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The development of a European naval strategy

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Introduction

"Europe's geography [...] has always been one of the primary reasons for Europe's special relationship with the oceans. From the earliest times, the oceans have played a leading role in the development of European culture, identity and history"[1]. The oceans play a central role in European past, present and future. What is the current naval strategy of the EU and what are its capacities? The following paper first lines out the naval strategy of Europe and the evolution of this strategy since the treaty of Amsterdam. The second part is an analysis of two European naval missions EUNAVFOR Somalia (Operation Atalanta) and EUNAVFOR Med Sophia (Operation Sophia). The analysis points out the relevance of those missions for Europe and compares their execution with the theoretical expectations from naval strategy policy papers of the EU. The EU naval strategy offers a unique approach towards the handling of crisis situation with all possible tools of politics.

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[1] Integrated Maritime Policy (2007)

I.   European maritime security in policy papers

The first chapter lines out the history of naval security strategy in the European Union's security papers and describes the guiding principles of European Naval Security Policy. In that regard, the focus was put on three key events for EU Naval Security. First, the analysis of the beginning of the Common Security and Defence Policy in Europe and the Helsinki Headline Goals. Second, the Green Paper on an Integrated Maritime Policy from 2007. And finally, a detailed look on the European Maritime Security Strategy of 2014.

a.   Amsterdam and Helsinki - The birthplaces of European Security Strategy.

The beginning of European Naval Security Policy can be considered as the start of European security policy *in toto*. In the treaty of Amsterdam, the European Commission (EC) "resolved to implement a common foreign and security policy including the progressive framing of a common defence policy, which might lead to a common defence […]"[2]. The later called Common Security and Defence Policy (CSDP) promoted peace, security and progress. The general idea of the CSDP was to establish consistency in European security policy among member states, which is needed to safeguard European interests in accordance with international institutions and law[3].

The abstract idea of a CSDP was detailed in the Helsinki Headline Goals in the year 2002. They include the basic idea of creating pools of national equipment which the EU could draw from, if an EU mission takes place. While still not explicitly mentioning naval security, the Forces Catalogue listed the naval forces each member state was obliged to provide in times of need. The maritime assets listed in the Catalogue were composed of at least 3 aircraft carriers, 3 destroyers, 12 Frigates, multiple smaller units and submarines as well as naval headquarters and a Unit of Marines[4].

Going a bit further, in the treaty of Nice, the 'Petersberg tasks' defined humanitarian, rescue and peacekeeping additional tasks to the CSDP. The 'Petersberg tasks' were written with regards to the NATO, in order not to create redundancy. This is why the 'Petersberg tasks' have limited European security policy to issues with other matters than self-territorial defense. In this

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[2] Treaty of Amsterdam (1997): 7
[3] Treaty of Amsterdam (1997): 8-10
[4] Schmitt in: Gnesotto (2004): 104-108

document, it is also stated that combat forces are allowed in crisis management, including peace-making operations[5].

To summarize, in the early stages of European naval security policy, the EU started with a list of naval capabilities and some very high principles, but no concrete naval strategy was pointed out at that time.

b. Sea matters- The Integrated Maritime Policy as first document for Naval Europe

With the Integrated Maritime Policy from 2007, the EU created the first branch covering naval strategy. The Integrated Maritime Policy is a holistic approach towards naval policy, although its focus lies mainly on civilian and environmental topics. The part "Adapting Coastal Risks: Security and Safety" formulates the naval core risks that the European Union is facing. Besides environmental and pollution risks, the green paper mentions also "human risks" such as criminal sea activities or terrorism[6]. In this regard, the EU would need an effective sea surveillance and intelligence sharing on international level and "How can shores and coastal waters be better policed to prevent human threats?"[7].

The paper also stresses that naval security is strongly intertwined with security on land (and on prosperity). The Integrated Maritime Policy can be read as a paper focussing mainly on internal threats in the EU. Although naval security does not play a major role, the EU identified specific naval security challenges for the future. What makes this document significant is the fact, that it is the first strategy paper focusing on a more concrete naval policy.

c. Integrated and advanced- The European Maritime Security Strategy

In 2014, the EU introduced the European Maritime Security Strategy (EUMSS). The EUMSS was not only the first naval security strategy of Europe, but also: "the most comprehensive and integrated EU strategy to date"[8]. The goal of the strategy was to fit existing policies and papers on the European and international level into one document. Therefore, the EUMSS was created in coherence with the Integrated Maritime Policy[9]. Geographically, the EU focuses on near seas

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[5] Schmitt in: Gnesotto (2004): 90
[6] Integrated Maritime Policy (2007)
[7] Integrated Maritime Policy (2007)
[8] Landman (2015): 2
[9] EUMSS (2014): 2-3

and oceans like the Atlantic Ocean, the Baltic Sea, the North Sea, the Arctic Sea and, most importantly, the Mediterranean[10] . Strategic goals of the EU are to ensure naval law enforcement as well as freedom of navigation and freedom of goods transfer[11]. The EUMSS is constructed as a branch covering approach that ensures maximum sovereignty of the member states without creating new costs or policies. The goal is to merge existing approaches of different departments and institutions (such as the UNO or the NATO) thereby making the Naval Strategy more efficient[12] . To fulfil the goals of the EUMSS, the European Commission agreed on five principles, which can be considered as the main parts of an action plan for the EUMSS.

1. **'External action'**: The idea is to combine military, political, economic and development cooperation approaches to crisis management. The European Commission promotes the strength of the EU in its variety of tools for external action. [13].

2. The second principle is **'maritime awareness, surveillance and information sharing'**. The EUMSS stresses that the sharing of information between member states is of mutual importance[14] .

3. The third principle is **'capability development'**: The importance of research on dual use of technology is emphasised at this point. Another goal is to standardise and certificate naval security technology to ensure coherence between the member states[15].

4. As a fourth principle, the EUMSS marks it important to develop mechanisms **of 'risk management, protection of critical infrastructure and crisis response'**.[16] .

5. The last principle is '**maritime security, research and innovation, education and training'**. Dual use of technology is here again the focus[17]. It opens the possibility of funding from civilian organisations and creates the possibility of pooling and sharing materials between military and civilian actors. For instance, the Coast Guard has been able to reduce its overall cost thanks to this principle[18].

All in all, the EUMSS offers a cross sectional approach which is embedded in multilateralism. The use of all tools and material ranging from development aid to a hardened peace-making force shows the idea of a network approach based on the principles of the international law.

[10] EUMSS (2014): 4
[11] EUMSS (2014): 3
[12] EUMSS (2014): 4
[13] EUMSS (2016): 9-10
[14] EUMSS (2016): 12
[15] EUMSS (2016): 12
[16] EUMSS (2014): 13-14
[17] EUMSS (2014): 14
[18] Landman (2015): 5

d. Development of strategy

Since the Helsinki European Council meeting in 1999, 15 years were necessary to carve out a naval strategy. After the start of the CSDP around the year 2000, the EU was able to state its Maritime Assets. The Integrated Maritime Policy of 2007 marked a turning point in the EU's attitude towards Naval Policy in general. With the Integrated Maritime Policy, the ocean came to the attention of the EC, which stated in the beginning of the strategy paper: "Europe's geography, therefore, has always been one of the primary reasons for Europe's special relationship with the oceans. From the earliest times, the oceans have played a leading role in the development of European culture, identity and history" [19]. After this statement, it was a logical consequence to issue a European Naval Strategy. This happened with the EUMSS in 2014. The EUMSS is the operating strategic document for maritime policy in the EU. In the year 2018, the EUMSS was revised but with no significant changes. The most important change was to reduce the number of actions and make them more concrete. This happened by dividing them into 'horizontal issues' mentioned in the EUMSS from 2014 and in 'regional and global maritime affairs' which describes a detailed plan of action for certain regions. These regions now also include seas beyond the neighbourhood of Europe, namely the Indian Ocean and the Pacific[20]. Over the course of time, one can note a significant professionalisation of the EU's stance towards naval security culminating in the EUMSS. Step by step, the principles detailed out and went from the general idea of common security policy to concrete plans, actions and principles in Europe's neighbouring seas and beyond them. This shows the increasing importance for Maritime Security in the EU.

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[19] Integrated Maritime Policy (2007)
[20] Council conclusions on the revision of the European Union Maritime Security Strategy (EUMSS) Action Plan (26 June 2018): 10-29

II.   Naval operations in the frame of the European Policy

The aim of this chapter is to understand the fulfilment of the principles of Europe's Naval Strategy within the two missions Atalanta and EUNAVFOR Med (operation Sophia).This, to show the relevance of the two missions respectively.

a.   Operation Atalanta- The EU at the Gulf of Aden

There are three main aspects concerning the relevance of the Operation Atalanta. First, the operational history. Second, its relevance and what the mission had as unique selling point. Third, its accordance with EU strategy papers existing at that time.

Operational history

The operation was the first EU's naval operation and started in December 2008 with a mandate to protect vessels from the World Food Program and deter pirates[21]. Piracy always existed in that region due to the high influx of commercial vessels all wanting to pass the Suez Canal. Piracy around the Horn of Africa became a grand scale problem in the mid of the 2000s. Especially problematic was the robbing of food from the international community. The food was distributed by the UN to tackle a serious hunger crisis in the country[22]. The UN Security Council (UNSC) issued Resolution 1772 to inhibit pirates' attacks[23]. European nations, especially France, were eager to conduct a sea campaign in the area and participated in the NATO mission 'Enduring Freedom'[24]. Several domestic issues led the member states to start the planning process for an EU mission around the Horn of Africa. The first step was the establishment of a coordination cell to organise and communicate on member states existing actions in the area[25]. After a long planning procedure, the operation Atalanta took shape. The mandate intended to have 3 ships in the area for the protection of the Food Vessels and protection of trade routes. The distribution of forces showed that the focus was the protection of trade routes[26]. Together

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[21] Novaky (2018): 132
[22] Novaky (2018a): 134
[23] Novaky (2018a): 135
[24] Novaky (2018a): 137-139
[25] Novaky (2018a): 142
[26] Novaky (2018a): 148f

with the mission on sea, various EU efforts have operated on land and stabilised Somalia according with UN Security Council UNSC Res 251/2008 „Among all CSDP operations, Atalanta is the one that most clearly reflects EU security concerns" [27]. The mission's headquarters were in Great Britain first. But due to the Brexit, the headquarters moved to Spain[28] . The mission is still ongoing.

Relevance

Before ATALANTA, a NATO mission 'Ocean Shield' was already in place. For the EU, the mission was relevant in order to reinforce its strength and to offer a new structure bringing solutions to unsolved NATO issues. Besides various reasons for single member states to engage in an EU led operation, the EU gained international prestige from the operation. The coordination with various international players active in the region (China, Japan, India, USA) gained the EU reputation as international security actor[29]. Non-EU Members states like Norway, Montenegro, Serbia, Ukraine and New Zealand also supported the Operation with Norway, Ukraine and New Zealand even contributing with warships[30]. The joining of Non-EU members further increased the legitimacy and functionality of a self-sufficient EU mission. Another important aspect to mention is the functionality of the operation Atalanta. Atalanta is often rendered superfluous as a NATO operation was already going on when the mission started. A combination of the activities in a Berlin plus format was, at that time, not possible due to a Veto from Turkey. The reason for that is, that Turkey was always suspicious of NATO-EU cooperation[31]. Still, EU and NATO had deepened coordination efforts on political, operational and even tactical level to reduce friction without alienating Turkey [31]. The success of the mission proves the legitimacy of the creation of a separate European mission. The mission was successful in reducing pirate attacks[32]. Nevertheless, according to some scholars, the presence of other missions at the same time in the regions skews the exact success of operation Atalanta. It was mostly the community effort of all operations that significantly reduced piracy at the Gulf of Aden[33]. The most important argument for the relevance of the mission Atalanta is that the EU was able to play around its strengths and create synergies with other missions. Through its diplomatic power, the European Union was able to create a strong legal framework by arranging transfer agreements for captured pirates[34]. The integrated approach of the EU included land activities

[27] Novaky (2018a): 132 (Bedrud (2008): 165)
[28] Larsen (2019b): 14
[29] Novaky (2018a): 150
[30] Bedrud (2018): 166
[31] Novaky (2018a): 147
[32] Bedrud (2018): 166
[33] Seidler (2014) in: Jopp (Hgg.): 109
[34] Larsen (2019a): 28-30

like building up of local courts and Armed Forces to ensure jurisdictional standards in Somalia[35]. This was part of a holistic plan to ensure so called 'legal finish' of the captured pirates. 'Legal finish' means to put captured pirates in front of a court and giving them a trial[36]. In that regard, the EU proved useful with its diplomatic leverage as a federation of states. To conclude, the mission Atalanta was not reluctant towards the operation 'Ocean Shield', but rather a complementary mission with different aims and different political tools in action.

Accordance with policy papers

Knowing the operational history and the relevance of the mission, a last question arises: how do naval strategy papers frame the mission? "Among all CSDP operations, Atalanta is the one that most clearly reflects EU security concerns"[37]. The mission was in line with the principle of more activeness from the European Security Strategy from 2003. In the paper, the EU obliges itself to be "More active in pursuing our strategic objectives. This applies to the full spectrum of instruments for crisis management [...]" [38]. The principles of coherence are fulfilled by using all policy tools as well as the principle of working with partners[39]. The Progress report about the ESS from 2008 mentioned piracy as concern in the area of organized crime and positively mentioned Atalanta as active engagement against that threat[40]. The Integrated Maritime Policy is said to have an influence on the launch of the operation in the first place. The IMP first mentioned the idea of protecting maritime trade that inspired operation Atalanta [41]. Through an integrated approach, the Atalanta mission was complemented by capacity building, development aid and political consultation[42]. This again reflects the holistic strategy of the EU.

b. Operation Sophia- Protecting Europe's soft underbelly

In this chapter, as for Operation Atalanta, we will first point out the operational history of EUNAVFOR MED Sophia, and second, evaluate its relevance as an operation. As a third point, we will compare the operation with existing policy papers of the EU. The EUMSS, which was introduced 2014, is of special interest to see if it made any difference regarding the operation.

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[35] Larsen (2019b): 17
[36] Larsen (2019b): 16f.
[37] Novaky (2018a): 132
[38] ESS (2003): 13
[39] ESS (2003): 15f.
[40] ESS Progress Report (2008): 8
[41] Novaky (2018a): 144
[42] Fontaine (2019): 107

Operational history

Operation Sophia started in 2015 and was a military mission of the EU to counter illegal trafficking of migrants and monitor smuggling networks in the Mediterranean Sea[43]. An increase of migration through the Mediterranean Sea occurred in 2013. After a failed attempt to launch a CSDP mission, Italy started a domestic Italian operation called 'Mare Nostrum' to tackle illegal migration. As Mare Nostrum was domestically unpopular and expensive for Italy, Frontex issued mission Triton. The Frontex mission had a limited mandate and a smaller budget though [44]. The sinking of a boat in April 2015 with nearly 700 passengers dead sparked a military reaction from the EU. Council decision 2015/778 approved a military crisis management operation to disrupt human trafficking. Due to the urgency, the operation was started just one month later as operation EUNAVFOR MED[45]. The operation was renamed EUNAVOR MED Sophia after a baby born at a ship which rescued her mother[45]. Due to the operation being time critical, it was planned to be implemented in four different phases. The first phase included detection and monitoring of smuggling networks. The second phase conducted boarding and search of vessels in international waters. The third phase should conduct all necessary non-lethal measures against smugglers. This included the seizure and destruction of smugglers vessels in Libyan territorial waters (given that Libya gave its permission)[46]. Phase four was the withdrawal and conclusion of the mission[47]. However, the operation never got past phase two. There was lack of a strong unitary Libyan government, which could give the EU the permission for entering their territorial waters. The aspect of the 'legal finish' (also mentioned in the Atalanta chapter) remained a (theoretical) problem for human traffickers captured in Libyan territorial waters[48]. As the operation had limited effectiveness in international waters, the mandate was changed in 2016. The new mandate included capacity building for the Libyan Navy/Coast Guard and the mandate to help with the implementation of the Arms Embargo issued by UN SC Res 2292 (2016) and 2357 (2017). Another change of mandate in 2017 included surveillance activities of illegal resource trafficking from Libya[48]. The Framework nation of operation Sophia was Italy and the operation was conducted from an Italian headquarter in Rome[49]. The operation was replaced by Operation IRINI in March 2020, which shifted the focus from human rescue and capture of smugglers to the enforcement of the arms embargo against Libya.

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[43] Bedrud (2018): 167
[44] Novaky (2018b): 201
[45] Pricopi (2016): 123
[46] Bedrud (2018): 167
[47] Novaky (2018b): 205
[48] Tardy (2017): 2
[49] Bedrud (2018): 205

Relevance

Operation Sophia was flanked by the NATO operation 'Sea Guardian' which completed the operating region by tracking and disrupting human trafficking in the Aegean Sea. The mission was considered a support mission for operation Sophia offering logistical and intelligence support for the EU mission[50]. Despite various legitimate criticisms, the operation was successful. First and foremost, Sophia was able to save more than 40.000 lives at sea in two years of existence[51]. A great number of 25 member states participating in the mission showed European solidarity as a security actor[52]. The mission benefited from the experiences of operation ATALANTA and relied heavily on its lessons[53]. For example, the EU established a forum called SHADE-Med where actors impacted by the mission and by migration in the Mediterranean Sea could de-escalate conflicts, share awareness and coordinate activities[54] . However, the mission was also criticised: It is difficult to measure whether the mission helped in reducing migration flows towards Europe[54]. Besides humanitarian efforts, the migration through the Mediterranean Sea still has a high death toll[54]. Other main points of criticism were that the mission can be considered a 'pull factor' for some experts and that the core of the problem, the weakness of the Libyan state, is not tackled enough in the mission[55]. One cannot forget, however, that the EU has low experience in the field of maritime operations and was still able to respond to a threat with a rather effective and ambitious mandate and a broad range of policy tools[56].

Accordance with policy papers

As a last part of the chapter, we will argue that operation Sophia shows accordance not only with the EU policy papers but especially with the EUMSS from 2014. The target of the mission was to tackle human trafficking. The European Security Strategy from 2003 identified organised crime as a key threat to the security of the European Union. Illegal immigration and human trafficking are part of that. Not only because human trafficking belongs to organised crime, but also because illegal immigration "accounts for a large part of the activities of criminal gangs"[57]. The ESS report put organized crime (which explicitly included human trafficking) as the highest

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[50] Larsen (2019a): 20
[51] Tardy (2017): 3
[52] Bedrud (2018): 173
[53] Novaky (2018b): 200-203
[54] Tardy (2017): 3
[55] Pricopi (2016): 124
[56] Larsen (2019b): 26
[57] Novaky (2018b): 139

security priority for the EU together with terrorism[58]. From the ESS, one can see that the issue was even a topic in early, non-naval security strategy papers of the EU. Even if the mission became humanitarian 'by accident' because of the necessity to help shipwrecked people, the effort the EU put into the sea rescue of migrants shows the value based policy approach the EU stresses in all its strategy papers[59]. The EUMSS as first naval security strategy of the EU is even more specific concerning organized crimes. The EUMSS listed organized crime as key threat to the European maritime security[58]. The original mandate of the operation was unusual for an operation under the CSDP: "The text of the decision shows a relevant degree of willingness and determination in using force [...] which was new in comparison with other military operations under the umbrella of the CSDP"[60]. Some scholars see a militarisation of the CSDP in that. It is, however, in line with the EUMSS in which the EU stresses its role as a global strategic security actor with increased responsibilities[61]. Sophia was a multilateral operation which was always compliant to the UN Law of the Sea (UNCLOS) and UN Security Council decisions and in exchange with the concerned state [62]. This happened in accordance with the principle of 'respect for rules and principles' as well as 'Maritime multilateralism' in the EUMSS[63]. The operation blurred the lines between internal and external security as it was a border patrol operation which was conducted by military personnel and warships[64]. This mixture of internal and external security is also brought together in the EUMSS as the EUMSS "[...] covers both the internal and external aspects of the Union's maritime security"[65].

Given that fact and the idea of a cross section maritime approach mentioned in III a) of the EUMSS document, it is rather expectable, that operation Sophia was conducted as a mixture of internal and external security affairs given the policy papers. In fact, the EUMSS was a blueprint for operations like Sophia. With its integration into the existing policy papers, Sophia can be without doubt a positive example for the future naval missions of the EU.

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[58] Novaky (2018b): 199
[59] Tardy (2017): 3
[60] Bedrud (2018): 167
[61] EUMSS (2014): 8
[62] Bedrud (2018): 167
[63] EUMSS (2014): 5
[64] Larsen (2019a): 20
[65] EUMSS (2014): 2

III.   The future of Maritime Security Policy in Europe

This paper lined out naval policy papers as well as the two naval missions, its characteristics and its accordance with the aforementioned policy papers. The missions EUNAVFOR Somalia and EUNAVFOR Med Sophia were humanitarian/rescue missions and crisis response missions. "Both [missions] fall short of war-fighting or openly coercive operations, something in common with the rest of the CSDP operations until now"[66]. Nevertheless, it could be highlighted that the EU has broad all branches covering political response towards that kind of missions which makes the EU's effort unique and helpful in that regard. Operation Sophia and its more robust and coercive mandate in the beginning shows that the EU tries to establish itself as a security provider who is also able to be effective in hard and robust security topics. A future task of the EU is to further integrate its maritime forces to make defence (rather than security) operations possible. An inspiration for a procedure can be taken from the EU Battlegroups. A standing European maritime force on "Sea matters"[67] deterring a certain threat could make quick reaction operations with a robust mandate more possible. An interesting cooperation is the European Maritime Force (EUROMAFOR), a cooperation between France, Italy, Spain and Portugal (and not an EU institution). The non-standing forces can be used for EU missions, NATO missions and UN missions with the permission of the four cooperating states. The EU could (with permission of the countries) use this cooperation and existing coordination cells, and enlarges it to a standing European maritime force. The future of the EU is maritime: "Sea matters. The Sea is a valuable source of growth and prosperity for the European Union and its citizens. The EU depends on open, protected and secure seas and oceans for economic development, free trade, transport, energy security, tourism and good status of the marine environment." [68](). Therefore, much of the future of the EU will depend on its reaction towards naval threats. The cornerstone of the policy papers is already given, now it is time for the EU as a whole and every member state, to shape the future of standing European maritime forces.

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[66] Bedrud (2018): 172
[67] EUMSS (2014): p. 1 preamble
[68] EUMSS (2014): 1

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