (TFG): UNSCR 1814 (issued May 15, 2008) requesting that states and regional organizations to escort WFP ships; UNSCR 1816 (issued June 2, 2008) allowing for six months international forces to operate within Somali territorial sea; UNSCR 1838 (issued October 7, 2008) requesting urgently that States take part to the fight against piracy; UNSCR 1846 (issued December 2, 2008) extending UNSCR 1816 for 12 months; and UNSCR 1851, (issued December 21, 2008), allowing for waging ground operations in Somali and engaged the international community to establish a mechanism of coordination.¹⁸⁸ An additional resolution, UNSCR 1897, was adopted in November 2009, extending the provisions of the previous resolutions. Combined, these legal measures “stripped away...the inviolability of Somalia’s territorial waters...and then onto Somalia’s territory”.¹⁸⁹ European states in the UN Security Council supported these resolutions.

Another UN agency relevant to maritime security includes the UN Office on Drugs and Crime (UNODC). UNODC’s maritime security activities span the security-development nexus and focuses on trafficking issues at sea. In 2009, the UN agency launched its own counter-piracy program with the aim of assisting states on the Horn of Africa region deal with the increase in Somali piracy. The main objective of the program has been on achieving fair and efficient prosecution, and humane and secure detainment in regional centres and in Somalia. To this end, the program has among other things contributed with judicial, prosecutorial and police capacity building programmes.¹⁹⁰ Off the coast of the Horn of Africa, the EU has cooperated with UNODC, providing support under the Instrument for Stability to the Seychelles’ judicial system.

The International Maritime Organization (IMO) is the UN’s specialized agency for developing and maintaining a comprehensive regulatory framework for maritime shipping, including maritime security. On this issue, IMO’s mandate promoting safe transport and travel on sea. To this end, IMO has developed a number of guidelines and recommendations for ships engaged in international maritime traffic. As such, IMO has supported the adoption of the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation in 1988 and the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf in 1988, and the Djibouti Code of Conduct in 2009. IMO has also helped amend the International Convention for the Safety of Life at Sea from 1974 and the International Ship and Port Facility Security Code (ISPS Code).¹⁹¹ In recent years, IMO has especially concentrated on assessing piracy and armed robbery at sea in the Asia Pacific Region and off the coast of Somalia. The EU has supported IMO’s activities in the field of maritime security and piracy in several ways, including supporting the implementation of the Djibouti Code of Conduct and the regional maritime security centre in Kenya for example through the MARSIC program (see below).

5.8.5 Contact Group on Piracy off the Coast of Somalia (CGPCS)

Another noteworthy effort to strengthen international cooperation on the Somali piracy problem, stemming from Resolution 1851, was the establishment of the Contact Group on Piracy off the Coast of Somalia (CGPCS) in January 2009¹⁹² under with the purpose to “facilitate discussion and coordination of actions among states and organizations to suppress piracy off the coast of Somalia”¹⁹³. There have also been some regional initiatives worth pointing out. Notably, the Djibouti Code of Conduct, established in January 2009 by the IMO, is intended to engage the regional states to effectively implement the UN

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¹⁸⁸ These documents are available in full text online here: http://www.un.org/depts/los/piracy/piracy_documents.htm.

¹⁸⁹ Murphy, 2011, p.125.

¹⁹⁰ See <http://www.unodc.org/unodc/en/piracy/index.html?ref=menuaside>.

¹⁹¹ See <http://www.imo.org/OurWork/Security/Pages/MaritimeSecurity.aspx>.

¹⁹² For more information about CGPCS, see <http://www.state.gov/t/pm/ppa/piracy/contactgroup/index.htm>.

¹⁹³ Contact Group on Piracy off the Coast of Somalia, New York, January 14, 2009 http://www.marad.dot.gov/documents/Establishment_of_CGPCS_1-14-2009.pdf.

anti-piracy resolutions (see below).¹⁹⁴ Working Group 1 of the Somali Contact Group is concerned with the international naval effort. Chaired by the United Kingdom and convening on an average twice a year, this group focuses on force generation, operational coordination and capacity building.¹⁹⁵ Moreover, the EU Atalanta mission has developed a network of counter-piracy contacts in the regional states, Kenya, Mozambique, Madagascar, Yemen, India, Seychelles, and fostered relationships with 10 local port authorities. Moreover, the EU Atalanta mission has hosted international delegations to its OHQ in the UK, including from Chinese representatives.¹⁹⁶

5.8.6 United States

The United States is an important actor in the maritime security area. Several US agencies are involved in these efforts. The US Department of Defence plays an important role in this regard. Off the coast of Somalia, the US is directing the Combined Maritime Forces (CMF), which was established in 2002 to coordinate multinational maritime operations. As such, CMF is an international naval partnership consisting of some 25 participating states, with the purpose of providing security for civilian maritime vessels operating in the waters of the Middle East, Africa and South Asia by providing counter-piracy and counter-terrorism missions. Commanded by the US Navy Vice Admiral, CMF is based at the US naval base in Bahrain, and consists of three separate task forces: Combined Task Force 150 (maritime security and counter-terrorism); Combined Task Force 151 (anti-piracy); and Combined Task Force 152 (Gulf security cooperation).

The Global Counter-Terrorism Forum (GCTF) is a multilateral counterterrorism initiative spearheaded by the US State Department. Created in September 2011, the GCTF had 30 founding members (29 countries plus the EU). At its essence, the initiative aims to provide a platform for senior counterterrorism experts and officials to collaborate with the intention of strengthening local capacity of countries dealing with the threat from terrorism. In doing its work, the GCTF has five different working groups, one of which is exclusively dedicated to the Horn of Africa. It is not clear if this working group does any maritime security-related activities. The summary of the first meeting of this working group does not reveal any discussions about maritime security threats.¹⁹⁷ In a separate statement, the co-chairs of the working group said that while 'piracy would not be addressed directly by the group, capacity-building in areas such as forensics would benefit regional efforts against piracy.'¹⁹⁸

5.8.7 Bilateral agreements

Maritime security-related clauses have been inserted into the agreements with the countries of the African-Caribbean-Pacific Group (ACP), enshrined by the 2005 Cotonou Agreement. The Cotonou Agreement notes the interdependence between security and development and urges the need for activities such as 'enhancing the security of the international supply chain, and improving air, maritime and road transport safeguards.' Article 42 of the agreement relates specifically to maritime transport, but does not mention the security aspects of this area. The only reference to piracy in the agreement is one line acknowledging the need for addressing 'expanding security threats...such as organised crime, *piracy* and trafficking of, notably, people, drugs and weapons' (italicization is ours).

¹⁹⁴ For more information on the Djibouti Code of Conduct, see <http://www.imo.org/OurWork/Security/PIU/Pages/DCCoC.aspx>.

¹⁹⁵ Ross, 2011, p.7.

¹⁹⁶ Helly, 2011, p. 5-6.

¹⁹⁷ See <http://www.thegctf.org/documents/10303/20542/Co-Chairs%27%20Summary+of+9-10+Feb+2012+Working+Group+Meeting+in+Dar+es+Salaam>.

¹⁹⁸ See <http://www.thegctf.org/documents/10162/19434/Second+Coordinating+Committee+Co-Chairs%27%20Summary>.

While there are very few examples of bilateral agreements mentioning maritime security as an area of cooperation, one exception is Yemen. The Strategy Paper 2007-2013 for Yemen suggests that the Commission might consider interventions in the area of border security.¹⁹⁹ The Council has echoed this message, stating that “the EU will consider stepping up its comprehensive assistance towards Yemen, especially on security-related matters including in the fields of counter-terrorism, territorial and border control.”²⁰⁰ As a result, EU assistance to Yemen has, for example, supported the establishment of the Regional Maritime Information Sharing Centre (ReMISC). Moreover, several EU member states already have bilateral assistance programmes to support the Yemeni police and coast guards.

5.8.8 Political dialogues

Political dialogues comprise another of the EU’s instruments for combating maritime security overseas. Through such dialogues (enabled through different kind of agreements, depending on the country concerned), the EU can push priorities and discuss solutions with other countries in the world. Agenda items for these dialogues, the frequency of meetings, and the level of official representative vary according to the country in question. Beyond the political level, some dialogues take place at the senior administrative and expert levels. Even though dialogues may carry little formal clout, they can still be seen as an opportunity for both parties. With dialogues, the EU can leverage its political, economic and normative weight into guidance and practical steps. Dialogues are also an instrument for considering the link between different EU policies and aid opportunities, while encouraging more coherent approaches to a country’s efforts. Finally, in the EU’s so-called ‘strategic partnerships’ with rising powers such as Brazil, India and China, maritime security has been a part of the discussions in some of these cases. For example, the EU is currently developing a maritime agreement with India. During the 15th EU-China Summit, EU and Chinese leaders have also expressed support for more cooperation on counter-piracy and maritime security.²⁰¹

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¹⁹⁹ “Country Strategy Paper for Yemen 2007-2013”, p. 29, available online at:

http://ec.europa.eu/external_relations/yemen/csp/07_13_en.pdf.

²⁰⁰ “Council Conclusions on Yemen”, 27 October 2009, available online at:

http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressData/en/gena/110779.pdf.

²⁰¹ http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/132507.pdf.

6. EU MARITIME SECURITY OPERATIONS

Following the rapid increase in piracy activity outside Somalia in 2008, the international community was quick to respond, adopting a handful of new UN Security Council resolution condemning piracy and launching several international anti-piracy missions to the region. These resolutions also paved the way for new multinational naval counter-piracy missions to the region. Most importantly, the EU's Operation Atalanta and the NATO operations Unified Protector and Ocean Shield along with the US-led Coalition Maritime Forces (see above) and a host of third party states such as China, India and Russia, were deployed to the region with the objective to counter Somali piracy. In addition to the Atalanta operation, the EU has also launched the EUCAP Nestor mission on the Horn of Africa. This section will focus on these different EU and NATO missions.

6.1 EU NAVFOR Operation Atalanta

6.1.1 Legal mandate

Concerned with the growing impact of piracy and armed robbery off the Somalia coast on international maritime security and on the economic activities and security of the region, the EU-NAVFOR-ATALANTA mission (henceforth Operation Atalanta), marking the EU's first-ever naval operation, was launched on 10 December 2008 by the Council of Europe in the Council Joint Action 2008/851/CFSP. The Joint Action defined the operation as a "military operation" in support of UNSC Resolutions 1814, 1816 and 1838²⁰², and was tasked to contribute to two objectives. First, the operation was given a humanitarian objective of protecting the vessels of the World Food Programme (WFP) that deliver food aid to displaced persons in Somalia. Secondly, and more importantly, the operation was given a less specific but more strategic objective of protecting the vulnerable vessels cruising off the Somali coast, as well as the deterrence, prevention and repression of acts of piracy and armed robbery therein. In short, it was tasked to secure and maintain global flows around the Horn of Africa.²⁰³ The fact that the operation was backed by UN Security Council resolutions and the legitimacy that this provided paved the way for what is arguably the most robust mandate of any CSDP mission. This also helped pave the way for considerable commitments from member states. As of January 2011, twenty-three EU member states have participated in Operation Atalanta. The Atalanta operation was mainly a French initiative during its rotating EU Presidency in the second half of 2008, albeit with Spanish and Greek support.²⁰⁴ The Atalanta mission was initially launched with the intention to replace the NATO mission (which it also actually did for a while). NATO then decided to launch operation Ocean Shield in August 2009. One analyst interpreted the parallel EU and NATO anti-piracy missions as a 'maritime beauty contest' between the two organizations.²⁰⁵

The annual budget for the participating states of the Atalanta mission is believed to amount to almost 1.5 billion euros.²⁰⁶ In 2010 the common funding amounted to €8.4 million and in 2011 it was €8.05 million. The initial budget for 2012 is set on €8.3 million, with an additional €14.9 million for the 2012-2014 period. The EU has recently agreed to extend this mission until December 2014.²⁰⁷ The Atalanta mission is a part of a comprehensive approach to the Somalia piracy problem taken by the EU, and that includes assistance to the Somalia security forces as well as development aid, humanitarian assistance

²⁰² In addition, another UNSCR has since been adopted, namely Resolution 1976, adopted on 11 April 2011.

²⁰³ The Council of Europe Joint Action, 2008/851/CFSP: 301/34.

²⁰⁴ Gros, 2011.

²⁰⁵ Seibert, 2009.

²⁰⁶ Holzner & Jürgenliemk, 2012, p.4.

²⁰⁷ <http://www.eunavfor.eu/2012/03/eu-extends-counter-piracy-mission-off-coast-of-somalia/>.

and governance assistance within the context of the EU's Strategic Framework for the Horn of Africa adopted in November 2011.²⁰⁸

6.1.2 Operational implementation

Planning for the Operation Atalanta was remarkably short; the mission was launched only in 10 weeks after the Council had approved it. Planning was conducted by a relatively small group of individuals, consisting mostly of personnel from the OHQ and CMPD. However, the Commission and CPCC did not play any significant role in developing the operation.²⁰⁹ The practice of counter-piracy by the EU in Operation Atalanta is made up of a fleet of collaborating warships and surveillance aircrafts. It started out with 4-5 frigate-class vessels and 1-2 full-time aircrafts, but has increased to consist of around 12-20 warships and a various full-time reconnaissance aircraft (MPRAs) and helicopters. However, the mission has also suffered from a shortage of maritime patrol aircraft, medical support and maritime tankers. Moreover, the crucial "aviation assets" of the Operation have been in short supply. Most notably, the Operation has not been designated any Unmanned Aerial Vehicles (drones), but rely on the support of the USA on these. Nevertheless, the Operation is said to have a "good relationship with the EU satellite centre" to "keep an eye on activity".²¹⁰ The first airborne strike conducted by EU NAVFOR was carried out against Somalia pirates on land on 15 May 2012.²¹¹

The geographical scope of the mission stretches from the area outside of the Somalia coast but including Somali territorial waters to the south of the Red Sea, the Gulf of Aden and the western part of the Indian Ocean. This area of operations has been gradually expanded in response to pirates' changing tactics and currently extends to a huge area of 1.4 million square nautical miles that is made up of several zones, including the south of the Red Sea, the Gulf of Aden, Southern coasts of Somalia up to 500 miles, and areas around the Seychelles Islands.

The total manpower of the operation is approximately 2000 personnel, coming from over 20 European countries.²¹² While Operation Atalanta has accordingly enjoyed a relatively wide participation from EU member states, non-members such as Norway, Croatia and Ukraine have also made contributions to the mission.²¹³ The ways countries contribute to the mission can be divided into operational contributions (e.g. navy vessels, maritime patrol and reconnaissance aircrafts, and vessel protection detachment teams) and providing staff to serve at the mission's operational headquarters.²¹⁴

One of the innovations of the operation is the development of the Maritime Security Centre – Horn of Africa (MSC-HOA) that is located at the operational headquarters in the UK, and provides web-based services for commercial vessels sailing around the Horn. These services that seek to maintain critical global flows include alerts of piracy attacks, risks assessments, navigation news, and advice on self-

²⁰⁸ Document is available online here: <http://register.consilium.europa.eu/pdf/en/11/st16/st16858.en11.pdf>.

²⁰⁹ Helly, 2011, p.9.

²¹⁰ UK Parliament, House of Lords, 2010, p. 12.

²¹¹ Atlantic Council, 2012.

²¹² By December 2010, 26 countries had contributed to the operation; 13 EU member states had provided operational contribution (vessels or aircraft), 9 other member states military staff, and 4 non-members of the EU, including Norway, Croatia, Switzerland, Ukraine and Montenegro had also contributed to the operation, Norway especially with operational contribution.

²¹³ While Norway's contribution consisted of a warship, Croatia and Ukraine only provided staff to the operations headquarter (OHQ), based in Northwood, UK. Additionally, officers from Montenegro and Serbia have made contributions to the mission.

²¹⁴ European Union External Action Service Press Release EUNAVFOR/37, 26 March 2012. See also: http://www.consilium.europa.eu/uedocs/cms_data/docs/missionPress/files/260312_Factsheet_EUNAVFOR_Somalia_v37en.pdf

protection of vessels²¹⁵ by providing 24 hour monitoring and surveillance of vessels in the region, which shipping companies can access through a special website to obtain information about safe movements throughout the region.²¹⁶ However, this centre, according to one author, does little more than supplementing existing reporting centres provided by other actors.²¹⁷

While being a crucial if not the leading actor in the practice of counter-piracy around the Horn of Africa, the Operational Atalanta is nevertheless a part of a broader UNSC mandated international effort to patrol the waters around the Horn of Africa. This international effort is primarily made up of three naval task forces. In fact, the largest of them is not the EU mission, but NATO's Operation Ocean Shield which is a combined naval task force made up of ships, aircraft, drones and seaborne Marines, with around 17 and 27 warships available at any given time.²¹⁸ The Operational Atalanta ranks as the second largest even if perhaps the most public of task forces, and the U.S *Task Force 151* is the smallest of the large contingents around the Horn. In addition to these, there are various smaller national missions from China, India, Japan and other countries that also provide escort for ships in the waters around the Horn.²¹⁹

6.1.3 Lessons learned

The track record of Operation Atalanta mission is generally considered relatively successful. Figures provided by the EU reveals that the mission has managed to successfully protect all 150 WFP vessels carrying humanitarian aid since the start of the mission. It has also effectively provided protection to 126 AMISOM shipments. Moreover, the mission has contributed to ensure safe shipping of other vessels operation within the Internationally Recommended Transit Corridor (IRTC). Another lesson is the critical importance of intelligence and surveillance in the EU's anti-piracy operations. The shortage of human intelligence capacities has undercut the Atalanta mission's ability to pre-empt pirates' behaviour before they carry out an attack.

6.2 EUCAP Nestor

6.2.1 Legal mandate

In order to assist five countries on the Horn of Africa and the Indian Ocean with the development of their maritime security capacity, the European Council decided on 16 July 2011 to establish the European Union Mission on Regional Maritime Capacity Building in the Horn of Africa (EUCAP NESTOR) for the initial duration of two years. This civilian mission is a part of the EU's wider effort to fight piracy and takes place alongside Operation Atlanta (and the EUTM Somalia mission²²⁰) as a part of an integrated CSDP approach within the framework of the EU's Strategic Framework for the Horn of Africa. As such, the mission has the following two stated objectives:

- Strengthen the Rule of Law sector in Somalia, with an initial focus on the regions of Puntland and Somaliland (and possibly Galmudug at a later stage). In particular, the mission will train and equip maritime police forces in these areas.

²¹⁵ Helly, 2009, pp. 395-396.

²¹⁶ Website of the Maritime Security Centre: <http://www.mschoa.org/on-shore/about-us>

²¹⁷ Murphy, 2011.

²¹⁸ European Affairs, 2011.

²¹⁹ Kraska, 2009, pp.197-216.

²²⁰ The EUTM Somalia is a CSDP military training mission to train Somalia military personnel, based in Uganda.

- Strengthen the sea going maritime capacities (i.e. coast guards) of Djibouti, Kenya, Tanzania and the Seychelles.²²¹

Regarding the first objective, the stated goal is to train and equip some 200 maritime police officers from Puntland based in Djibouti. The focus is on Rule of law, criminal intelligence, community policing, forensics as well as literacy. On the second objective, the EU will provide strategic advice and legislative assistance and legal advice. It will also provide coast guard training, provide equipment and facilitate travels of senior officers to the Djibouti Regional Training Centre. In carrying out these tasks, Nestor will coordinate its activities with those of the Commission, in particular the Maritime Security Project and the critical Maritime Routes Programme. It was recently accounted in October 2012 that Somaliland would also become a part of the EUCAP Nestor programme.

6.2.2 Operational implementation

Important to note, EUCAP NESTOR is a part of the EU's comprehensive approach to countering piracy off the Horn of Africa in an attempt to bridge the traditional civil-military divide. While Nestor is a civilian mission it will likely involve some military expertise since the coast guard function can be carried out by both civilians and military personnel depending on the host country in question. Other EU development program, such as the Critical Maritime Routes Programme under the Instrument for Stability and the European Development Fund, feed into the overall framework. Moreover, the mission is part of the wider international effort in the region and builds on other existing initiatives. To this end, the EU has developed strategic partnerships with the International Maritime Organisation (IMO), the United Nations Office on Drugs and Crime (UNODC) and the United Nations Development Programme (UNDP).

While the mission is specifically tailored to the needs of each of the five regional host countries where country teams will carry out training missions, EUCAP NESTOR will also have a regional-wide dimension in the form of supporting the Djibouti Regional Training Centre (DRTC). The full staff capacity of EUCAP NESTOR is intended to reach 175 mission members. The mission has suffered from 'serious logistical constraints and difficulties' from the onset according to the EU Civilian Operations Commander, Hansjörg Haber. The main reason for this was the lack of preparatory measures available prior to the launch of the mission, forcing it to develop from scratch such resources as including logistics, communications and procurement of basic equipment.

Currently, a head of mission along with some 28 staff members have been deployed and are working in Djibouti with drafting the detailed Operations Plan and securing logistics for the mission headquarters. The political and liaison element of the mission is based in Nairobi while the mission's operational headquarters will be established in Djibouti by December 2012. The mission will also operate field offices in four regional countries. The fact that Nestor, as the first CSDP mission ever, will operate in five different countries simultaneously is an unprecedented organizational and logistical challenge in and by itself. While the Seychelles and Djibouti have cooperated actively with the mission, the reality is reportedly more complicated in Kenya, Tanzania and Somalia.

The initial budget of EUCAP Nestor amounts to €23.2 million. An additional 50 experts will be recruited, trained and deployed by mid-December 2012. The mission is expected to be fully operational by March 2013.

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²²¹ http://www.consilium.europa.eu/media/1704166/eucap_nestor_fact_sheet12072012.pdf

6.2.3 Lessons learned

It is still too early to assess the impact of the EUCAP Nestor, given that the mission is not even yet fully operational. While the mission fills an important gap in the EU's overall efforts off the Horn of Africa, and plays a key coordinating role between the various EU activities in the area, it has reportedly suffered from some planning difficulties and lack of resources from the onset.

6.3 Filling the Gaps

A key issue in the EU's maritime security activities off the Horn of Africa is how to ensure an integrated and coordinated approach to the various activities in the region. The plethora of different actors involved and activities underway require constant effort to coordinate between the various EU, local and international actors present at the scene. A key challenge in this regard is ensuring coordination, complementarity and coherence between internal EU actors (e.g. EU Special Representative to the Horn of Africa, EU Delegations in the region, and other related EU projects), external actors (e.g. NATO, UNPOS, UNODC, UNDP, IMO), and third states (e.g. regional partners, US, Japan, India, UAE, etc.).

6.3.1 Inter-institutional coordination

EU-NATO cooperation

Clearly no one single entity can itself come to grips with the scourge of piracy alone – international cooperation is an absolute necessity. This is especially the case when it comes to the coast off the Horn of Africa, an area that is larger than mainland Europe. Covering such a vast expanse of water therefore inevitably requires that the EU and NATO operations are integrated with each other, so as to avoid unnecessary overlap and promote effective cooperation and coordination of efforts. This is especially pertinent in an age of austerity and shrinking defence budgets. It has been suggested that some 83 warships, each equipped with a helicopter, would be necessary to effectively patrol the area and prevent pirate attacks.²²² The head of the International Chamber of Shipping complained that the current number of anti-piracy vessels off the Horn of Africa is far too low.²²³ However, this makes the need for coordination and cooperation even stronger. Multinational cooperation during joint military operations is a perennial problem. Experiences such as in Afghanistan shows that the international community still has a long way to go linking various organizations and countries' militaries together in an effective manner. The EU and NATO (even though most European states are members of both organizations) has a history of poor cooperation, stemming in part from their separate chains of commands, inadequate interoperability, and turf wars (see above).²²⁴ While communicating with allies and close partners is one thing, communicating with potential adversaries such as China and Russia is naturally even more cumbersome.

In general, it seems fair to say with certainty that EU-NATO cooperation off the coast of Somalia has improved throughout the duration of the mission. The EU and NATO have made significant progress on coordinating their respective activities since 2008. Most visibly, they have chosen to co-locate their headquarters to Northwood.²²⁵ At the same time, both organizations maintain their own separate military command staff. Another area where notable improvements has been made is information sharing. More specifically, the two organizations now regularly hold videoconference meetings and they have adopted similar conduct of operations (CONOPS) guidelines on Somalia in unison with the

²²² Financial Times, 2010.

²²³ Murphy, 2011, p. 7.

²²⁴ Dempsey, 2010.

²²⁵ However, the main reason for the EU's decision to locate the OHQ at Northwood had to do with the fact that the German and French OHQs already were occupied with dealing with EUFOR DR Congo and EUFOR RCA Tchad at the time.

CMF. The establishment of the Shared Awareness and Deconfliction (SHADE) has also improved things further (see below).

The EU and NATO have also coordinated their activities through other means. For example, three special task forces have been established to bring the international community together to counter the scourge of Somali piracy. During these separate meetings, commanders from both missions shared experiences and provided briefings on current efforts.²²⁶ Despite efforts such as these, some cooperation issues remain unresolved. Although Operation Atalanta and NATO have maintained separate organizational hierarchies, which depend on their own C4ISR structures, these structures are exclusively comprised of staff from the US, UK and other major contributors.²²⁷ Complicating matters further, both NATO and the EU lack a common command, control and communications (C3) architecture, making communication between the organisations more difficult. Furthermore, there are currently two systems in use in the Gulf of Aden that serve to enable communications both within and across the EU and NATO operations called CENTRIXS and MERCURY. CENTRIXS stands for Combined Enterprise Regional Information Exchange System, and is a US-sponsored information-sharing initiative designed to eventually bring about a single, common, global, multinational data network. Meanwhile, MERCURY is a secure, web-based communication platform, specially developed by the EU for counter-piracy work and operated by the EU headquarters at Northwood. According to one author, 'the MERCURY system does an effective job in distributing the kind of information that is most important in these operations, and does it relatively cheaply and easily through the use of the Internet and commonly available standards.'²²⁸

Shared Awareness and Deconfliction (SHADE)

To assist in coordination between the various international actors present off the coast of Somalia, the Shared Awareness and Deconfliction (SHADE) was set up in 2008 to serve as a venue for staff-level meetings held on a monthly basis at the US naval base in Bahrain, hosted by Combined Maritime Forces. In essence, SHADE serves to coordinate the actions taken by warships from countries such as China, Russia and India with those of Operation Atalanta, Operation Ocean Shield and CMF. All in all, military and civilian representatives from 27 countries, 14 international organizations (e.g. UN, Interpol, IMO, etc.) and the private maritime industry sector are participating in the meetings.²²⁹

During these meetings, participating countries share information with each other, offer their capabilities and arrange for operations in a coordinated fashion. For example, the distribution of patrol slots within the International Recommended Transit Corridor (IRTC) is managed through SHADE.²³⁰ On the basis of these arrangements, the participating states then plan their future actions together. For example, the SHADE meeting of June 2009 managed to gather some hundred naval officers from 30 nations. Since the end of 2009, its chairmanship rotates every three months, between CMF, EU Atalanta and NATO.²³¹ During the June meeting, at the EU's initiative, China has been proposed for the first time to co-chair the organization for the next period, something that India has opposed. The EU then

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²²⁶ <http://www.eunavfor.eu/2009/07/unprecedented-coordination-against-piracy-at-sea/>.

²²⁷ Henry Jackson School of International Studies, 2012, p.116.

²²⁸ Muratore, 2010, p.100.

²²⁹ <http://combinedmaritimeforces.com/2011/09/27/cmf-hosts-21st-shade-meeting/>.

²³⁰ Cdr Alastair Clark RN CMF ACOS (OPS), Combined Maritime Forces (CMF) Operations Counter Piracy Operations, Challenges, Shortfalls and Lessons Learned, Presentation, 4 June 2009 <http://www.nato.int/structur/AC/141/pdf/PS-M/Combined%20Maritime%20Forces%20Ops.pdf>.

²³¹ Ridgway, 2010.

suggested that India also co-chair the organization.²³² It should also be noted that civilian organizations such as the shipping industry and international organizations also attend to these meetings.

The EU Atalanta co-chairs the SHADE meetings and the MSC-HOA provides information sharing through its website. Data collected by members of Operation Atalanta used to identify suspected pirates is also shared with INTERPOL at the SHADE meetings and checked against its databases. Personal data used to identify suspected pirates includes fingerprints, names or alias, date and place of birth, nationality, sex, driving licenses, identification documents and personal data. Data related to the equipment used by suspected pirates is also generally shared. In general, it seems that SHADE has been fairly successful in bringing countries together to discuss operational issues. According to a recent report, "While SHADE does allow for the discussion of high-level concepts like the Best Management Practices (BMP), the infrequency and structure of its meetings prevent its ability to provide on-going, consistent operational and tactical coordination between the various naval fleets and merchant vessels operating in the area."²³³

Against this background the coordination framework SHADE must be deemed a success, especially given the constraints and the plethora of different stakeholders involved. One indicator that SHADE functioned effectively is the fact that the agreement on establishing, and eventually alter, the IRTC was reached during one of SHADE's meetings. Here, participants also agreed on the need for a minimum level of force commitments and on a rotating command system for organizing these contingents within the safe corridor.²³⁴ In general, it therefore seems fair to say that SHADE has encouraged stronger participation for third states such as China and India. Although these countries' primarily focus on protecting their own national shipping fleets, they have participating in SHADE meetings and, at times, even chaired these meetings, hence implying that these countries seems to have accepted the condition that their actions in the region must be carried in accordance with those of the EU and NATO.

6.3.2 Intra-institutional coordination

Internal EU coordination includes activities in the area of regional maritime capacity building, which is being carried out by the CSDP instrument and funded by the CSFP budget. It also includes activities that fall within the MaSe programme of the European Commission through the European Development Fund and the CMR programme of the European Commission through the Instrument for Stability. Cooperation between the two maritime security-related CSDP missions off the Horn of Africa – Atalanta and Nestor – began officially in October 2012. A truly comprehensive approach also requires that the EEAS, the Commission and the member states integrate their efforts through adequate coordination mechanisms and leadership arrangements – something that has often proven hard in practice. While the Lisbon Treaty sought to address the institutional and political issues, more efforts must be made to ensure a coordinated approach involving all of the EU instruments in an effective way. It is still relatively early to assess the long-term implications of the EEAS role in responding to crises and its relationships with DG ECHO in this regard, but recent events such as the so-called Arab Spring may suggest that the new disaster coordination department in the EEAS marks a step forward in the EU's efficacy in responding to far-away crises and disasters.²³⁵

²³² Mitra, 2010.

²³³ Henry Jackson School of International Studies, 2012, p.116.

²³⁴ <http://www.eunavfor.eu/2009/10/8th-shade-meeting-sees-largest-international-participation-so-far/>

²³⁵ During the EU's response to the 2011 Libya crisis, DG ECHO and the EEAS worked closely together. The EEAS field office in Benghazi served to provide other involved EU agencies with valuable information that served to guide their activities in the field. See Brattberg 2011.

The EUCAP Nestor mission serves a key coordinating role as well by bringing together EU maritime security related activities such as the Maritime Security Project and the critical Maritime Routes Programme. Also playing a key role is the EU's Special Representative for the Horn of Africa (EUSR). This person, who was appointed in January 2012, has a responsibility for 'bringing together' the EU's activities and to ensure that the EU is speaking with a single voice and a single face. The EU's comprehensive approach ranges from surveillance, prevention and legislation to coast-guard training and capability building to economic development, anti-piracy missions and countering illegal financial flows. No other actor in the region is currently pursuing such a broad approach. One major problem with the EU's comprehensive approach off the Horn of Africa was that such an approach was lacking during the planning and deployment phase of Operation Atalanta. This resulted in the EU deploying a number of instruments simultaneously in an uncoordinated way without the existence of an agreed-upon strategic approach in the first place.²³⁶

Given the complex nature of the problems on the Horn of Africa, an integrated, comprehensive approach is clearly the best way forward. Such a comprehensive approach cannot be a solely external-driven approach, but must also involve regional states in key ways. The EU's policies in the region seek to encourage the regional states to play a bigger role in maritime security. While the move towards a more comprehensive approach is certainly informed by the complex realities on the ground in the Horn of Africa region, another motivation for the this approach is the lack of resources prompting more synergies and cooperation as a way to cut costs.

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²³⁶ Helly, 2011, p.4.

7. CONCLUSIONS & RECOMMENDATIONS

This study has analysed potential geostrategic maritime challenges to CSDP and their implications for the EU and its member states. To this end, the study evaluated the changing nature of the global maritime security environment that provides the framework for EU actions. In particular the study analysed how this changing geopolitical context has reflected on potential challenges in the EU's maritime neighbourhood and along its main sea lines of communications (SLOCs) and what kind of new requirements these changes impose on CSDP. The study then took stock of the EU's capacity to deal with these challenges through its common policies and institutions and evaluated the effectiveness of on-going EU maritime operations. Based on this analysis of potential future threats and challenges a number of broader trends emerged.

First, within the new geopolitical context the importance of global maritime flows for the EU has exponentially increased. European industry and commerce are ever more closely integrated in and dependent upon a flourishing network of global maritime flows as a result of globalization and growing global interdependence. This provides great potential advantages for European citizens that are able to reap the gains from these critical flows. However, the growing density and importance of these global interactions has also encouraged the growth of illegal maritime non-state actors, such as pirates, terrorists and criminal syndicates. These actors pose a viable threat to vulnerable maritime flows and infrastructure, by operating out of lawless maritime zones and exploiting the weaknesses of the global maritime governance systems. In order to contain these actors, robust global regimes, institutions, and military capabilities are required.

Second, the growing intensity of global maritime interaction has meant that different maritime regions across the world have become increasingly interconnected. As a result, developments in far-apart regions increasingly influence each other. Critical maritime infrastructure projects, such as the building and extension of canals and port infrastructure can impact maritime flows elsewhere and have important strategic consequences. Insecurity and piracy around lawless zones can create bottlenecks that lead to a diversion of maritime flows around less frequented routes. The opening of new sea routes, in particular through the Arctic as a result of climate change and technological advances can create new tensions and competitive pressures. And the degradation of the maritime environment and overfishing in one place can have a chain effect in other oceans. This means that local developments increasingly require a global response.

Third, the diffusion of global power as a result of the "rise of the rest" has gradually altered the global maritime balance. Ambitious naval shipbuilding programs, whether for security or prestige reasons, are creating friction and undermining trust. While the US dominance of the seas remains unchallenged, America's relative power has declined and is increasingly constrained by the anti-area and access denial strategies of rising powers and rogues actors. Although the prospects for a conventional maritime conflict remain low, this changing balance has affected the interaction between states and created new frictions. In the Indian Ocean there is a growing covert rivalry between China and India. In the Asia-Pacific, maritime incidents and stand-offs have become a daily occurrence and are affecting the regional climate. In the South Atlantic, Brazil has staged a claim to dominance and has sought to deter greater NATO involvement. All of this raises the prospects of proxy conflicts and small wars that could disrupt maritime regimes and traffic.

Finally, this more complex and diffuse maritime security environment has made international cooperation more difficult and has lessened the prospects for effective global governance. Self-confident rising powers are increasingly unwilling to adhere to UNCLOS principles or to submit to international arbitration. This reflects developments in other global governance arenas, where rising

powers are demanding greater influence and more flexible rules. Rather than accepting the American vision of a US-dominated Global Commons, or the European vision of effective multilateral governance, they work through the framework of the traditional territorial state and demand greater independence and sovereignty. This complicates attempts to further regulate global maritime affairs and protect the maritime environment. It has also encouraged a dangerous rush for exploiting the mineral and halieutic resources of the high seas that could impose considerable environmental costs and spark new conflicts and confrontations.

Together, these developments have had a considerable impact on the maritime security environment in the EU's neighbourhood and along the EU's sea lines of communications. Piracy and lawlessness at sea have required the EU to launch operations around the Horn of Africa and threaten maritime commerce elsewhere. Illegal maritime flows and terrorism are testing the capabilities of European navies and law enforcement agencies. Territorial disputes, both old and new, are becoming increasingly heated and threaten to undermine regional cooperation. New and old external actors represent a growing maritime presence within the EU's own neighbourhood and pose new challenges, while the EU's own overseas presence is diminishing and its soft power is being blunted by the economic crisis. Climate change, pollution and overfishing are leading to environmental degradation and have the potential to spark new conflicts and challenges for the EU.

In light of these developments, the EU requires a comprehensive maritime security strategy that takes account of the increasingly globalized nature of maritime threats and challenges and that allows for greater synergies between the EU's Integrated Maritime Policy and the maritime dimension of CSDP. This strategy needs to address four basic questions that arise out of the emerging maritime security context: What kind of maritime governance system does the EU want to promote? What kind of relationship does the EU aspire to with the BRICs and other global swing states? What is the geographic focus and limit of EU maritime power projections? And what kind of capabilities and soft power resources does the EU require in the future?

On the subject of maritime governance, the EU's focus on effective multilateralism and its goal of achieving global membership for UNCLOS clearly signal the EU's preference for multilateral solutions²³⁷. The EU needs to be more assertive in order to promote this vision of global maritime governance, given the growing sovereignist tide. It should also promote a more effective governance regime for the high seas, in order to control growing commercial activities and pollution in these areas. This can be done by promoting UNCLOS membership amongst its neighbours and partners and taking a more activist role in multilateral forums on maritime governance. At the same time, the EU needs to realize that UNCLOS and multilateral solutions may not provide an appropriate framework for resolving maritime conflicts everywhere and that regional governance systems need to be strengthened in order to manage distinct regional problems. While regional governance systems are important, the EU should try to prevent excessive fragmentation or the formation of discrete maritime blocs that could pose a challenge to its vital SLOCs and global reach.

The EU's vision of maritime governance also conditions its relationship with the rising maritime powers, above all China and Russia. The growing assertiveness and naval capabilities of these players poses a challenge to the EU not only in far-away regions, due to the growing conflict potential there, but also closer to home, where these actors can have a disruptive influence. Nevertheless, the EU ought to be cautious about trying to contain the rise of these actors or taking sides in conflicts that are outside of its core area of interests, e.g. in the South China Sea. Instead, the EU needs to explore ways of integrating these players further into the global maritime governance architecture and to accommodate their

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²³⁷ European Commission, 2009.

concerns, as long as they remain reasonable. High-level dialogues on maritime affairs that exploit the framework of the EU's Strategic Partnerships provide one way of exploring greater synergies with these actors. At the same time, the EU cannot afford to be overtly naïve and has to be able to act robustly against illegal actions undertaken by new actors in the high seas, or against exaggerated territorial claims that are unfounded.

When it comes to the geographic focus of the EU's maritime interests, it appears obvious that it is no longer enough for the EU to focus its attention solely on its direct maritime neighbourhood. While the EU's neighbourhood will always remain the most important focus for EU interests and actions, the global nature and interconnectedness of maritime affairs require the EU to also consider the wider global environment. This means that any effective EU strategy needs to provide a European vision of how to secure access to and govern the Global Commons. The far-flung overseas bases of individual EU member states provide a very valuable infrastructure in this regards and need to be taken further into consideration in EU planning. The EU also should consider the potential of negotiating basing rights for common assets in areas where its presence is spread thin and its presence could have a positive impact on maritime security. In particular the Indian Ocean and the Arctic will require greater attention of the EU in the future and demand well-developed regional strategies. The Atlantic and West Africa also deserve greater EU attention and action in the future.

In order to defend its maritime interests within the more globally connected and hostile international maritime context, EU member states will need to provide naval capabilities that are able to take on an increasingly broad catalogue of tasks. These will range from protection of the seas, through monitoring and safety operations, to securing the seas, through counter-piracy or anti-immigration operations, as well as the ability to project power on land and to potentially far-away region.²³⁸ This requires modern, multipurpose platforms that are able to stay at sea for extended periods of time and are interoperable with each other and potential third parties. In the face of declining defence budgets, the only way of providing these capabilities and maintaining a credible deterrent is through greater pooling and sharing amongst EU member states. Moreover, the potential of acquiring certain "common use" assets, such as drones, surveillance satellites or hospital and anti-pollution ships, should be taken seriously in the long run. Measures to incentivize a further integration of the European naval shipbuilding industry also need to be considered further.

Based on these requirements it is possible to derive a number of more concrete recommendations:

1. **Create greater synergies between IMP and CSDP:** For the time being, the EU lacks an integrated maritime strategy. Instead, various initiatives exist in different sectors. The EU's Integrated Maritime Policy (IMP), although valuable, includes only a very limited security dimension. Maritime CSDP measures, on the other hand, focus mostly on generating naval assets for crisis management operations. In order to have a greater effect, policies under the different frameworks need to be interlinked and integrated. For example, EU anti-piracy operations should be linked to measures that help to strengthen maritime governance in insecure regions, assist fisheries, or help with local development. The EUCAP Nestor mission is a valuable example in this regards and will provide lessons for the future.
2. **Update and Launch Regional Sea Strategies:** The EU has developed a number of comprehensive sea-basin strategies that address common maritime problems and governance issues in the territories adjacent to the EU. These strategies address soft security challenges, such as pollution, over-fishing, and maritime safety issues, but include few security and defence related considerations. In order to facilitate a more integrated and holistic approach, these

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²³⁸ Germond, 2011.

- strategies should be updated in order to include security and defence related considerations. In addition, the EU should explore the possibility to launch regional sea strategies for areas of growing strategic importance, namely the Arctic and the Indian Ocean, as well as West Africa/Southern Atlantic. While the EU has developed some common policies towards each of these areas, they would benefit from a clearer framework and vision for their future development.
3. **Resolve Territorial Disputes in the Neighbourhood:** The EU should take a much more active and visible role in order to resolve territorial disputes in its maritime neighbourhood. While many of these conflicts have been dormant for a long time, they have a potential to heat up again, as a result of the current security environment. Moreover, allowing these conflicts to simmer often invites external actors to take a greater role. The use of ENP instruments and multilateral dialogues through frameworks such as the Union for the Mediterranean or Black Sea Synergy, in order to mediate these conflicts could be helpful. The appointment of a special representative for maritime disputes might be another way of providing greater leadership and drive on these issues. Finally, the EEAS could establish a task force with a particular focus on mediating these conflicts and furnishing strategic thinking on maritime affairs.
  4. **Prevent Becoming Drawn in Out of Area Disputes:** The EU as a whole has little interest to become drawn into delimitation disputes in far-away regions such as the South China Sea. While the EU should remain mindful of its transatlantic and other alliance commitments, it should promote regional collective security solutions to tackle these issues. This does not mean that it can turn its back on crises and instability in other oceans, as they might lead to important spill-over effects at home. However, the best way to address these issues for the EU is through conflict mediation and management and by emphasizing the importance of global maritime governance instruments such as the UNCLOS.
  5. **Engage Swing States through Strategic Maritime Dialogues:** The EU should also develop better bilateral channels of communication on maritime issues with global swing states, such as China, India, Russia, Brazil and Turkey. This is necessary given the growing presence of these countries in waters adjacent to the EU, as well as due to the EU's own continuing global maritime interests. The Strategic Partnerships that the EU has developed with many of these actors could provide valuable assets in order to discuss areas of common interests, such as cooperation during crisis management operations. They should also be used in order to discuss more contentious issues, such as the impact of illegal fishing by Chinese fleets in the EU's neighbourhood or the environmental effects of sea-bed exploitation.
  6. **Build a European Maritime Surveillance Network:** The EU has affectively worked on creating an integrated maritime surveillance system since 2009.²³⁹ Ever since it has followed the ambition of developing a *common information sharing environment* for the EU maritime domain (CISE). The aim of the initiative is to enhance the maritime awareness of sectoral users, by integrating amongst others information on security, safety, border control, fisheries, law enforcement and defence. To this end, the EU has launched a number of pilot projects in the area, such as MARSUNO, Bluemass-Med and EUROSUR and has drafted a roadmap for the further development of CISE. The effective implementation of CISE would contribute significantly to the EU's ability to monitor and respond to maritime challenges.
  7. **Promote Pooling and Sharing of Maritime Capabilities:** Given declining defence budgets, EU member states need to make greater efforts in order to explore potential pooling and sharing initiatives in the realm of maritime capabilities. Some initiatives in this regards have already been taken by the European Defence Agency, including the Maritime Surveillance (MARSUR) project,

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²³⁹ European Commission, 2009.

the Future Tactical Unmanned Aircraft System project that aims at developing maritime drones, and the Maritime Mine Counter-Measure project. In the long-term the acquisition of potential “common use” platforms, such as drones, surveillance satellites, hospital ships or even some multipurpose platforms could be explored. The provision of niche capacities, such as mine-clearing and anti-pollution ships, through specialization, also deserves greater attention, as do initiatives that enhance the interoperability of European navies.

8. **Encourage Naval Shipbuilding Centres of Excellence:** In order to maintain a competitive naval defence industry, reap the benefits from economies of scale, and encourage greater interoperability, a further consolidation of the European defence industrial base remains necessary. This could be encouraged by the European Commission through regulatory measures and by promoting centres of excellence, possibly along particular deployment profiles, such as Arctic, Oceanic and littoral assets.

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9. ANNEX

9.1 WORKSHOP Summary Report - 'The maritime dimension of the Common Security and Defence Policy'- 27 November 2012, Brussels

Ana GOMES, Member of the European Parliament and Rapporteur for the upcoming report, chaired the workshop and introduced the debate by shortly outlining the aim of the report, published in January 2013.

New age of maritime geopolitics: towards global commons and flows

Mika AALTOLA, Finnish Institute of International Affairs started the workshop by highlighting the on-going transformation of the global maritime context. Today's maritime power focuses more than ever on securing critical global flows and the infrastructures that maintain them. The structure of today's global political economy, including the outsourcing of production or the dependency on raw materials made seaborne trade an irreplaceable factor and resulted in crowding and congestion along the global major sea routes and harbours. Mika AALTOLA stressed the importance of regional choke points, e.g. the Strait of Malacca or the Strait of Hormuz, by pointing out the danger of obstruction and related international attempts to secure these choke points. Additionally criminal and terror-related activities or the undeniable impacts of climate change add to the complexity of maritime security challenges. According to Mika AALTOLA the world is currently facing a rising number of 'polycrises' that consist of geographically clustered and nested crisis factors tending to reinforce one another.

The EU as a maritime security actor: CSDP and beyond

Erik BRATTBERG, Swedish Institute of International Affairs, emphasized the EU's current approach to maritime security by outlining three concrete examples: 1) the efforts to contain piracy (e.g. EUNAVFOR ATALANTA), 2) the build-up of regional maritime security capacities (e.g. EUCAP NESTOR; flexible funding mechanisms such as Instrument for Stability, European Development Fund, etc.) and 3) the development of integrated maritime surveillance capacities (e.g. EUROSUR).

Although present policy trends indicate the development of comprehensive (regional) approaches, e.g. the EU's Strategic Framework for the Horn of Africa, and an intensified focus on coordination, including innovative funding mechanisms, Erik BRATTBERG highlighted certain gaps, especially with regard to the EU's military and civilian capabilities, intra-institutional (EEAS, Commission, member states) and inter-institutional (e.g. EU-NATO) coordination.

A EU maritime security strategy? The rationale behind the constituting elements

Basil GERMOND, Lancaster University, United Kingdom shortly outlined that although the necessity to develop a coherent EU Maritime Security Strategy (EU MSS) was concluded by the Council in 2010, further steps have not yet been taken. According to Basil GERMOND the EU's security is strongly linked to the sea, e.g. maritime power projection operations, security of energy supplies, counter-piracy, counter-terrorism, counter-immigration, counter-narcotics, fisheries and marine environment protection; hence the development of a coherent and comprehensive MSS seems inevitable. An EU MSS has to be based on four constituting elements: 1) a clear definition of the occurring maritime related risk and threats, 2) a definition of the EU's strategic objectives, e.g. securing and protecting the seas, 3) definitions of the means at disposal, e.g. budget, member states contribution, inter-institutional cooperation, and 4) the actual area of operation, e.g. the bordering regions of the Mediterranean and the Arctic and important areas beyond (Atlantic-Caribbean and the Indian Ocean). Yet, the EU should consider a geographical step-by-step approach and prioritize maritime areas in its immediate vicinity.

Discussion

Following the three presentations, the floor was opened for comments from workshop participants and questions to the speakers.

Ana GOMES raised several questions and was particularly concerned about potential conflicts on maritime delimitation, especially with regard to the Exclusive Economic Zone (EEZ) between different EU member states and about the future of the Panama Canal. In the MEP's view it is absolutely important to consider the on-going economic crisis and financial implications when discussing the operationalisation of a EU MSS in the context of a EU security strategy. Ana GOMES stressed that the problems and threats of the Indian Ocean and the Horn of Africa, e.g. piracy, drug trafficking and terrorism are currently spreading to West Africa with the EU lacking a coherent security approach.

Answering the MEP's remarks Mika AALTOLA particularly stressed the EU's need for risk and threat awareness, emphasizing the complexity of the maritime dimensions and its interaction with cyber and space security. Additionally Mika AALTOLA added the constantly changing level and types of threats, e.g. the dependency of criminal activity from the global flow.

Erik BRATTBERG raised additional questions EU decision makers have to answer when drafting, outlining and implementing a EU MSS: what is the EU's actual level of ambition? How should the EU act as a global power and actor and where should it be involved? Is it in fact desirable for the EU to be perceived as a global maritime power? What are military and civilian capabilities of the EU and its member states? In his opinion it is necessary to have a separate maritime strategy as an essential part of an overall security strategy.

Basil GERMOND acknowledged that the EU should not adopt sectoral approaches to the occurring maritime challenges but rather develop a holistic maritime security approach. From his point of view the current economic and financial crisis should not be used as an excuse for lacking implementation as the ignorance of maritime challenges could end up in higher costs.

Armand FRANJULIEN, Head of Unit, Subcommittee on Security and Defence underlined that already in 2008 the Council outlined the need to develop EU aircraft capabilities; yet related steps were not taken by now. Due to the financial crisis, it would be important for EU member states to pool and share their military and civilian capabilities. Additionally he mentioned that the EU should consider how to protect its spaceport in Kourou, French Guiana.

Ralf Kuhne, Policy Advisor for Foreign Affairs, Security and Defence at the S&D Group inquired about effective multilateralism and its interrelation with international law, especially considering the re-emergence of non-state actors, e.g. private armed guards.

Bogdan DELEANU, Advisor at the ALDE Group emphasized the strategic importance of the Black Sea for the EU, particularly considering the immediate neighbours involved and interested like Turkey or the Russian Federation. Yet legal questions arise with regard to the Montreux Convention Regarding the Regime of the Turkish Straits of 1936 and the potential passage of missile defence ships on their way into the Black Sea. According to Bogdan DELEANU a EU MSS should be unique compared to similar strategies of NATO and other already existing bilateral cooperation.

Massimo MOSCONI, European Commission, DG MOVE introduced another key actor in the maritime security sphere: the industry and private actors and their influence on and implementation of EU law.

Andreas STRIEGNITZ, Administrator, Subcommittee on Security and Defence stressed the importance of MSS-concerned EU-NATO relations and further possibilities to strengthen the cooperation efforts. A MSS could be perceived as a trans-Atlantic link to re-connect the United States with EU.

Answering and commenting the participant's remarks Basil GERMOND stressed that the problematic issue of military and civilian capabilities of the EU. Operation Atalanta serves as a good example for EU inter-operability but should not distract from the capabilities issue.

Erik BRATTBERG reaffirmed the potential role of the private industry with regard to security efforts and positively mentioned the U.S. Container Security Initiative allowing U.S. Customs and Border Protection to examine high-risk maritime containerized cargo at foreign seaports. Erik BRATTBERG considered EU-NATO cooperation efforts at the Horn of Africa as a success story of collaboration. Yet he criticized the lack of strategic dialogue between the EU and NATO.

Mika AALTOLA stressed again the economic significance of the global chokepoints and prompted the question of a potential local EU military or civilian presence. Considering an intensified sharing and pooling of competences and capabilities Mika AALTOLA noted that the EU also needs to innovate its own conceptualization of security and also involve the private sector.

Bernd TOERKE, Consultant for Germanischer Lloyd emphasized that a holistic EU maritime security approach needs to incorporate economical and societal dimensions and should also involve the knowledge of people and industry working in the maritime field. Bernd TOERKE questioned the use of private armed guards indicating that it is a state's obligation to protect the crew of its flagged vessel.

Ana GOMES concluded the workshop by summarizing some of the main conclusions and referred to the soon-to-be published report.

EXPERTS WRITTEN PRESENTATIONS

1. NEW AGE OF MARITIME GEOPOLITICS: TOWARDS GLOBAL COMMONS AND FLOWS

Mika AALTOLA, *Researcher, The Global Security research programme, Finnish Institute of International Affairs, Finland*

This study takes place at a time that the global maritime context is undergoing a profound transformation, driven by shifts in global geopolitics and the emergence of a multipolar global order. The attendant diffusion of power, growing economic interdependence, and the geostrategic pivot towards Asia provide for a radically different maritime security context than during the Cold War or post-Cold War era. Given the mounting intensity of economic exchange, maritime power more than ever focuses on *securing critical global flows* and the infrastructures that maintain them. However, the rise of new powers, the competition over maritime resources, the emergence of hybrid and non-state maritime threats, and the impacts of climate change, have all meant that access to the maritime commons has become increasingly restricted and contested. As a large trade power with a keen interest in an open and secure maritime environment, this is a worrisome development for the EU.

The structure of today's global political economy has made the global maritime commons and the flows across it vitally important. Global production capacity has been increasingly outsourced to a number of developing regions while the main markets and many of the financial and know-how capacities still reside within the Western economies. This situation results in intensifying flows of goods, mainly from Asia to the Western markets. Paralleling these flows, there are increasing flows of raw materials and strategic resources to the sites of production. As a result, seaborne commerce has more than quadrupled in volume over the last half century. Maritime commerce today represents 90% of world trade and some 60% of petroleum exports. The enormous logistical infrastructure needed to maintain and control these flows requires robust global regimes, institutions and military capacities.

While these trends encourage growing international cooperation to secure these critical flows, it also means that the global maritime system has become more vulnerable and less resilient. The explosion of

seaborne trade has resulted in crowding and congestion along major sea routes and harbours. With a majority of maritime trade passing through a limited number of difficult to navigate and easy to obstruct choke-points, these have become the lightning rods of international attention²⁴⁰. Many of these chokepoints are situated in the Asia-Pacific area (e.g. Strait of Malacca). Others exist in the African (e.g. around the Horn of Africa) and Middle-Eastern (e.g. the Strait of Hormuz) areas. Any obstruction of these chokepoints or along the major sea lines connecting them would have a global ripple effect.

The attempt to secure and control these critical nodes of infrastructure creates both cooperative as well as competitive pressures. The opening of new sea routes due to global warming, technological change and economic viability has had a similarly ambiguous impact, as has the economic feasibility of deep sea exploitation and the discovery of new fossil resources in contested areas. The opening of the Arctic Sea Route, in particular, has the potential of changing the geostrategic balance by turning the Eurasian landmass into an island²⁴¹. Other critical infrastructure projects, such as the plan to construct a canal across the Kra Isthmus, have important strategic consequences. In 1869 the opening of the Suez Canal tightened Europe's commercial and military grip on Asia. Today's changes in critical sea-lanes and maritime flows similarly have the potential to shift regional balances and heighten competition.

Maritime flows are also increasingly compromised by criminal (e.g. human smuggling, drug trafficking, and pirates) and, in some cases, terror-related activities (e.g. WMD proliferation, hijacking, terrorist attacks). Ungoverned maritime spaces along major sea lanes have become a major threat, providing a refuge for armed maritime groups, especially pirates, and a safe-haven for illicit activities. At the same time, old frictions and crises are still simmering in the vicinities of global flows and have become accentuated by failures of global governance and a shift in power balances. Disputes over the delimitation of territorial waters and Exclusive Economic Zones (EEZ) are on the rise. In the emerging world, the security challenges are many and of unprecedented complexity. As they become increasingly interconnected across the globe through these flows, the potential for harm becomes multiplied. Indeed, complexity and interconnectedness will be crucial qualities of future crises.

This suggests that the world may be facing a rising number of 'polycrises' that consist of geographically clustered and nested crisis factors tending to reinforce one another. Recent research as well as policy attention—propelled mainly by the climate change discourse—has focused upon the intersections between global warming, eco-system breakdown, pandemic threats, resource depletion, the global economic crisis, poverty, urbanization, educational inequalities, and demographic crisis. These land-based political regressions can easily radiate to the coastal and blue water maritime contexts, as has been the case in the Gulf of Aden, and threaten global maritime commerce.

2. THE EU AS A MARITIME SECURITY ACTOR: CSDP AND BEYOND

Erik BRATTBERG, *Research Analyst, Swedish Institute of International Affairs, US*

The EU has adopted broad approach to peace and security, encompassing humanitarian and rescue tasks, peacekeeping and crisis management tasks. A part of this mandate is maritime security. While the EU has been working on issues related maritime security for a long time, it was not until the launch of *Operation Atalanta* in December 2008 that the CSDP instrument would explicitly address this issue in the form of a counter-piracy mission off the Horn of Africa. More recently, the EU has also launched

²⁴⁰ James Rogers (2009), *From Suez to Shanghai: the European Union and Eurasian maritime security*, EUISS Occasional Paper 77, March 2009.

²⁴¹ In addition, the increasing de-territorialization of global maritime flows introduces new potential chokepoints in the cyberspace as well as in the vulnerable interfaces between various domains. Maritime as well as air mobility flows of goods are increasingly connected with space infrastructure—e.g. satellite navigation—and with cyber domain—e.g. logistic chains and financial transactions.

another mission, *EUCAP Nestor*, to build regional maritime security capacities as a part of an overall regional comprehensive approach within the framework of the *Strategic Framework for the Horn of Africa*, which encompasses assistance to the Somalia security forces, development aid, humanitarian assistance and governance assistance. Given the importance of the global commons to European commerce, maritime security constitute an area where we are likely to see additional EU action over the years to come.

Strategic rhetoric concerning maritime security and CSDP

- **European Security Strategy:** While the 2003 European Security Strategy did only make a passing reference to maritime security, the 2008 implementation report on the ESS devoted more attention to the subject.
- **2010 EU Council conclusions on Maritime security strategy** on the need to develop a coherent Maritime Security Strategy.
- **2011 Strategic Framework for Horn of Africa**
- **2008 resolution of the European Parliament on piracy at sea**

The EU's approach to maritime security: three concrete examples

- **Containing piracy** (e.g. EUNAVFOR ATALANTA)
- **Building regional maritime security capacities:** (e.g. EUCAP NESTOR; flexible funding mechanisms such as Instrument for Stability, European Development Fund, etc.)
- **Integrated maritime surveillance** (e.g. EUROSUR)

Current policy trends

- **Comprehensive approach** (e.g. Strategic Framework for the Horn of Africa)
- **Innovative funding mechanisms** (e.g. Critical Maritime Routes Programme)
- **Focus on coordination** (e.g. Operations Centre for the Horn of Africa, Maritime Security Centre – Horn of Africa)

Filling the gap

Capabilities

- Consolidation of naval defence industrial base (e.g. EDA's pooling and sharing concept and NATO's smart defence as well as sub-regional initiatives such as British-France and Nordic-Baltic defence cooperation)
- EU naval assets: CSDP instrument as well as bilateral initiatives and joint forces (e.g. European Amphibious Initiative, European Carrier Group Interoperability Initiative, European Maritime Forces)
- The need to develop EU naval capabilities to serve future requirements (e.g. aviation assets, long-term deployability, surveillance, sea-to-land power projection, amphibious capacities and A2/AD response)
- S&T on issues such as Naval UAVs, Maritime Patrol Aircraft, Naval Logistics, etc.

Intra-institutional coordination

- Lisbon Treaty created both new opportunities and challenges to EU coordination. How well is the EEAS coordinating its activities with the Commission?
- What about EU cooperation with MS?

Inter-institutional coordination (e.g. EU-NATO)

- History of poor cooperation, stemming in part from their separate chains of commands, inadequate interoperability, and occasional turf wars
- The EU and NATO have made progress on coordinating their respective activities since 2008. For example, both organisations have chosen to co-locate their headquarters to Northwood, though separate military command staff. Another area where notable improvements have been made is information sharing.
- The establishment of the Shared Awareness and Deconfliction (SHADE) has also improved things further. However, operational and tactical coordination is hampered by the infrequency and structure of its meetings.
- Some other cooperation issues remain unresolved (e.g. C4ISR structures, etc.)
- Also need for cooperation/coordination with other international actors (e.g. US, China, Contact Group on Piracy off the Coast of Somalia, etc.)

Policy questions

- Should it be the EU's aim to become a global maritime actor?
- What kind of naval capabilities does the EU need for the future?
- What kind of relationship should the EU develop towards rising powers and the US?

3. AN EU MARITIME SECURITY STRATEGY? THE RATIONALE BEHIND THE CONSTITUTING ELEMENTS

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An EU Maritime Security Strategy²⁴²

In 2003, the Council of the European Union adopted the *European Security Strategy* (ESS), which identified the EU's strategic priorities in the post-Cold War era. The 2007 *Integrated Maritime Policy* (IMP) highlighted the crucial importance of the sea for the EU and draw attention to the maritime dimension of European security in general and maritime security and surveillance in particular. In 2010, the Council concluded on the need to develop a coherent Maritime Security Strategy (MSS), but since then there has been no tangible progress.

Why does the EU need a MSS?

- **Importance of the maritime dimension of European security:** The security of the EU is strongly linked to the sea: maritime power projection operations, security of energy supplies, counter-piracy, counter-terrorism, counter-immigration, counter-narcotics, fisheries and marine environment protection.
- **Efficiency:** Due to the complexity of the maritime dimension of the EU's security, the Union needs to improve operational effectiveness by adopting a coherent MSS that links the ESS with the IMP.
- **Power:** Developing a MSS is a way to achieve the EU's potential as a sea Power / global maritime actor. It would contribute to stress and support the EU's ambitions on the world stage.
- **Transparency:** The EU is an active maritime actor, which is not well known by the European Union citizens. The maritime dimension of the EU's security needs to be communicated to the public opinion / constituents through the establishment of a clear and transparent MSS.

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²⁴² This background paper has been prepared by Dr Basil Germond, from Lancaster University, in view of a presentation to the European Parliament on the 27th of November 2012. I am happy for this paper to be used by members of the European Parliament or EU civil servants in view of informing their decision-making, as long as I am kept informed (b.germond@lancaster.ac.uk).

What should be the four constituting elements of an EU MSS?

Definition of the maritime-related risks and threats

- Conflicts, crises and ‘instabilities’ in the periphery of Europe (or further away), requiring maritime power projection capabilities.
- Threats against the freedom of the seas and maritime trade including energy supplies (e.g. piracy at the Horn of Africa, littoral ‘rogue’ states).
- Terrorism at sea, e.g. hijacking of passenger ships, attacks against civilian or military vessels, ecological disasters using hijacked ships, means to infiltrate operatives or materials.
- Trafficking, e.g. smuggled goods, arms, drugs and people.
- Degradations of the marine environment, e.g. over-fishing, deliberate pollution, accidents and non-deliberate pollution.

Definition of the strategic objectives

- Engaging in maritime power and forces projection, e.g. sealift and amphibious operations.
- Securing / policing the seas against transnational threats and criminals (maritime security and surveillance).
- Protecting the seas (fisheries and marine environment protection).

Definition of the means at disposal

- EU’s budget (allocated to maritime security and maritime operations).
- Member states’ material contributions (e.g. force catalogue, ad hoc).
- EU’s cross-institutional structures (EEAS, EUMC, EUMS, specialized agencies).
- Collaboration with NATO (and other partners).
- Member states applying EU’s decisions and norms (e.g. port security, fishing rules).
- Member states using EU funding (e.g. EPN and counter-immigration at sea).

Definition of the theatres of operations (EU’s geopolitics)

- The wider Mediterranean area (West African coasts, Mediterranean Sea, Black Sea, Horn of Africa).
- The Arctic region (Arctic Ocean, Baltic Sea).
- Beyond (Atlantic and Caribbean, Indian Ocean).

Policy questions to be considered by MEPs

- Is it in their constituents’ interest to harmonise the EU’s security activities at sea?
- Is it in the member states’ interest to contribute to the development of the EU as a sea Power?
- How to make sure that the maritime dimension of the EU’s security is not neglected by decision-makers (at the EU and national levels)?

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