

The European Union Maritime Security Strategy: sailing uncharted waters?

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On 24 June 2014 the General Affairs Council of the European Union approved the “European Union Maritime Security Strategy” (EUMSS), following the mandate by EU Heads of State or Government in their ‘Defence Summit’ last December and building on the Joint Communication “For An Open and Secure Global Maritime Domain” by the European Commission and the High Representative for Foreign Affairs and Security Policy in early March. These documents come at a time of considerable transformations in ‘the world’s last global common’: the sea.

A maritime strategy for the ‘European peninsula’

Being the westernmost ‘peninsula’ of the Eurasian continent, Europe was historically exposed to both opportunities and risks at its maritime borders, which deeply influenced the rise and fall of Europe’s past powers, from Ancient Rome to the British Empire. Nowadays European societies and economies are well-immersed in a largely sea-based system of global interdependence: according to the Commission, 90% of the EU’s external trade and 40% of its internal trade is transported across seas. The seas’ contribution to Europe’s welfare is nonetheless affected by a fragile maritime security outlook, marked by a combination of often interrelated threats including piracy, maritime disputes, human and drug trafficking, terrorism, overexploitation of marine ecosystems and catastrophes at sea. Recent episodes like the Lampedusa tragedy off the Italian coasts, the rise of piracy in the Gulf of Guinea or the face-off between Chinese and Vietnamese ships in the South China Sea provide just a few examples of such diverse challenges.

Against this background, EU’s response followed a decade-long, incremental trend. While maritime piracy was first grasped as an emerging challenge by the 2003 European Security Strategy and its 2008 Implementation Report, some early attempts by the 2010 Spanish EU Presidency to promote a fully-fledged “Security Strategy for the global maritime domain” were resisted by other capitals, as well as the European Commission, due to the (too) narrow military scope of the exercise. A need was increasingly felt in several corners of the ‘EU house’ to combine the lessons learnt by some Common Security and Defence Policy (CSDP) operations and missions, like the 2008 EUNAVFOR Atalanta and the 2012 EUCAP Nestor, but also by European participation in NATO naval operations such as the 2009 Ocean Shield, with EU’s internal policy demarches and legislation like the 2007 Commission Communication on an Integrated Maritime Policy and the 2005 EU Directive on Enhancing Port Security, thereby crafting an all-encompassing Strategy. This widespread belief was partially echoed by the 2012 Limassol Declaration and later endorsed by the December EU Summit. The opportunity was finally seized by the current Greek EU Presidency to lead the intergovernmental negotiations on the EUMSS via the ‘Friends of the Presidency’ Group, on the basis of the March Communication, and with a strong involvement by the Commission and the European External Action Service (EEAS).

Definition, interests, risks and principles: setting the ‘polar stars’ of the EUMSS

Concretely, the Strategy starts by setting some ‘polar stars’ for its practical deliverables. It first describes maritime security as a ‘state of affairs’ marked by law enforcement, freedom of navigation and protection of sea-related activities, assets and resources, thus opting for a ‘policy-actionable’ rather than a legalistic definition. It then spells out EU’s interests, namely territorial security, international maritime cooperation and peace, protection of critical maritime infrastructure, freedom of navigation, protection of economic interests at sea, common situational awareness, effective management of EU’s maritime areas and external borders, and environmental security.

The EUMSS then provides a catalogue of major maritime threats, including: use of force and external aggression against Member State rights, jurisdictions, citizens and interests; cross-border and organised crime such as pirates and smugglers of migrants, arms and drugs; sea-connected terrorism and other asymmetric challenges like cyber-crimes; proliferation of weapons of mass destruction; threats to free navigation like obstruction of sea lanes; environmental risks, disasters, extreme events and climate change; and illegal archaeological activities at sea.

Furthermore, the Strategy defines four guiding principles to address maritime security challenges: a *cross-sectoral approach* linking national civilian and military players – e.g. coast guards, navies, law enforcement and intelligence agencies – to EU bodies and the industry; *functional integrity* via a ‘bureaucracy-free’ approach capitalising on existing European structures, regulations and funding; *respect for rules and principles* of sea governance, with a strong emphasis on the dispute-settlement provisions of the 1982 UN Convention on the Law of the Sea (UNCLOS); and *maritime multilateralism* as the guiding principle of EU’s engagement with international partners and organisations.

'Strategising' maritime interdependence: internal and external aspects of the EUMSS

The EUMSS ambitiously aims to 'strategise' the assumption of 'maritime interdependence' via concrete actions in five main areas of implementation. On *external action*, the EUMSS commits to a coordinated, comprehensive and visible EU approach, increasing coherence between European instruments and actors, mainstreaming maritime security in EU foreign policy, promoting UNCLOS worldwide and carrying out capacity-building in maritime governance, rule of law, transport security, border management and fight against illegal fishing, where the EU has developed *niche* expertise especially in Africa and the wider Indian Ocean. The Strategy also tackles *maritime awareness, surveillance and information sharing* by attempting to break a dangerous 'silo approach' among around 400 civilian and military surveillance authorities in Europe. These include through: cross-sectoral coordination and interoperability; cross-border surveillance cooperation and information exchange; consistency between EU's internal approach and CSDP operations; and development of the Common Information Sharing Environment (CISE), a Commission-supported programme for cost-saving European interoperability. In *capability development*, the EUMSS insists on promoting 'pooling and sharing' exercises, identifying and developing dual-use and multi-purpose capabilities for future missions based on stronger civilian-military synergies and EU-NATO coordination, and promoting greater dialogue among Europe's sectoral *fora*.

Further recommendations are also made by the Strategy on *risk management, protection of critical infrastructure and crisis response*, with the accent being put on developing EU-wide common risk analysis and cooperation-based adaptive actions, as well as on *research, innovation, education and training*, where the EUMSS calls *inter alia* for common Maritime Training Modules, a clearer vision for the future European civil-military research agenda, and private-public partnerships.

Reversing 'Mahan's prophecy': towards a brand-new 'sea power' for the EU?

Overall, the EUMSS represents an encouraging development in EU's often stagnating security debate. Admittedly, the Strategy remains diplomatically discreet on sensitive issues such as the unsolved maritime disputes in Eastern Mediterranean involving EU Members such as Cyprus and Greece and key neighbours like Turkey and Israel. It also treats the geographic prioritisation of EU's maritime external borders carefully, due to rather diverging views such as between Europe's northern and southern capitals. Again, it tackles EU's autonomous military ambitions at sea cautiously, with some innovative options tabled by the March Communication, such as more regular 'EU-flagged' exercises with third countries or EU-owned dual-use assets, either being watered down or simply ruled out.

Nevertheless, the Strategy manages to strike a very delicate balance between short-term and long-term priorities, combining the interests of coastal and non-coastal, as well as NATO and non-NATO Member States, bringing together the internal and external dimensions, as well as the civilian and military components of European maritime security. This makes the Strategy an ideal 'litmus test' for the very idea of EU's 'policy comprehensiveness' permeating the Lisbon Treaty, but it also entails that its conceivable impacts will require (at least) one decade to be fully assessed. Albeit being perhaps too specific to provide a proper 'building block' for the expected 'strategic debate' among EU leaders on global challenges and opportunities in late 2015, the EUMSS still provides a useful 'prism' through which Europeans can reflect together on several sea-related, yet wider foreign policy issues. These could be comprised of: the level of ambition of EU relations with maritime neighbours or Asia's naval powers; political dialogue and operational coordination with NATO; intra-European cohesion in key multilateral *fora* such as the UN; and cooperation with emerging regional organisations involved in maritime security, like ASEAN and the African Union.

The nature and policy implications of maritime security have significantly evolved in the past few decades. In *The Influence of Sea Power upon History*, US Rear Admiral Alfred Thayer Mahan confidently stated, back in 1890, that "The history of sea power is largely [...] a narrative of contests between nations, of mutual rivalries, of violence frequently culminating in war". Yet, today's global maritime outlook is marked by such a material interdependence that widespread man-made or natural disruptions to secure and open seas can generate a ruinous 'tragedy of the commons'. By further developing its EUMSS, the EU might help reversing Mahan's bitter but well-grounded prophecy, and turn its common maritime interests into shared and global security responsibilities.

Sailing the uncharted waters conducive to a brand-new and distinctively European 'sea power', promoting maritime governance through internal integration and external cooperation, will nonetheless demand sound ambitions and tangible endeavours. Future tests, to be tackled despite the Strategy's 'austerity mood', include: consolidating a trust-based culture of intra-European security cooperation across the whole maritime spectrum while overcoming national or sector resistance; making fuller use of available political, security and development tools to shape a pro-active 'EU maritime diplomacy' *vis-à-vis* third countries and organisations; developing innovative and cross-domain civilian and military capabilities via collaborative European programmes and a cutting-edge industrial base; and exploiting the EUMSS as a public diplomacy tool to raise citizens' awareness of EU's role in security and defence. The EUMSS' Action Plan, to be delivered by the end of this year under the auspices of the forthcoming Italian EU Presidency, ought then to provide the next 'port of call' of a much longer journey.

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