



## **The Maritime Dimension of the European Union's and Germany's Security and Defence Policy in the 21<sup>st</sup> Century**

### **Maritime Security of the European Union (MAREU)**

**Prof. Dr. Carlo Masala and Konstantinos Tsetsos, M.A.**

**May 2013**

#### **Executive Summary**

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This study focuses on the centres of gravity and goals of a future maritime security policy of Germany and the European Union (EU) for the 21<sup>st</sup> century. Prepared under the working title MAREU (Maritime Security of the European Union) the project concentrates on the EU's maritime security environment. The strategic dimension of security related developments at the European periphery, Germany's and the EU's maritime and energy security represent the central political and societal research objectives of the MAREU project.

This study addresses economic developments, legal and illegal migration as well as existing maritime security measures of international organisations. The Mediterranean, Baltic Sea, Gulf of Guinea and South China Sea are the study's geographical focus. The project discusses the necessary framework for a German and European maritime security strategy by anticipating potential future security threats and an analysis of existing national and international strategies and measures. In its conclusion the study outlines the required future capabilities of the Bundeswehr and offers guidelines, recommendations and reform proposals in order to enhance the future coordination of German and European maritime security cooperation.

#### **About ISPSW**

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## Remarks

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Opinions expressed in this contribution are those of the authors.

An excerpt of this publication was published in the current issues section of the Frankfurter Allgemeine Zeitung on April, 4th 2013. The article is available under the following link: <http://www.faz.net/aktuell/politik/die-gegenwart/sicherheitspolitik-kein-land-in-sicht-12133854.html>.

In preparing this study and publication the authors were supported by vice admiral (ret.) Lutz Feldt and vice admiral (ret.) Hans-Joachim Stricker.

This study has been founded by the German Maritime Institute. The German Maritime Institute was founded in 1973. It is a network concentrating on maritime thinking and acting. Members of the Navy officers union recognized the need to promote maritime issues of German policy, especially those concerning national, foreign and international security as well as economic policy, in order to increase German public awareness about the importance of maritime affairs.

## About the Authors

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**Prof. Dr. Carlo Masala** is professor of international relations at the Universität der Bundeswehr Munich, Neubiberg and editor of the Zeitschrift für Internationale Beziehungen (ZIB).



*Prof. Dr. Carlo Masala*



**Konstantinos Tsetsos, M.A.** is research associate at the institute for political science at the Universität der Bundeswehr Munich, Neubiberg.



*Konstantinos Tsetsos, M.A.*

#### About the Translators

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**Sarah Lohmann, M.A.** is research associate at the institute for political science at the Universität der Bundeswehr Munich, Neubiberg and was formerly presse relations officer of the U.S. State Department.



*Sarah Lohmann, M.A.*

**Konstantinos Tsetsos, M.A.** (see above)



## ANALYSIS

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### I Introduction

Germany is as a highly industrialized, export-focused nation which is dependent on imports of raw materials. The competitiveness of Germany's national economy depends on secure sea lines of communication (SLOC), stable political situation open access to resource markets as well as reliable commodity transport routes. Next to the protection of SLOCs and international harbours, the safe passage through global maritime chokepoints is essential. In the 21<sup>st</sup> century, the maritime domain will gain additional strategic importance. Even today statistical data supports this: 70% of earth is covered with water; 80% of the global population live in coastal areas (up to 100 miles from the waterline); 90% of global trade is sea borne with 75% of it passing through maritime chokepoints.

The chokepoints of global maritime trade are: Malacca Straits, Suez channel, Straits of Hormuz, the Bab el-Mandeb passage, Panama Channel, the German Bight, Strait of Gibraltar and the English Channel. The maritime domain comprises transport and trade routes, maritime chokepoints, population centres near the coast, critical infrastructure such as pipelines, wind parks and oil and gas platforms as well as maritime natural resources and telecommunication and internet hubs.<sup>1</sup> Therefore the maritime domain plays an important geographical, security-political, economic and cultural role for the European Union (EU). Even if the past enlargement suggests that the EU's centre of gravity has shifted further towards the continent its geopolitical strategy remains focused on the maritime domain (Germond 2011: 564). The EU enlargement has indeed led to a refocusing away from the Atlantic Ocean towards the Mediterranean, Baltic Sea, Black Sea and the Caspian Sea (Suarez de Vivero/Rodriguez Mateos 2006).

The EU has a coastline of approximately 89.000 km and an exclusive economic zone (EEZ)<sup>2</sup> of about 25 million km<sup>2</sup> (including overseas territories).<sup>3</sup> 90% of the EU's external trade and 40% of its internal trade are sea borne, while 80% of the European oil and gas reserves are located in the North Sea, the Mediterranean and the Adriatic. Therefore the European Union is a *global maritime player*.

The following study focuses on the centres of gravity and goals of a future maritime security policy of Germany and the EU for the 21<sup>st</sup> century. First, core terms will be defined and the current maritime security environment in the Mediterranean, West Africa, Baltic Sea and South China Sea discussed by analysing potential future challenges. These include interstate and regional conflicts, piracy and maritime terrorism, SLOC and maritime economy, environmental and energy security, migration and organized crime. Second, selected national, European and international documents, guidelines and treaties will be examined and the security-policy and strategic framework for a German and European Maritime Security Strategy (EMSS) discussed. On the basis of national and international measures of maritime security which have already been implemented, the study outlines possible characteristics of a German and a European maritime security strategy and makes recommendations for security-policy.

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<sup>1</sup> Art. 2: Alliance Maritime Strategy. 18.3.2011. Online: [http://www.nato.int/cps/en/SID-41426331-6494A785/natolive/official\\_texts\\_75615.htm](http://www.nato.int/cps/en/SID-41426331-6494A785/natolive/official_texts_75615.htm) [Accessed: 1.08.2012].

<sup>2</sup> An exclusive economic zone (of 200km) according to the United Nations Convention on the Law of the Sea – UNCLOS Part V – Art.55-60. Online: <http://www.admin.ch/ch/d/as/2009/3209.pdf> [Accessed: 1.08.2012].

<sup>3</sup> Appendix 1:EEZ EU.



### **Definition of core terms**

In light of the complexity of core definitions (threat, risk, vulnerability, danger and security) a short introduction is necessary. **Threats, risks, vulnerabilities and danger** force states to employ measures that increase the security of its citizens but also serve national and alliance interests.

**Threat:** According to the analytical triad (actor, intention and means) a **threat** describes a situation in which it is fairly clear, who a threatening actor is and what his intentions and means are.

**Risk:** In contrast to threat, **risk** describes a situation in which an actor's intentions and means are less clear (Daase 2002). **Action-oriented risks** are analysed *ex ante* in respect to their ambivalent character (win or loss). The temporal dimension enables decisions to be made in time. Thus action-oriented risks are **speculative risks**. Even with a higher degree of uncertainty than threats, speculative risks can become manageable by social rationalisation strategies and their probability of occurrence calculated. In contrast, **system-perspective risks** are analysed after a risk-entailing decision has been made and are therefore **pure risks** (Bonß 1995: 30-31). The reduction of the definition of risk to "a threatening risk of loss that is product of the amount of damage and the probability of damage" (Bonß 1995: 32) is too narrow because system-perspective risks depend on the decision of the concerned party.

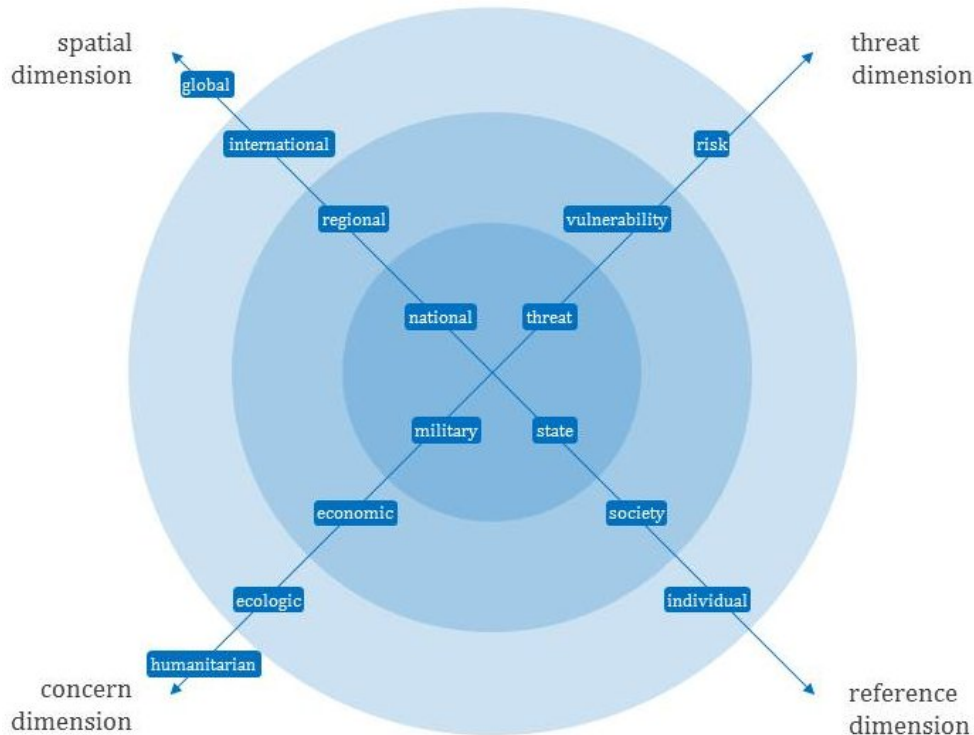
**Vulnerability:** In a globalized environment, which is shaped by political, economic, social and ecological interdependence, pure military threats lose significance. Interdependence can lead to a state of dependence (sensible **vulnerability**) that threatens the security of states. "The effect of increasing interdependence shows, that state security is less endangered by military threats but more by economic vulnerabilities" (Daase 2010: 16). Therefore, states attempt to reduce a one-sided state of dependence and to avoid asymmetric interdependence (e.g. with raw-material supplies) in order to increase the protection of their citizens.

**Danger: Dangers** are distinct from threats and risks due to their diffusive nature. The analytical triad of actor, intention and means is not applicable, because dangers are mostly natural damage potentials. Historically, the transition of diffuse dangers into manageable risks is an essential attribute of modern societies (Bonß 1995: 80).

**Security:** While **safety** describes, for example, the technical security of machines that can be guaranteed by controls and failsafe mechanisms, **security** refers to the protection of such machines from harmful actors. Traditionally, a narrow concept of security that concentrated primarily on military threats was used. Today, a concept of extended security that integrates military threats with economic, ecologic and humanitarian threats has been established.

The extension of security-relevant political areas by a concern dimension (military, economy, ecology, humanity) is accompanied by an extension of a spatial dimension (national, regional, international and global), a threat dimension (threat, vulnerability, risk) and a reference dimension (state, society, individual).

Figure 1: Dimensions of extended security (Daase 2010: 3):



The extended security concept highlights awareness that providing security can no longer be a purely national or purely military endeavour. Therefore a **comprehensive approach** is necessary in order to enable states to address threats, risks and dangers of the 21<sup>st</sup> century. A **comprehensive approach** seeks to optimise foreign and security policy by interministerial and intergovernmental cooperation (*whole of government approach*) in order to increase state security. It is based equally on civilian and military cooperation. On a regional level it is practised within the EU, NATO or OSCE (*whole of region approach*), while on a global level it describes the cooperation of international organizations and non-governmental organizations (NGOs) with the United Nations (global approach).

## II 21<sup>st</sup> century maritime security environment

“Germany’s security politic environment today is strongly characterized by new and different threats. Today and in the near future no serious threat for the German territory by conventional opponents can be expected, even though Germany’s international environment is not completely free of new risks and threats that can destabilize Germany’s neighbours and deteriorate the security of the international community as a whole” (Flottenkommando Yearly Report 2011: 25-26). Since September 11<sup>th</sup> international terrorism, regional, political, economic, ethnic and religious sub-state conflicts in the vicinity of maritime chokepoints and natural resources as well as pirate attacks have become the major asymmetric threats of the 21<sup>st</sup> century. The possibility of classic symmetric interstate conflict with direct political and economic consequences for Germany and



the EU cannot be excluded entirely, for territorial, border and EEZ dispute scenarios still pose a direct threat to European territory.

Maritime security considers security and defence risks along with economic, energy policy and ecological developments. On the one hand, illegal migration, weapons and drug trafficking and organized crime are maritime threats that indirectly threaten Europe. On the other hand European maritime resources are threatened directly by environmental pollution, a reduction of biodiversity, illegal fishing and maritime disasters. Together with these direct and indirect threats, EU member states are confronted with maritime vulnerabilities. Modern industrial and services societies depend on open sea lines of communication (SLO), the security of critical infrastructure at sea as well as safeguarding sea-based natural resources. Also, a large number of EU citizens living and working abroad, numerous European companies operating outside of the EU and European NGOs engaging in crisis regions worldwide along with millions of Europeans travelling around the globe add additional vulnerabilities for states. These "soft-targets" can be a target of hostage-taking and terrorist attacks in order to blackmail states. Thus protection of the European civilians and businesses worldwide can be considered a duty and responsibility of EU states within the framework of the new security environment of the 21<sup>st</sup> century. In the following chapter, this study will outline these anticipated security developments for the Mediterranean, West Africa, the Baltic Sea and the South China Sea, and will discuss possible scenarios of 21<sup>st</sup> century maritime security.

## **1. Mediterranean**

The Mediterranean is the largest, mostly enclosed sea with a size of 2.5 million km<sup>2</sup>. It is connected to the Atlantic through the Strait of Gibraltar and to the Red Sea through the Suez Canal. Traditionally, it has been a transit sea for inner-European trade and imports from Africa and Asia (especially since the opening of the Suez Canal in 1869). Due to its geographical proximity to the Near and Middle East and the recent political crises in that region in the course of the Arab rebellion and the Syrian civil war, the Mediterranean once again highlights its historical, political and economic importance for the maritime security of the EU. Therefore, the following security-relevant developments can pose significant conflict potential in the 21<sup>st</sup> century.

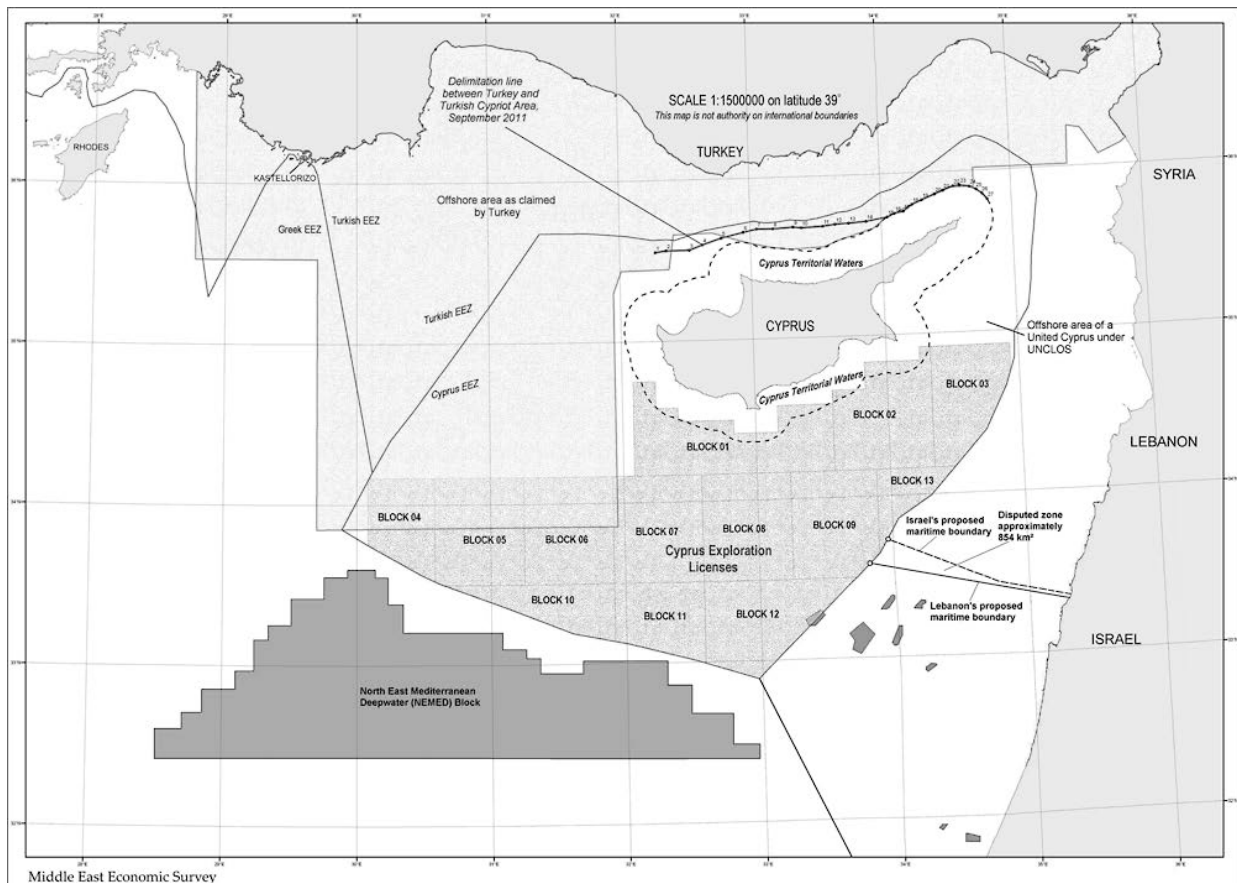
- **Potential scenario: Bilateral conflict in the Eastern Mediterranean**

In the coming decades, the Eastern Mediterranean can develop into a crisis hotspot that threatens the maritime security of Europe. Together with the Syrian crisis that has the potential to spread further in the region, the political instability of some Mediterranean nations as well as the Israeli-Palestine and Israeli-Iranian conflict can lead to interstate and regional conflicts. The still unresolved division of Cyprus and territorial and border disputes between Greece and Turkey (e.g. Aegean dispute) as well as diverse interpretations and recognition of national EEZ (Greece, Turkey, Israel, Cyprus, Lebanon) pose additional potential for conflict. The recent alliance- and power shifts between Greece, Israel and Cyprus on one side, and Turkey on the other, offers a potential conflict scenario in need of discussion.

In 2009, offshore exploration in Israel led to the discovery of natural gas and oil reserves with an estimated volume of 3.5 trillion cubic metres of natural gas and 1.7 billion barrel of oil (Leviathan-prospect). This represents a serious alternative to minimize European dependence from Russian energy supplies (Faustmann 2012: 19). Cyprus and Israel intensified their economic cooperation and demarcated their respective EEZ borders.

The aim of the cooperation is to create an energy centre to process the natural gas and to export it via pipelines through Greece to the European continent. Cyprus has issued licences to US-firms in order to explore neighbouring prospects (Block 12) and demarcated its EEZ borders with Egypt (2003) and Lebanon (2007)<sup>4</sup>. Israel's attempt to demarcate its EEZ border with Lebanon led to a dispute over an area of 854 km<sup>2</sup> (see Figure 2). The missing political solution to the continued Greek-Turkish conflict over Cyprus, the non-recognition of the EU member Cyprus by Turkey, the intensified cooperation between Cyprus and Israel and the exploration of its EEZ by Cyprus lead to tensions in the Greek-Turkish and Turkish-Israeli relations. Turkey demands a suspension of the sea drilling and recognises it as *casus belli*, as long as the Cyprus issue remains unresolved, for it fears the economic disadvantage of the Turkish Cypriot population. Turkey is no member to the UNCLOS and does not recognize the treaties between Cyprus and other Mediterranean states nor Cyprus's right to a 200-mile EEZ. In light of this geopolitical situation the recent Turkish-Israeli clash over the Gaza aid fleet and the disruption of the Israeli-Turkish cooperation in military matters can be understood as a result of divergent national economic interests.

Figure 2: Disputed EEZ in the Eastern Mediterranean (Faustmann 2010: 20):



<sup>4</sup> The Lebanese parliament has yet to ratify the treaty (Faustmann 2012: 19).



This scenario shows that even with the significant decline of interstate war since the Second World War, EU member states are still directly confronted with interstate war with a maritime dimension. Disputes over the allocation of national EEZs are not confined to the Eastern Mediterranean as a similar conflict between Spain and Morocco in the Western Mediterranean points out.

In the 21<sup>st</sup> century therefore, EU states will still require sufficient maritime capabilities in order to deter classic threats such as interstate war. An EMSS therefore has to include classic conflict constellations and address open questions regarding the strengthening of European maritime security:

- Is the EEZ of an EU member to be considered as an integral and thus defence relevant part of the EU sphere of interest?
- Does the protection of natural resources of a European EEZ fall within in the responsibility of EMSS?

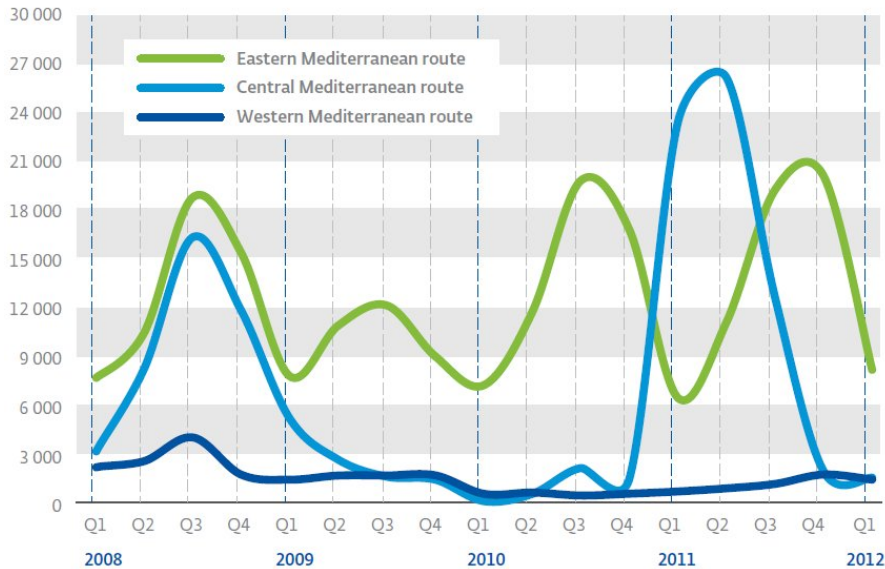
- **Potential scenario: Maritime illegal migration**

In light of the recent political turmoil initiated by the Arab Spring and the ongoing conflicts in Afghanistan, Iraq and Syria, the influx of refugees and asylum seekers has increased rapidly.

In addition to conflict refugees another wave of asylum seekers who attempt to enter the EU migrate in order to overcome the general economic situation, overpopulation and political instability in their home countries, primarily in Africa and Asia. The majority of such migration is illegal, because asylum is granted only in cases of political prosecution, while economic migration is legal only in cases in which it was preceded by recruitment. The number of yearly registered, arrested and deported illegal migrants in the EU is approximately 500.000. There are only estimates about the total number of illegal immigrants in the EU that vary from four to eight million (CLADESTINO FINAL REPORT: 7). However the security relevance of illegal migration can be derived from the number of yearly registered illegal immigrants at the EU-borders. While over 106.000 (48.000 over sea) illegal border crossings were registered in 2009 (FRONTEX 2010: 23), there were 104.000 (24.000 over sea) in 2010 (FRONTEX 2011: 29) and 141.000 (71.000/over sea) in 2011 (FRONTEX 2012: 40). Although the increase of illegal migration coincides with the political revolutions in northern Africa, a general trend is still indicative of a higher influx in the future. Crises, such as the downfall of the Tunisian government in 2011 can lead to migration waves (see Figure 3) that indicate that the European maritime capabilities are insufficient to cope with the influx of migrants, while the limited capacities of reception centres lead to a humanitarian state of emergency. With the majority of migrants choosing the way over land (through the border triangle Greece, Bulgaria, Turkey and the EU's eastern border), intensifying FRONTEX operations on land lead to an increase of maritime migration.<sup>5</sup> Due to the geographical circumstances, a broad border protection and comprehensive control of all EU sea borders is impossible. At some locations in the Aegean the distance between the EU border and Turkey is less than 1000 metres and makes trespassing EU territory possible even without a craft. With the Dublin II-Regulation EU states cannot refuse the entry of migrants or rapidly repatriate them. With the entry into the EU the host country has to initiate an application of asylum that may take up to one year to complete (Dublin II-Regulation 2003, article 10).

<sup>5</sup> Migrants reverting to Aegean route. Ekathimerini.com. 28.8.2012. Online: [http://www.ekathimerini.com/4dcgi/\\_w\\_articles\\_ws1e1\\_1\\_28/08/2012\\_458676](http://www.ekathimerini.com/4dcgi/_w_articles_ws1e1_1_28/08/2012_458676) [Accessed 1.09.2012].

Figure 3: Registered illegal migration in the Mediterranean



The security relevant problems that arise directly from illegal migration are border violations, and a rise in organized crime, especially human trafficking. While human rights violations by traffickers, police and security forces and migrants are considerable, the import of religious, ethnic and political conflicts into the EU poses a potential threat as well. There are now over 18.000 who died while attempting to enter EU territory (13.000 of those drowned) for the period from 1988-2009.<sup>6</sup> Due to the high death ratio of illegal migrants crossing the sea, minimizing human suffering is one of the core goals of the *European external border surveillance system* (EUROSUR)<sup>7</sup> that is conducted by the research project GMES Dolphin.<sup>8</sup> The economic follow-up costs accruing from the necessary border protection, humanitarian aid for and black labour by illegal migrants cannot be estimated. Open questions in connection with migration as a maritime security issue are:

- How can EU border protection and control be specified in an EMSS?
- Should ships with illegal immigrants on board be prevented from entering territorial waters of EU member states?
- Does Europe require a European coast guard in order to conduct efficient border protection?
- How can international cooperation and partnership regarding border control be implemented in a future EMSS?

<sup>6</sup> Evaluation of press releases since 1988 by the policy-blog fortress Europe. Online: <http://fortresseurope.blogspot.de/2006/01/press-review.html> [Accessed 1.08.2012].

<sup>7</sup> Examining the creation of a European border surveillance system (EUROSUR) KOM(2008) 68. Online: [http://europa.eu/legislation\\_summaries/justice\\_freedom\\_security/free\\_movement\\_of\\_persons\\_asylum\\_immigration/114579\\_de.htm](http://europa.eu/legislation_summaries/justice_freedom_security/free_movement_of_persons_asylum_immigration/114579_de.htm) [Accessed 1.08.2012].

<sup>8</sup> GMES Dolphin research project. Online: <http://www.gmes-dolphin.eu/node/20> [Accessed 1.08.2012].

## 2. West Africa

The Gulf of Guinea extends from Cape Palmas in Liberia to Cape Lopez in Gabon. The exact size is not cartographically defined. Vast oil reserves are located in the Gulf of Guinea with an approximate 20% of US oil imports originating from there (CSIS Report: 9).

- **Potential scenario: Escalation of pirate attacks in West Africa**

The international operation ATALANTA combating piracy in the Gulf of Aden succeeded in reducing successful attacks on merchant ships. Despite the international engagement off the coast of Somalia there were still 236 recorded pirate attacks in 2011 (IMB 2011: 5). Furthermore, an increase in the number of pirate attacks at other hotspots can be registered, with 80 attacks in Southeast Asia and 52 attacks in West Africa. With 52 attacks the Gulf of Guinea is the third largest piracy hotspot. 33 of those were conducted with small arms ranking armed piracy in West Africa second in the world.

The Gulf of Guinea has experienced the highest use of small arms attacks. Next to Somalia (402 hostages) West Africa is second with 185 hostages, while in terms of violent attacks against crews, pirates in the Gulf of Guinea account for 35 of 42 wounded (IMB 2011: 11-12).<sup>9</sup> Besides the increased violence against crews in the Gulf of Guinea another important difference stands out in that region. While hostage taking and ship hijacking lasts an average six months in Somalia, in the Gulf of Guinea it lasts only six days (IMB 2011: 24). In contrast to Somalia, the West African pirates concentrate on pillaging and selling captured cargo, which explains the short duration of hostage-takings. However, there is no guarantee that a shadow economy such as the one in Somalia that concentrates on blackmailing companies and states will not emerge. One of the reasons for the increased pirate activity in the region derives from the lack of sufficient coast guard capabilities of the West African states. While Nigeria possesses numerous corvettes and patrol boats, the majority of the other states, possess only negligible maritime and coast guard capabilities. Benin for instance, as one of the hotspots in the region, possesses a navy of only 200 men. Therefore, pirates use the power vacuum for their operations against local and international shipping. In 1990, the French navy launched Mission Corymbe<sup>10</sup> and since then it has a permanent presence in the region in order to protect French citizens working ashore. Additionally, France uses its presence as an early warning system in order to prevent crises, intervene if necessary and evacuate French and European citizens. Furthermore, the French navy attempts to enhance the local navies through cooperation and support missions. Still the situation is critical and the possibility that the region develops into a second crisis area of international piracy is high. Therefore the EU will have to intensify its support for the region and in order to enhance maritime security in the Gulf of Guinea will have to address the following questions:

- How can intercontinental cooperation between Europe and Africa be implemented?
- What role can the EU play in training and equip the African navies?

## 3. Baltic Sea

The Baltic Sea is a semi-enclosed sea with a size of 413.000 km<sup>2</sup> and ranges from the Gulf of Finland to the Kattegat. It is connected to the North Sea and thus to the open ocean through the Kattegat and Skagerrak. The

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<sup>9</sup> Of the eight dead crew in 2011, seven died in Somalia and one in the Gulf of Aden.



Baltic Sea is an important economic factor for the surrounding nations that engage in trade, fishing and maritime tourism. Furthermore the Baltic Sea is an important highway for energy transport from to Asia to Western Europe. Thus the following security relevant threats and risks need special attention:

- **Potential scenario: Environmental disaster and reduced energy supply**

The importance of the Baltic Sea as an energy supply gateway for Germany and Western Europe will increase significantly. Through the North Stream pipeline, operational since the end of 2012, natural gas supply from Russia to Germany now circumvents the Ukraine and Poland. However, even if the ecological risks are considered negligible and controllable by the responsible company, the danger of a natural disaster still remains a plausible scenario. Old cargo freighters without a double hull and pipe bursts pose similar risks. In light of these risks, the following questions need to be addressed:

- How can shared maritime awareness and surveillance systems support protecting the environment?
- How should an integrated maritime policy be included in an EMSS?
- What cooperation and multilateral mechanism should be established to optimise environment and disaster management?
- What task should coast guards assume while controlling aged freighters with hazardous cargo?

- **Potential scenario: Terrorist attack on critical infrastructure and cruise ships**

Since September 11<sup>th</sup> the misuse of means of public transport as a weapon by malicious actors is no longer fiction. Since terrorist attacks or boarding attempts against naval vessels are no new phenomena, a similar attempt at sea cannot be excluded. A significant number of critical infrastructures are located in the maritime economic domain. A terrorist attack on an international harbour, oil platforms or off shore wind parks would seriously harm a modern industrial nation, its import and export capabilities and would create uncalculated economic costs. If ships are used as platforms for operations or even as weapons, they can seriously hamper international trade. A deliberate sinking, ramming or detonation of a captured ship in the vicinity of a maritime chokepoint (e.g. Kiel Canal, Gibraltar Straits, and Suez Canal) would lead to month long interferences in global trade and energy transport. Those possible terrorist activities at sea in need of prevention are:

- the sea as a transport way for terrorists (e.g. Baltic Sky);
- hijacking of ships and hostage taking at sea (e.g. Achille Lauro);
- terrorist attacks on ships and critical infrastructure (e.g. oil platforms);
- terrorist attacks with ships aimed at targets on land (e.g. against harbours);
- use of WMDs at sea.

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<sup>10</sup> French Navy: Constant Operational Presence. Online: <http://www.defense.gouv.fr/english/navy/operations2/constant-operational-presence/constant-operational-presence> [Accessed: 1.08.2012].

Maritime terrorism scenarios are no unrealistic mind games. In 1985, terrorists of the *Palestine Liberation Front* hijacked the cruise ship Achille Lauro. In the course of this hijacking, the terrorists demanded the release of imprisoned Palestinians and killed a US passenger of Jewish heritage. In 2000, the destroyer USS Cole was severely damaged by a suicide attack while 17 crew members died. In 2002, the oil tanker Limburg was also attacked by a small boat off the coast of Yemen while attempting to load cargo. The explosion damaged the ship and led to the loss of crude oil. This led to inferences of international maritime trade for several weeks. Thus, the risk of a terrorist attack in Germany cannot be disregarded. An Al-Qaida terrorist of Austrian decent was arrested in Berlin in early 2012. The data drive in his possession was encrypted and contained hundreds of Al-Qaida documents. The evaluation of the documents made clear that Al-Qaida plans attacks against maritime targets, primarily cruise and merchant ships, in order to harm western states.<sup>11</sup>

The relation of effort and effect of terrorist attacks at sea is extremely favourable for an attacker. Besides the direct harm of crews and the material damage of ships and infrastructure, the consequential economic costs are in the millions. Additionally the psychological effect of terrorist attacks cannot be overstated. "How cost-effective maritime terror is, can be seen for instance with the USS Cole attack: The terrorist in preparation of the attack invested approximately \$5.000. This amount was sufficient to disable US navy warship worth \$1 billion" (Tophoven 2008: 26). An EMSS thus needs to address the following questions:

- How can the protection of critical infrastructure be optimised on the strategic level?
- How can the vulnerability of critical infrastructure be minimized or excluded by strategic planning?
- How can maritime *chokepoints* be protected in Europe and overseas from terrorist attacks? How can terrorist attacks on cruise ships be prevented?

#### 4. South China Sea

South China Sea is a marginal sea of the Pacific Ocean with a size of approximately 3.5 million km<sup>2</sup> and includes an area from the Straits of Malacca to the Taiwan Straits (Formosa Straits). Approximately 50% of the global maritime oil trade and over 50% of globally traded cargo passes the sea on a yearly basis. With economic powerhouses Japan, China and South Korea surrounding the South China Sea the sea is a so-called *maritime super-highway*.

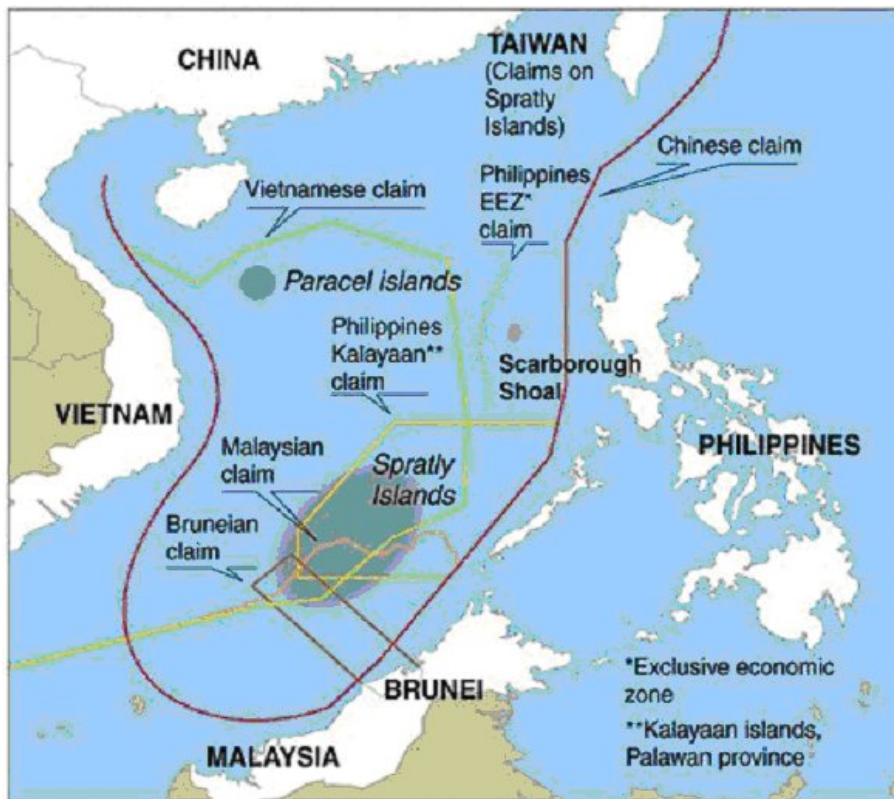
- Potential scenario: Territorial dispute over the Paracel- und Spratly-Islets

A decade long conflict in the South China Sea will deeply influence Far East maritime security in the 21<sup>st</sup> century. Numerous states (China, Vietnam, Indonesia, Malaysia, Brunei, Philippines and Taiwan) claim the Paracel- und Spratly-Islets that are located in the centre of the sea and their respective EEZ of 200 miles (see figure 4).

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<sup>11</sup>Robertson, Nick/ Cruickshank, Paul/ Lister, Tim: CNN – Documents reveal al Qaeda's plans for seizing cruise ships, carnage in Europe. 1. Mai 2012. Online: [http://edition.cnn.com/2012/04/30/world/al-qaeda-documents-future/?hpt=hp\\_c1](http://edition.cnn.com/2012/04/30/world/al-qaeda-documents-future/?hpt=hp_c1) [Accessed 1.08.2012].

Figure 4: Territorial und EEZ disputes in the South China Sea<sup>12</sup>



This leads to numerous overlapping territorial and EZZ disputes that are further fuelled by recent discoveries of natural resources. Differences can already be found in the divergent naming of the sea by the respective states, a strategy to fortify maritime interests and claims.

The South China Sea is named Bien Dong (East Sea) in Vietnam, while the Philippines call their claimed territorial and EEZ waters Sea of Luzon. Numerous, even violent clashes demonstrate the tense situation since 1976. In 1976 China conquered the Paracel Islets from Vietnam, while in 1988, 70 sailors died in a naval battle between Chinese and Vietnamese ships near the Spatly-islets. In 1996, a naval battle between Vietnamese and Philippine navies took place accompanied by numerous minor clashes between exploration, coast guard and fishing vessels way in the late 2000s. The number of incidents has increased notably since 2011 and peaked during an exercise of Russian and Chinese navies on one side and a combined US-Philippine force on the other. In light of the tense situation the following questions need to be addressed:

- What measures does an EMSS need to incorporate in order to manage crises beyond its sphere of influence?
- How can an EMSS support deescalate territorial and EEZ disputes?

<sup>12</sup> Disputed claims in South China Sea. Online: <http://globalnation.inquirer.net/files/2012/04/scarborough-shoal.jpg> [Accessed: 1.08.2012].

### **III The maritime dimension of the European Union's and Germany's security and defence policy in the 21<sup>st</sup> century**

In the following chapter national and European documents, guidelines and treaties will be discussed and their significance for a German and European maritime security strategy analysed.

#### **1. Strategic framework for Germany**

##### **a. White Paper 2006 – on German Security Policy and the future of the Bundeswehr**

The White Paper (2006), while describing the tasks and duties of the German navy does not refer to “maritime security,” but rather acknowledges seaward threats that need to be met. “The challenges for Germany are conventional and asymmetric seaward threats that endanger our security. The necessary capabilities to meet those threats are provided by the German navy” (White Paper 2006: 122). By the transformation to an „*expeditionary navy*“, the German navy operates within a multinational framework and seeks to prevent conflicts and engage crises at their region of origin. The capabilities include amongst others the capacity for armed operations at sea, the support of land forces, the enforcement of embargos and sanctions, and the provision of humanitarian aid as well as conducting evacuation operations.

Besides conflict intervention and conflict regulations, the German navy fulfils tasks in coastal waters such as the sea control, mine clearance, defensive operation against ships and terrorist threats as well as supporting police operations in terms of administrative assistance.

##### **b. Defence policy guidelines 2011**

The Defence policy guideline describes the strategic framework, tasks and necessary capabilities of the Bundeswehr and formulates the security-policy objectives and interests of Germany (2011: 1). The security interest of Germany in the maritime domain focus on “a free and unhindered international trade, free entry and passage on the high seas and open access to natural resources” (2011: 5). Thus the tasks of the Bundeswehr can be summarized as follows:

- national defence as alliance defence within NATO framework;
- international conflict prevention and conflict regulation – including combating international terrorism;
- participation in military activities within the framework of CSDP;
- Homeland protection duties, such as territorial defence as well as administrative assistance in case of natural disasters, the safeguarding of critical infrastructure und internal emergency;
- Safe and rescue operations as well as freeing of hostages abroad;
- Partnerships and cooperation as part of multilateral integration and global security cooperation tin terms of modern defence diplomacy;
- Humanitarian aid abroad.



### Conclusion

The White Paper “naturally concentrates on the military aspects of security policy” (Bruhns et al. 2009: 3). Therefore the White Paper is not to be considered a strategic doctrine in terms of the national security strategy of Germany, but a strategic concept for the Bundeswehr. It can still be regarded as an important first step towards a comprehensive and interministerial security strategy for Germany that is in need of further elaboration. Also, the superficially discussed topics of maritime security do not correspond with the economic and security-political priorities for Germany. Furthermore the defence policy guidelines, although concentrating on the tasks and duties of the Bundeswehr in the maritime domain, offer only a small glimpse on the grand strategic scope of German foreign policy in the maritime domain. In light of the economic significance of the German trade fleet as third largest merchant nation and the dependence for the prosperity of the German people, the need for a holistic national security strategy that addresses all maritime issues, threats, risks and vulnerabilities arises.

## 2. Strategic Framework for Europe

The European Security Strategy (ESS) from 2003 and the 2008 implementation progress report build the conceptual framework for the European security and defence policy (ESDP). The aspect of maritime security is treated as only a periphery issue in both EU documents.

### a. Strategic Goals of the European Security Strategy

The ESS defines **threat prevention**, **strengthening security in our society**, and the **development of a multilateral world order** as the three central strategic goals of the European Union.

The first strategic goal of the ESS is **threat prevention** and involves the fight against international terrorism (such as freezing terrorist financing), preventing the spread of nuclear weapons through international treaties and the strengthening of disarmament and verification mechanisms. It also calls for the strengthening of crisis intervention, democratic institutions and rebuilding failed states while regulating regional conflicts. Even though traditional defence will continue to act as a guarantee for European security, new threats cannot be solved by military means alone, and demand preventive intervention far from the borders of the European Union. “The first line of defence often lies abroad” (ESS 2003: 6).

Therefore the second strategic goal of the ESS is the **strengthening of security in our society**. The union must commit to stable political relationships in neighbouring states and in cooperating and nurturing friendships with eastern European, Caucasus, Mediterranean and Middle Eastern countries. In addition, a strategic priority of the EU is to help solving the Arab-Israeli conflict.

The third strategic goal of the ESS is the creation of a **world order with an operative multilateralism as its foundation**. The goal is to strengthen the international community and institutions based on an effective multilateralism and on the improvement of human rights norms, the deepening of cooperative government and the commitment to democratic advancement in order to improve the security of the EU for the long-term.



#### b. Integrated Maritime Policy (IMP)

Based on the Green Paper “The future of Maritime Policy in the EU: A European Vision for Oceans and Seas”<sup>13</sup> the European Commission published “An integrated Maritime Policy of the European Union”<sup>14</sup> in October 2007. The IMP creates the policy framework and supports the EU members as they apply their area of responsibility in an integrative way:

- European sea transport without barriers;
- European strategies for maritime research;
- European maritime situational awareness network;
- Strategy to curb ecological results of climate change in coastal regions;
- Reduction of CO<sub>2</sub>-pollution und sea-pollution caused by shipping;
- Reduction of illegal fisheries;
- European maritime cluster.

#### c. Maritime Security Operations

The supreme commanders of the European navies (*Chiefs of European Navies* – CHENS) published a strategy paper about **Maritime Security Operations** (MSO) in 2007 with the goal of developing an interagency strategy for all of Europe.<sup>15</sup> The goal of the strategy paper is to recognize the way that Europe’s economy and stability depends on the maritime domain and to identify the significance and the current threats to the seas in order to prevent “sea blindness.” In addition, they were unified that European states can only counter these threats and risks together. MSO is therefore defined as “those measures performed by the appropriate civilian or military authorities and multinational agencies to counter the threat and mitigate the risks of illegal or threatening activities in the maritime domain, so that they may be acted upon in order to enforce law, protect citizens and safeguard national and international interests.” (CHENS MSO 2007: 1).

The formation of a comprehensive European Strategy is based on **four areas of development** and draws together the existing national and international structures, taking into account national interests. The four development areas described below divide their goals into short-term, mid-term and long-term achievements and involve improvements on the national as well as international level:

#### Diplomatic, interstate and interagency cooperation

- Definition of MSOs;
- Increasing national and international interagency cooperation;
- Increased capabilities on a national and international level;

<sup>13</sup> EU-Commission: Green Paper: Towards a future Maritime Policy for the Union: a European vision for the oceans and seas. COM (2006) 275 Online: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2006:0275B:FIN:EN:PDF> [Accessed: 1.8.2012].

<sup>14</sup> COM (2007) 574. Online: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2007:0575:FIN:EN:PDF> [Accessed: 1.8.2012].

<sup>15</sup> Developing a European interagency strategy for maritime security operations (MSO Strategy) – 2007. Online: <http://www.chens.eu/products/MSO%20Strategy.pdf> [Accessed: 1.08.2012].



- Participation in conferences with MSO- relevance;
- Increased resolution of legal discrepancies

#### Information exchange

- Improvement of national and international information systems;
- Intensify exchange of information through access to data;
- Creation of a shared situational awareness.

#### Operational level

- Involvement of combat forces in the formulation of a common European security strategy (protection of critical infrastructure, fight against terrorism and piracy, free sea transport, etc.)
- Interoperability improvement;
- Creation of a European “best-practice” for MSOs.

#### Economic level

- Inclusion of civil shipping companies in information exchanges;
- Cooperation with economic actors to protect shipping and trading routes;
- The creation of a liaison to commercial partners;
- Instruction of commercial partners in national security measures.

#### *Maritime Security Best Practice Guideline*

Based on the MSO strategy paper, CHENS created the **Maritime Security Best Practice Guideline** (MSBPG) in November 2008.<sup>16</sup> This made it possible for the European navies to improve their MSO-structures and capabilities. The document offers basic procedures for tactical and strategic direction of the European navies, in order for EU countries to prepare for a quick implementation of a future EMSS. Due to the fact that there are different national capabilities, capacities and legal views, the MSBPG does not present a common set of rules, but **recommendations for common guidelines for the European navies** for the implementation and improvement of MSO-structures (MSBPG 2008: 3).

#### *Maritime Capacity Building in Africa*

In its 2010 report **Adding value to Maritime Capacity Building** (MCB)<sup>17</sup>, the CHENS-forum determined that Europe and Africa share strategic interests. Europe therefore needs to increase its willingness to support the security and economic development in Africa long-term. The goal of the MCB is to minimize the danger of uncontrolled and ungoverned sea areas (so called *failed seas*) and to promote the general development of

<sup>16</sup> Maritime Security Best Practice Guidelines 2008. Online: <http://www.chens.eu/products/MSO%20BEST%20PRACTICE%20GUIDELINES.pdf> [Accessed: 1.08.2012].



Africa through maritime cooperation and trust-building mechanisms. The CHENS-forum focuses on cooperation in four basic sectors that are important for the MCB: **Strategy, Security, Safety and Situational Awareness**.

The **Strategy** sector focuses on maritime strategic planning, policy and the development of professional consulting through groups of experts who advise on an overarching strategy. The **Security** sector concentrates on secure harbours, fighting piracy, illegal drug and arms trafficking. The **Safety** sector focuses at the question of the technical security of harbours secure navigation, environmental protection and sea search and rescue efforts. **Situational awareness** addresses the exchange of information, border patrol, regional maritime cooperation and international maritime surveillance (see Appendix 2). The goal of the MCB-approach is to develop an integrated maritime security strategy for Africa through EU-Africa cooperation that not only increases the immediate security of both continents, but also provides a **long-term investment in the political stabilization and economic development of Africa**.

#### *Maritime Operational Concept*

In August 2010 the CHENS-Forum produced the **Maritime Operational Concept (MOC)**<sup>18</sup>, which created a common foundation for the twenty-first century military activities of the EU-navies. The document presents an explanation of the maritime environment of the EU and its associated financial dependencies and weaknesses as well as a description of the security and defence threats and risks of the coming decades (compare with chapter two of this study). In addition, the MOC expands on the necessary contribution of each country's navy to the security of the EU and names the **EU-navies' maritime roles and responsibilities**. The main area of responsibility is **maritime security**. The EU-navies are still responsible for classic maritime defence in the twenty-first century. This includes protection of the member states' territories, the protection of their national sovereignty and integrity, deterrence, power projection on sea and land as well as managing the *sea lines of communication*.

The second area of responsibility involves **Maritime Security Operations**. The traditional responsibilities of the navies will be expanded through MSOs so that the deployment of maritime forces can prevent asymmetrical maritime threats such as terrorism, proliferation of weapons of mass destruction, piracy, drug trafficking, illegal migration, armed attacks at sea, and other criminal activities. MSOs also enable the protection of national resources (sea ground/EEZ), the production of energy security (trade routes/maritime economic zone), the prevention of environmental catastrophes (inspection and rejection of dangerous ships) as well as the implementation of search and rescue missions. Due to this broad range of responsibilities, MSOs need to conduct a greater number of joint exercises on the civil and military level in order to prepare for the plethora of different threats and risks. The navies must therefore search for and intensify direct cooperation with civilian operations.

The third area of responsibility is **Crisis Response Operations (CRO)**. European navies must improve their ability to quickly adapt to a number of operations. These involve *peacekeeping, peacemaking, peacebuilding* and conflict resolution (under UN supervision) as well as humanitarian missions, disaster management and

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<sup>17</sup> Adding value to Maritime Capacity Building (MCB) - A CHENS approach, August 2010. Online: [http://www.chens.eu/products/valueMCB\\_Africa.pdf](http://www.chens.eu/products/valueMCB_Africa.pdf) [Accessed: 1.08.2012].



evacuations operations. The European navies require full-spectrum capabilities in order to operate not only on but from the ocean (amphibian vehicles, helicopter capacities, marine infantry, etc.). These capabilities should make deployment possible not only in regions where there is poor infrastructure, but also to areas with extreme weather conditions (such as polar or tropical regions).

The final area of responsibility involves **Maritime Diplomacy**. This form of diplomacy has grown throughout the European navies' history and has served as a trust-building mechanism. European navies can act preventively and resolve crisis through diplomatic measure through their presence, diplomatic missions, common capacity building and cooperation.

### Summary

Although the 2003 ESS is supposedly a strategy, it is actually not more than a "pre-strategic concept" (Lindley-French/Algieri 2004: 9). The ESS 2003 and the implementation report from 2008 do not have a concept for when, why, where and against whom the EU should act during a crisis. This results in a lack of a commonly-accepted and clearly-defined European strategic culture. In addition, when there are overlapping working groups, different responsibilities spread through many difference agencies, and no clear division of labour between the commission and the government leaders in the European council there can be no effective further development of the ESS (Germond 2011: 566).

Although the EU's IMP primarily concentrates on economic, ecological and other non-military issues, there is a connection to other security-relevant areas. These include the guarantee of European maritime transportation without barriers, the containment of illegal fishing and the ecological consequences of climate change in coastal regions. The IMP does not suffice as a foundation for a maritime security strategy. The IMP must create a conceptual basis for further institutional coordination and cooperation in non-military areas (i.e., in the economic area through the creation of maritime clusters and maritime research). This helps to intensify cooperation EU-wide. Since the creation of further supranational coordination efforts and intergovernmental cooperation is difficult, the attempts at creating a European coast guard is stagnating due to lack of political will (Germond 2007: 351).

Since the ESS is full of deficits, and there is no European maritime security strategy, the conceptual documents such as the MSO, MSBPG, MCB, and the MOC are only sub-strategic guideline documents. They can give important insights and provide a starting point, but they lack an overarching strategic document. The necessity of a comprehensive European strategy is thus blatantly apparent and must emphatically be created and implemented.

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<sup>18</sup> CHENS Maritime Operational Concept (MOC) - August 13, 2010. Online: [http://www.chens.eu/products/CHENS\\_MOC\\_2010.pdf](http://www.chens.eu/products/CHENS_MOC_2010.pdf) [Accessed: 1.08.2012].



### 3. Previous Strategies and Measures of Maritime Security and Defence Policy

Individual countries and international organizations have initiated countless measures to improve maritime security. Below is a selective list.<sup>19</sup>

#### a. Germany

The **Maritime Safety and Security Centre** in Germany was founded to respond to the new security threats and serves as a coordination platform for all responsible agencies that deal with maritime security. The **Maritime Emergency Reporting and Assessment Centre** (MERAC) in Cuxhaven is the core communication centre. As an optimized network for close coordination it allows participating agencies to keep their area of responsibility, while working together closely the MERAC includes the following agencies: the German federal police, the **Central Command for Maritime Emergencies** (CCME) (Havariekommando), the Federal Office for Food and Agriculture, the customs office, the water protection police (Wasserschutzpolizei), the Federal Waterways and Shipping Administration/Point of Contact and the German Navy (within their legal framework).<sup>20</sup> The goal of the maritime security centre is faster, more effective cooperation of the participating agencies during deployment and to act as coordination organization for the responsible agencies. Though agreed upon in the coalition treaty, the creation of a national coast guard failed due to the unwillingness of government ministries and agencies to give up areas of jurisdiction and to concentrate the sovereignty of maritime protection forces within one central coast guard. The maritime security centre can therefore be understood as a alternative model based on consensus.

#### b. European Union and the EU countries

##### *Virtual Regional Maritime Traffic Center*

The **Virtual Regional Maritime Traffic-Center** (VRMTC) has been implemented by the Italian navy and in cooperation with 29 countries it created a regional monitoring system for the Mediterranean and the Black Sea. The goal of the VRMTC is to collect relevant information about navigation (ship's name, flag, IMO number, position, destination, etc.) and to integrate this into a cumulative **situational awareness** in order for illegal migration, terrorist activities and illegal weapon and drug trafficking to be recognized and stopped. The cumulative data from the **VRMTC Data Fusion Centre** in Rome are combined to present a *common situational awareness* and is made available to the navies from the participating countries. Situational awareness is composed of information from participating countries and the *Automatic Identification System* (AIS)-Data. The system is aims at listing all ships that have over 300 BRT, which have a suitable transponder, and that has a volume of 40,000 entries per week (VRMTC Annual Report 2008).

Simultaneously, the 5+5 Network was created and Italy, France, Spain, Portugal, and Malta to Algeria, Libya, Mauritius, Morocco and Tunisia agreed on an information exchange. Since 2010, the VRMTC has networked countries in the Atlantic and Indian Ocean with a similar system and expanded to a **Trans-Regional Maritime**

<sup>19</sup> Many institutions, agencies and organization on the European and international level are involved in establishing maritime security or special aspects of it. The strategies and measures presented here represent only the internationally most discussed strategic approaches and provide an exemplary overview.

<sup>20</sup> Sicherheitskonzept Küste (2012). Wasser- und Schifffahrtsverwaltung des Bundes. Online: [http://www.wsv.de/Schifffahrt/Seeschifffahrt/Sicherheitskonzept\\_Deutsche\\_Kueste/anlagen/Sicherheitskonzept\\_Deutsche\\_Kueste.pdf](http://www.wsv.de/Schifffahrt/Seeschifffahrt/Sicherheitskonzept_Deutsche_Kueste/anlagen/Sicherheitskonzept_Deutsche_Kueste.pdf) [Accessed: 1.08.2012], p. 23.



**Network** (TRMN) (see Appendix 3). Similar systems have also been developed for other regions. Since 2008 the *Sea Surveillance Cooperation Baltic Sea* (SUCBAS) for instance, has, with the help of Germany, created a maritime monitoring system for the East Sea area.<sup>21</sup>

#### *European Defence Agency*

The **European Defence Agency** (EDA), which falls under the High Representative of the Common Foreign and Security Policy of the EU, supports cooperation between member states, initiating new joint projects and the improvement of defence capabilities. The **Capability Development Plan** (CDP) of the EDA led to countless projects which were supposed to improve maritime security through better networking, joint research, closer cooperation, interoperability, coordinated armament production, common procurement and pooling and sharing. "The main goal is to intensify and network maritime situational awareness, and to improve information exchange." (Brinkmann/Peters 2008: 23).

The **Maritime Surveillance** (MARSUR) Initiative is of central importance for maritime security. The project **MARSUR-Maritime Surveillance Networking** develops an integrated system for the creation of a common maritime situational awareness (*Recognized Maritime Picture/RMP*). For this purpose, current maritime systems are merged and networked step by step, in order for decision makers to make tactical and strategic decisions regarding maritime EU-missions based on better data availability. Since this involves a public system, participating states can access as well as input data and thus improve situational awareness and the protection of the borders of the European seas. A further project, the **Maritime Mine Counter Measures**, develops and improves the national competencies in anti-mining and is supposed to start in 2018 under France's leadership together with 13 other countries.

#### FRONTEX

The **European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union** (FRONTEX) was started in 2004 by the Council of the EU. Its main responsibilities are:<sup>22</sup>

- the coordination of the joint projects on the outer borders of the EU;
- the support of the member states in training border patrols;
- the development of risk analysis;
- the development of border patrol technology;
- the operative and technical support of member states and third states;
- the development of an information system and exchange.

Although FRONTEX is not just a maritime security organization, the agency leads many of operations in the maritime area. With the founding of a **European Patrols Network** (EPN) FRONTEX created a concept which coordinated monitoring systems to help stop illegal immigration in the south maritime domain of the EU. The EPN is not a type of European coast guard, but a mechanism which more efficiently protects the borders of

<sup>21</sup> Sea Surveillance Cooperation Baltic Sea (SUCBAS). Online: <http://www.sucbas.org/index.php#item3> [Accessed: 1.08.2012].

<sup>22</sup> FRONTEX: Mission and tasks. Online: <http://www.frontex.europa.eu/about/mission-and-tasks> [Accessed: 1.08.2012].



Europe through better coordination and synchronization of national border controls. (Germond 2011: 572). Through founding national coordination centres and the institutionalization of the EPN, the FRONTEX-coordinated missions can better cope with threats and risks that originate far from the coasts of the member states and can cover a broader geographical area.

c. USA

*Maritime Domain Awareness – Maritime Situational Awareness*<sup>23</sup>

The concept of the **Maritime Domain Awareness** (MDA) concentrates on all areas that impact on the maritime domain and all activities that occur on, in and under the water, the ocean, and water routes. The MDA is based on a holistic security understanding, since it involves security as well as safety aspects and considers military, economic, infrastructural and ecological aspects. The goal of the MDA is the development of **maritime situational awareness** for preventing and fighting terrorism and organized crime. Decision makers will have an easier time making decisions and finding avenues for action thanks to the more detailed information provided by situational awareness.

The main responsibilities of the MDA are:

- monitoring maritime traffic, including landing, crews, and passengers;
- integration, networking and analysis of data and its dissemination;
- the creation of data banks.

The MDA concept uses existing national capacities and capabilities in order to create a comprehensive global system. Its goal is to keep situational awareness up to date by increasing transparency, constant information exchange and public system architecture and by involving national and commercial actors. The **Office of Global Maritime Situational Awareness** (OGMSA) and the **National Maritime Domain Awareness Coordination Office** are the central points of contact for coordinating the MDA with cooperating states. In fact, the OGMSA is actually based in part on the **Maritime Safety and Security Information System** (MSSIS).

*Maritime Safety and Security Information System*

The MSSIS is an instrument developed by the United States for NATO operations in the Mediterranean, which can help create a joint situational awareness. As of 2011, 68 countries were involved in providing national information on the MSSIS which produced a joint situational awareness (compare appendix 2). The system is based on non-classified AIS-Data, which is internet-based and can be exchanged in real time and simultaneously be seen by users. The **open maritime data sharing** concept is therefore based on the willingness of participating states. "Since the MSSIS is based mostly on the AIS information, which can be manipulated and which does not include maritime vehicles under 300 BRT, this system needs to be further developed and updated" (Brinkmann/Peters 2008: 22) Nevertheless, the MSSIS provides a solid foundation for a future global **Maritime Situational Awareness** System.

<sup>23</sup> See National Plan to Archive Maritime Domain Awareness for the National Strategy for Maritime Security. Online: [http://www.dhs.gov/xlibrary/assets/HSPD\\_MDAPlan.pdf](http://www.dhs.gov/xlibrary/assets/HSPD_MDAPlan.pdf) [Accessed: 1.08.2012] und Navy: Maritime Domain Awareness Concept 2007. Online: [http://www.navy.mil/navydata/cno/Navy\\_Maritime\\_Domain\\_Awareness\\_Concept\\_FINAL\\_2007.pdf](http://www.navy.mil/navydata/cno/Navy_Maritime_Domain_Awareness_Concept_FINAL_2007.pdf) [Accessed 1.8.2012].



### *National Strategy for Maritime Security*

In 2005, the Bush Administration formulated a *National Strategy for Maritime Security*,<sup>24</sup> which was supported by eight maritime strategies for the future. The US Navy, Marine Corp, and US Coastguard then published its joint national maritime security strategy in October 2007, based on these strategies.<sup>25</sup> The main priorities outlined by the document are:

- (1) **Earlier presence** in the place where threats occur in order to prevent and contain threats from reaching the US territory as early as possible;
- (2) **Deterrence** from conflicts between superpowers through a global maritime presence and technological dominance; further deterrence through cooperation with allies and a maritime contribution to an antimissile system;
- (3) **Maritime monitoring** for sea control and sea denial;
- (4) **Power projection** on land for the support of national combat forces, maritime transportation capacities, and sea supplies;
- (5) **Maritime security** for the prevention of piracy, terrorism, proliferation, drug trafficking and other illegal activities. Implementation of international law according to the *Maritime Operational Threat Response Plan* and joint deployments with navies and coast guards world-wide;
- (6) **Humanitarian missions and catastrophe response measures** as part of multilateral cooperation and deployment of assistance units world-wide.

Two implementation principles influence the strategic priorities. The first principle envisions a sustainable increase in interoperability as well as a more intense integration of national institutions that operate in the maritime area. The second is supported by the *Global Maritime Partnership* initiative which helps international interoperability through cooperative maritime security. The second priority is focused on the improvement and broadening of maritime situational awareness. Interagency cooperation should be motivated by national efforts, but the effectiveness of the MDA should be strengthened by international cooperation. The goal is a better joint situational awareness, and to equip decision makers to have the broadest possible and most reliable information to enable them more avenues of action in crisis situations.

#### d. France

France's December 2009 maritime security strategy *Blue book – A French National Strategy for the Sea and Oceans*<sup>26</sup> tries to define from the beginning what a holistic and integrated maritime strategy and policy that handles all maritime topics would look like. The blue book is divided into four priorities of maritime policy. The first refers to the **Sea as an Investment in the Future** and involves topics like environmental policy, the ocean as a work place, and addresses the French public awareness of the maritime domain. The second priority pre-

<sup>24</sup> The National Strategy for Maritime Security. September 2005. Online: <http://georgewbush-whitehouse.archives.gov/homeland/maritime-security.html> [Accessed: 1.08.2012].

<sup>25</sup> A Cooperative Strategy for the 21st Century. Oktober 2007. Online: <http://www.navy.mil/maritime/MaritimeStrategy.pdf> [Accessed: 1.08.2012].

<sup>26</sup> Blue book – A French National Strategy for the Sea and Oceans. 2009. Online: <http://www.sgmer.gouv.fr/IMG/pdf/2009-12-08 - Blue Book - A national strategy for the sea and oceans.pdf> [Accessed: 1.08.2012].





sented in the blue book is called the ***Ocean as Sustainable Economic Area*** and focuses on the geopolitical meaning of a long-term use of maritime raw materials and resources, ecologic fisheries, innovative ship building, and the transformation of maritime trade. In addition, the importance of ecological sustainability, the maritime tourist economy, and the possession and building of internationally significant ports of transshipment is discussed.

The third priority stems from the necessity of geopolitical and geographic dimensions of the French territory and is therefore focused on the French ***Maritime Dimension of Overseas Territories***. There is a discussion of the integration of local *stakeholders* in the overseas territories in the formulation of the maritime policy, environmental questions and the role of maritime resources in the development of future economic models. Finally, ***France's Role and Responsibilities on the International Stage*** is discussed. *Governance*, the implementation of an integrated maritime policy, and the strengthening of defence in the maritime area is explained. Based on the French White Paper for defence and national security,<sup>27</sup> the blue book discusses security assignments in three core areas: the protection of trade routes to Europe and the overseas territories, the protection of French territory and its citizens, and diplomatic measures for conflict prevention (Blue book 2009: 57). Bilateral and multilateral cooperation should contribute to more security in the maritime area and make local agencies' fight against piracy more effective through the support of the French coast guard.

e. NATO

*Alliance Maritime Strategy*<sup>28</sup>

NATO's ***Alliance Maritime Strategy*** defines its strategic goals for the maritime area based on four central themes: (1) ***deterrence and collective defence*** (2) ***crisis management*** (3) ***cooperative security*** through partnerships and dialogue and (4) ***maritime security***.

The area of ***deterrence and collective defence*** remains an essential part of the NATO-strategy in the maritime area. The NATO navies possess a degree of organisation, strategic communication ability, operative preparedness, interoperability and professionalism which deters aggressors and defeats threats through collective defence. The special maritime responsibilities in the area of ***deterrence and collective defence*** are:

- Contribution of nuclear deterrence through maritime units;
- Conventional crisis reaction team readiness for quick deployment and enemy confrontation through superior quality maritime forces;
- Maintenance of an "*expeditionary navy*" through monitoring maritime routes (SLOC), effective mine defence, support of amphibian abilities and weapons that can be used on sea and land;
- Securing free trade through reconnaissance and high precision data;
- Contribution to sea-based ballistic and operational area antiballistic missile defence, defence of territory and population from ballistic missiles.

<sup>27</sup> French White Paper on defence and national security. 2008. Online: [http://www.ambafrance-ca.org/IMG/pdf/Livre\\_blanco\\_Press\\_kit\\_english\\_version.pdf](http://www.ambafrance-ca.org/IMG/pdf/Livre_blanco_Press_kit_english_version.pdf) [Accessed: 1.08.2012].

<sup>28</sup> Alliance Maritime Strategy. March 18, 2011. Online: [http://www.nato.int/cps/en/SID-41426331-6494A785/natolive/official\\_texts\\_75615.htm](http://www.nato.int/cps/en/SID-41426331-6494A785/natolive/official_texts_75615.htm) [Accessed: 1.08.2012].

**Crisis Management** involves conflict prevention, crisis response, embargo operations, peacekeeping missions and fighting terrorism. Maritime forces contribute by enforcing embargos through interception operations, the ability to conduct precision-guided attacks from land, and launch amphibian operations to enable combat forces, material, logistics and relief to come on land. Crisis management also involves sea monitoring, reconnaissance, and the build-up of supply capacities and operational bases on sea. The maritime responsibility for crisis management is therefore:

- **Military:** Maintenance of modern, flexible and deployable maritime units, in order for military operations such as *power projection ashore*, *sea control* und *sea denial* to be implemented under, over and from the sea.
- **Humanitarian:** Urgent humanitarian assistance capabilities and support operations in the area of catastrophe management;
- **Crisis Response:** Enforcement of UN-embargos, power demonstration, peacekeeping missions and no-fly zone restrictions;
- **Logistics:** Logistical support in enemy coastal areas and construction of base operations on high seas.

The guideline of **cooperative security through partnerships, dialogue and cooperation** refers to the diplomatic role that naval forces play with partners through trust-building measures. These involve the following areas of responsibility:

- Information exchange improvements, interoperability and transparency between NATO and its partners;
- Diplomatic activities in the framework of *Standing NATO Maritime Groups*;
- Support for and improvement of the partners' capabilities and cooperation with them in order to increase the security in the maritime area;
- Conducting joint seminars, education and training operations at sea as trust-building measures.

The area **maritime security** provides the opportunity to harmonize current national laws pertaining to human rights in order to increase security. In addition, the following measures attempt to improve cooperation processes and operations in order to create a common situational awareness:

- Implementation of reconnaissance and patrol responsibilities within the framework of a NATO-mission and information exchange;
- Implementation of maritime interception missions for prosecution and preventing the proliferation of weapons of mass destruction;
- Contribution to energy security and worldwide maritime route security (AMS: 5) through the protection of critical infrastructures and SLOCs (AMS: 7).

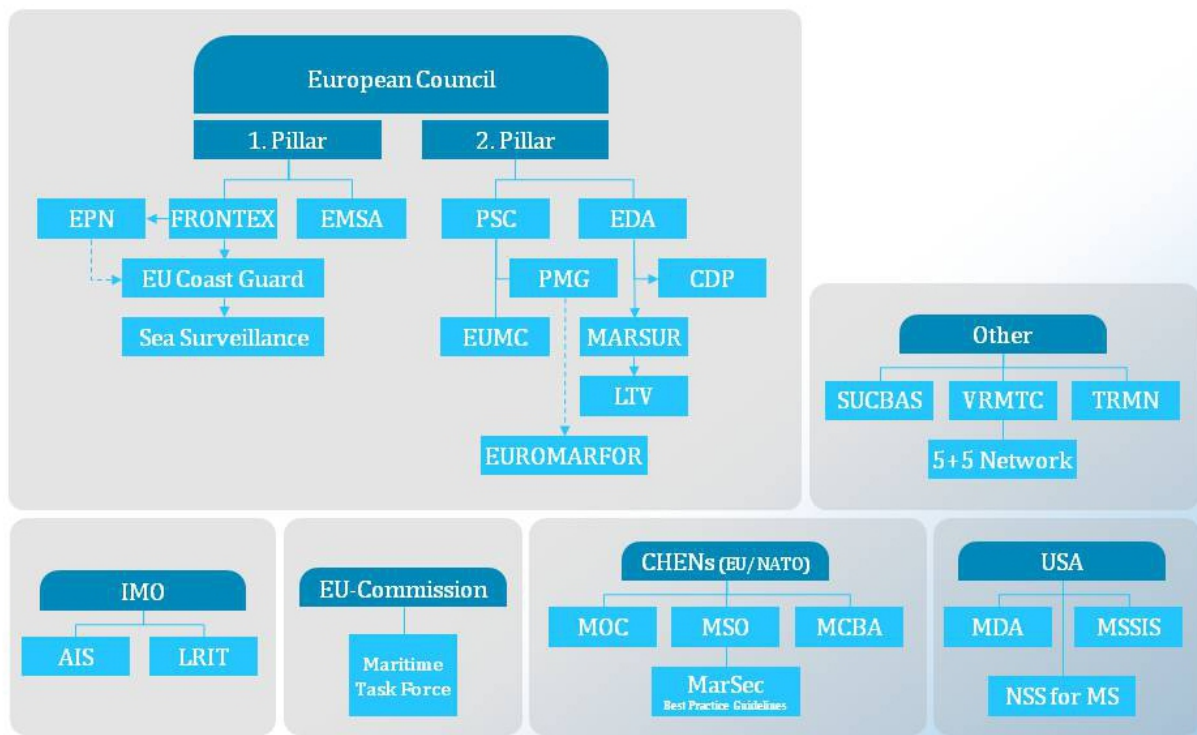
The guidelines of NATO's maritime strategy make clear that there is a consensus between the allies, to make Alliance maritime capabilities available in nautical out-of-area deployments as a contribution to international

missions. Therefore the new maritime strategy of the Alliance can be understood as a step to a NATO that is potentially engaged worldwide.

*Summary*

The measures introduced here as well as the national maritime security strategy of the USA and France and the multilateral maritime security strategy of NATO define the broad spectrum of necessary measures and strategic concepts for the improvement of maritime security. These strategies can serve as a template for the European Union and help support and provide input into the formulation of a European maritime strategy. The maritime security strategy of the USA and NATO offer a foundational blueprint for security and defence policy components for Europe as a whole. They contain relevant threat and risks and name current and future areas of responsibilities for Western navies. The French maritime strategy also provides important stimulus for the EU, since it emphasizes the economic meaning of the maritime domain and stresses awareness of public opinion. The French strategy also outlines the strategic challenges in protection and integration of overseas property in a broad security strategy. Parts of this current strategy and the experience attached to it should be considered in the formulation and development of an EU maritime strategy and its political and practical adaptation capability.

Figure 5: Overview of international initiatives of maritime security<sup>29</sup>



The national and international measures proposed here in the area of maritime monitoring, information gathering and situational awareness (VRMTC, TRMN, SUCBAS, MARSUR, RMP, MDA, MSSIS) and the improvement

<sup>29</sup> Own presentation of the author, KT.

of maritime security and cooperation (CDP, *Maritime Mine Counter Measures*, EPN, *Global Maritime Partnership*) make clear the complexity and redundancy of national, regional and international goals in the deployment of maritime security. Current programs and measures such as VRMTC and MSSIS are based on *ad hoc*-initiatives, are not coordinated with each other, and contrary to their intentions, neither compatible nor complementary. These are not systems that operate on the basis of interoperability. They are confronted with cultural and legal barriers that work against a common situational awareness (Ulrich 2010: 2). The resulting ineffectiveness leads to information deficits and the loss of maritime security. Since a maritime 9/11 scale event has not yet occurred, the maritime security measures are not nearly on the same professional level as the aviation security. September 11 revolutionized international aviation security and led to the implementation of serious security measures (Monitoring luggage, air marshals, exchange of passenger data, biometrical passports, body scans, etc.). In the maritime area such global coordination measures have not yet occurred, thus illuminating its vulnerability and clearly indicating the necessity to generate a global security strategy.

#### IV A European Maritime Security Strategy

A future European Maritime Security Strategy (EMSS) must work within the strategic framework of the 2003 ESS, but must complement its maritime goals. The strategic goals of an EMSS must be compatible, flexible, and sustainable in order to meet the constantly changing challenges of the twenty-first century and to supply an increased amount of maritime security. With the exception of strategic submarines and aircraft carriers, the EU navies can, even if not qualitatively, keep up with the United States quantitatively. The maritime dimension of the European security policy thus is mirrored in the military sphere.

Figure 6: EU-US Comparison of maritime capabilities (Germond 2011: 585):

Type of ships	EU	USA
Strategic submarines	8 (France + UK)	14
Attack submarines	75 (17 nuclear powered)	57 (all nuclear powered)
Aircraft carriers	6 (5 light)	12
Principal surface ships	141	100
Amphibious ships	33	36
<i>Patrol boats</i>		
Navies	380	8
Coast guards	More than 1400	162

A direct statistical comparison between the military capabilities of the USA and the EU countries serves only as a tool to indicate the importance of the maritime domain, although it is not comparable since the EU navies are not integrated into one structural system. Even if the maritime capacities of individual EU states seem to be sufficient, there is no common maritime strategy to enable the EU to be seen as a **global maritime player**. The basis for an EMSS will be shown in the following pages based on the outlined possible scenarios of the security policy environment of the twenty-first century and the discussion of how national and international security strategies have implemented measures. First, a strategic framework adapted to meet new security

challenges will be presented. Then the potential creation of an EMSS based on four elements will be introduced. Finally, the necessary implementation criteria will be discussed.

#### *Strategic Framework Adjusted for a European Maritime Security Strategy*

Based on the ESS defined strategic goals, an EMSS needs to fulfil the following strategic framework in order to substantively improve maritime security. The standing strategic goals of the ESS (***prevention of threats, strengthening the security in our society based on an effective multilateralism***) must be broadened to include *environmental protection*. The following adjustments must be made to the strategic framework of the EMSS:

- ***Prevention of threats***

Even though conflict between states will be an exception in the future, the EMSS has to include classic defence responsibilities. Based on a maritime power projection strategy, a credible military potential must be available in case of emergency, so that ***conventional deterrence*** will prevent potential enemies from attacking European soil. Even though enemies such as suicide killers are not usually stopped through conventional methods, others, such as pirates and criminals, can be deterred through such projection of power. This maritime power strategy includes traditional navies' responsibilities such as ***sea control, sea denial*** and ***military power projection*** on sea and land. In addition, ***sea lines of communication*** need to be controlled.

In view of the potential increase in asymmetrical threats in the maritime area, the EMSS must ***minimize current weaknesses***. Since all predictions point to a land-based enemy operating on an asymmetrical basis, the EU needs to consider that the disadvantage posed by the strategic distance from the theatre of operation to EU territory is compensated by a ***full-spectrum of maritime capabilities*** (air, sea, logistic and amphibian capabilities). This broad spectrum is important because a strategic goal of the ESS is to counter threats where they occur. The EMSS aims to enable the navies to independently operate in far-away and hard to reach regions for a longer period of time in order to manage crisis before they reach the EU. Such missions include international *peacekeeping* operations under a UN mandate with a robust *peacemaking* mandate including military measures according to Article 42, and military measures according to Article 51 of the UN-Charter, or humanitarian intervention on the basis of a resolution of the UN Security Council.

In addition to the conventional assignments of an ***expeditionary navy***, European navies must also fulfil ***constabulary missions***. These include preserving the national integrity of member states through a presence in their territorial water, maintaining order at sea, and protection of national and European resources including port facilities and civil navigation from symmetric and asymmetric threats (Speller 2008: 170). *Constabulary* assignments include international peacekeeping missions, which fulfil non-military measures under Article 41 of the UN Charter, such as implementing embargos, sanctions, or ceasefires. A further aspect involves the maintenance and further expansion of navy forces and civil deployment units, in order to manage the challenges of catastrophes, humanitarian and evacuation missions. In addition, the Lisbon mutual aid pact based on the Article 222 solidarity clause comes into play during terrorist attacks and natural catastrophes.

- ***Strengthening the Security in our Society***

The contribution of the EMSS to the strengthening of security in the EU is based on the ability, stability and basic laws in the neighbouring states and to be able to project beyond these. ***Capacity building-measures*** in



the maritime area of countries from Africa, the Mediterranean, and the Near and Middle East help sustainable development, peaceful cooperation and export security. These trust-building measures encompass **second generation developmental and reconstruction aid**. In addition to supporting the creation of coast guards and police units, they develop legal institutions. This ensures that Europe does not become merely a delivery service for food, technical material and medical help. Cooperation on education, training and technology transfer is the foundation for the development of civil and military structures, which lead to an improvement in the security environment in Europe. This cooperation cannot be selective, favouring only the civil or military components, since unbalanced developmental assistance does not create sustainable success. (Wise Pen 2010: 21). In addition, the EU needs to support stable political relations and democratic developments in neighbouring states. The EU-navies must foster friendly relations with neighbouring states and project security and stability in the EU-maritime domain through diplomatic visits to harbours, informal and formal cooperation and through the development of *cooperative maritime governance*.

- *World Order Based on the Foundation of an effective Multilateralism*

An EMSS can contribute to the **strengthening of international cooperation** and international institutions based on the foundation of an effective multilateralism. The strengthening of human rights norms, the deepening of cooperative government within the EU maritime domain and cooperation with regional and global partners helps stabilize an international world order. Maritime cooperation between the EU and other actors should be based on *governance* concepts, trust-building measures, and the support for state of law, democracy and transparent politics in order to increase the security of the EU and the broader European area in the long-term.

- **Environmental Protection**

The **protection of maritime life and biodiversity** must be a central component of the EMSS. The numerous existing institutions and initiatives in Europe, such as the **European Agency for Maritime Security and Fishery Monitoring** are important endeavours, but an EMSS must include life in all areas of the European ocean and go beyond the EU-member territorial waters. (Wise Pen 2010: 20). In addition, a European maritime monitoring and operation centre can include data on environmental threats, in order to create an early warning system and thus prevent threats. A further strategic focus of the EMSS is anchored in the area of scholarly research for the prevention, understanding and prediction of natural catastrophes and security-relevant ecological developments. Since man knows less about its oceans than it does about the moon,<sup>30</sup> there should be a strategic increase in research activities to ensure the improvement of environmental protection and catastrophe management.

#### *Creation of a European Maritime Security Strategy*

A new EMSS must define (1) **maritime threats and risks** for the EU, (2) **maritime strategic operations**, (3) **implementation strategies** and (4) the **maritime present and potential deployment area**. These four elements of a new EMSS allow a systematic and effective maritime strategy to be formulated.

<sup>30</sup> Beneath the surface of Earth's vital seas. Online: <http://oceansci.ucsc.edu/research/> [Accessed: 1.08.2012].

An EMSS must **define threats and risks**. As stated in the analysis of the simulations of potential future security policy scenarios, there are at least six central themes of great relevance for maritime security in Europe:

- Interstate and regional conflicts in the immediate vicinity of Europe;
- Decrease in sea commerce due to piracy and organized crime;
- The asymmetrical threat through maritime terrorism;
- International weapon and drug trade;
- Illegal maritime migration;
- Environmental pollution.

In order to fight these threats, the sea deployments of navies and Coast Guard must have the following **strategic capabilities**:

- Demonstration of maritime power (sea control, sea denial, amphibian, supply and sea transport operations);
- Security operations (Antiterrorism, antipiracy, fight against drug and arms trafficking, border patrol and operations against illegal migration);
- Sea protection (*Safety* measures, fisheries and environmental protection).

After defining maritime responsibilities, EMSS must propose **implementation strategies** for:

- Complementary cooperation with NATO;
- Border patrol coordination measures through FRONTEX;
- Common defence procurement under the leadership of the EDA;
- Creation of a common European maritime security centre;
- Creation of a common European maritime operation centre; minimizing redundancies and increasing interoperability;
- Founding a European coast guard;
- Capability sharing and pooling;
- Creation of a European fleet and further maritime deployment groups and task forces based on the model of the European Maritime Force (EUROMARFOR);
- Support of member states in clarifying legal questions;
- Strengthening and broadening legal maritime agreements;
- Intensifying cooperation with neighbours and residents on a local, regional and international level;
- Supporting African countries as they build maritime capabilities in order to increase diplomatic and trust-building measures;
- Public private partnerships (PPP) in the area of winning maritime information and protecting the sea environment;
- Coordination of protecting the environment and managing catastrophes;



- International organizations and NGOs cooperating for long-term improvement of maritime security.

Because threats to Europe's security need to be fought in the place where they originate, EMSS must define the **current and potential maritime deployment area**. These areas should be rated according to their security priority, so that the geopolitical interests of Europe can be more exactly defined:

- The Mediterranean
- The Atlantic
- The Arctic
- The Black Sea
- The North and East Seas
- The Horn of Africa

#### *Implementation criteria of a European Maritime Security Strategy*

The foundation for the successful development of an EMSS is the **collective and sustainable political will** in each EU country as well in Europe as a whole. There needs to be resolution about common development of an EMSS through the responsible national institutions and combat forces. CHENS could serve as a coherent leader for this process. Maritime security is not improved by persisting in doing nothing, or just keeping the current redundancies, or incompatible and uncoordinated security measures and initiatives. Waiting for a *window of opportunity* for institutional change (initiated through a 9/11 scale event in the maritime area) is not politically responsible and should be replaced by active engagement and long-term commitments to national and European maritime security. A further implementation criterion is building and making available **reliable maritime capabilities and deployments** on a European level. If this does not happen, there will be a lack of coordination and an overload of current resources, which will compromise maritime security. In order to increase the credibility and the broad area of responsibility in the maritime area, complementary armament, acquisition, development and research initiatives must be improved through *sharing and pooling*, so that efficiency can be improved, even in times where financial resources are lacking.

In order to create a **holistic and networked security approach**, the information exchange, cooperative measures and solution flow from a common understanding of what both parties know and what they do not. Far-reaching transparency must be intensified across institutions. Strategies, decision makers and security policy structures must adjust to the **maritime challenges, threats and risks of the twenty-first century**. New threats must be analysed with a new perception of security, which must consider military, economic, ecological and societal aspects and analyse what solutions could work even beyond a nation's borders. The methods used during the Cold War will not overcome the security and defence challenges of the twenty-first century. In addition, it is important for European maritime security to not be continentally isolated, but to understand it in the context of a dynamic and constantly changing world.

The implementation of measures and programs that support maritime security should be separated from bureaucratic tradition, and from **institutional stagnation and incrementalism**. Powers that are unfit to lead cannot continue to do so for historical, financial or political reasons.



Finally, an **evolutionary and sustainable commitment to intensifying partnerships and cooperation** with neighbouring states, international organizations, private sector actors and NGOs must be politically induced, followed through on and intensified. This allows the challenges in the maritime area to be met and sustainable maritime security to be established for Europe and the world.

## V Security Policy Recommendations

### 1. Germany

Based on the importance of commercial shipping for the German economic and security interests, Germany must, intensify its national and international engagement in the area of maritime security. This will allow Germany to play a leading role together with France within the EU. Since the White Paper only fulfils the role of a national security strategy in a limited way, Germany is missing a strategic national security strategy similar to those of Great Britain, France or the United States. German maritime security strategy could be based on such a document (see Figure 7).

Figure 7: Comparison of current doctrines and strategic concepts<sup>31</sup>

	UN	NATO	EU	DE	USA
Strategic doctrine	„In larger freedom“ (2005)	NATO Strategic Concept (2010)	European Security Strategy (2003)	✗	National Security Strategy (2010)
Central strategic concepts	✗	Example: Political guidance on ways to improve NATO's involvement in stabilisation and reconstruction (2011)	Military Headline Goal (2010); Civilian Headline Goal (2008)	White Paper (2006), Civilian Crisis Prevention, Conflict Resolution and Post-Conflict Peace Building (2004)	Quadrennial Defense Review (2010); Nuclear Posture Review (2010); Ballistic Missile Defense Review (2010)
Maritime security strategy	✗	Alliance Maritime Strategy (2011)	✗	✗	National Strategy for Maritime Security

It is important for Germany to accompany, shape and participate in most of the initiatives in order for NATO and EU systems to stay compatible and to avoid duplication. In addition, the regional operation centres in the North and East Sea should be integrated into the European operation centres. At the same time, Germany should aim for the development of a national security strategy and a maritime security strategy in order for German interests to be brought into a new EMSS. In light of the anticipated threats and risks of the twenty-

<sup>31</sup> Own presentation of the author, KT.

first century, and based on a comparison of current national and international strategies, the following security policy recommendations for improving the German maritime security policy are recommended:

a. National Security Strategy

- Rating and revising the White Paper to a national security strategy through a cooperative effort by all government ministries;
- Adjusting the White Paper to meet new security challenges and developments through updating it after every legislative period;
- The development of a specific maritime security strategy within the framework of a national and European security strategy;
- Combination of the European IMP with the national maritime security strategy followed by implementation.

**Benefits of a national security strategy:**

- Basic document that is not portfolio-specific/Serves a doctrine for German security policy;
- Increased transparency for German foreign and security policy interests;
- Increased realm of influence and more power of negotiation in the further development of the European security strategy and a European maritime security strategy;
- More effective framework and platform for networked security strategy;
- Improved coordination of civil-military cooperation;
- Fulfilment of international expectations of Germany.

b. Establishing federal ministry for commercial shipping and maritime issues

- Concentrating all maritime competencies into one ministry;
- Platform for PPP for the German shipping and shipbuilding industry;
- A ministry to house the “national coastguard.”

**Advantages of a federal ministry for Commercial Shipping and Maritime Issues:**

- Recognition of the economic relevance of the German commercial navy and the economic significance of the maritime area;
- Increase in public awareness of the maritime area and a decrease in the “sea blindness” in the German economic, foreign and security policy;
- Unified leadership for all maritime responsibilities;
- Institutional framework for maritime agencies, liaison for European agencies, private sector actors and NGOs with a maritime background.

**Alternatively** the *maritime coordinator* should **be transferred** from the Ministry of Economics and Technology to the Federal Government office.

c. Establishing a national coast guard

- Participation of four government ministries and different country's agencies leads to a division of responsibility;
- Currently not concentrated leadership.

**Advantage of a national coast guard:**

- One agency has responsibility and leadership (not just in emergency situations);
- Common preparation of training and the materials needed for it;
- Accomplishment of higher unified standards in the quality of enforcement power;
- Potential to save money through streamlined administration;
- Reducing coordination costs and redundancies;
- Simpler integration of a German national coast guard in a future European coast guard.

d. Clarifying legal issues

- Bilateral agreements with states which allow maritime forces to operate in its territorial waters (for example, in the pursuit of boats manned by pirates);
- Separation of police and military responsibilities in peace operations.

**Advantages of clarification of legal issues:**

- Fulfilment of a military assignment s ensured;
- Legal security.

e. Necessary capabilities of the Bundeswehr

The responsibilities and goals described in the EMSS demand EU countries cover broad areas of responsibilities and capabilities in the maritime area. The Bundeswehr, and above all the German navy, must be able to contribute to the defence of German and EU territory on land and sea and in the air. The *expeditionary navy* is equipped with enough maritime power to fulfil this task. In order to project the same capabilities within the framework of a humanitarian mission, as in the fight against piracy or maritime terrorism, the *constabulary navy* needs to be enlarged. The deployment of frigates for surveillance of small boats is not cost efficient. The development of smaller maritime operative units with *mission-tailored* assignments, that provide more cost-effective service with fewer personnel needs, is therefore imperative. The K130 corvette and the Braunschweig-class provide the first step towards optimizing these capabilities. The deployment of unmanned drones for monitoring certain sea areas is imperative. This allows a smaller number of units to protect a larger operational area. In addition, making helicopter carriers available through cooperation with EU partners in order to implement peacekeeping, humanitarian and evacuation missions also strengthens the aeronautical

capabilities of the Bundeswehr at sea. Crisis response capabilities also need to be evaluated and tailored to each humanitarian mission.

The coordination of security-relevant acquisitions such as pooling and sharing with European partners must be increased. This allows the Bundeswehr to become more effective and efficient in the area of sea and air transport, maritime supply and logistics, and amphibian capacities. Common European development and research goals should be supported, in order to prepare for future challenges. In addition, an increase in interoperability through common operation and manoeuvres and a harmonization of training and education provides better results through deployments of the Bundeswehr in cooperation with other EU countries. Finally, due to the new asymmetric challenges in the maritime area, current units such as the KSK German Special Forces or frogmen can be supplemented with a *new maritime special forces unit*, which has the capability for instance to deal hostage situations on the high seas.

## 2. European Union

In light of the threats and risks in the twenty-first century, Europe needs a new ESS that presents a holistic strategy, as well as an EMSS that proves its role as a global maritime player. Based on the current strategic framework, and the proposed European maritime security and defence policy essentials outlined in chapter four, the following recommendations for action are of central importance for the EU as it continues the development of the EMSS.

### a. European security strategy

- Adaptation of the ESS to new security threats;
- Further development of the strategic framework;
- Establishment of the geopolitical deployment area;
- Long-term cooperation with Africa, including passing on Know-how and technology.

### b. European Maritime Security Strategy

- Definition of maritime threats;
- Definition of maritime responsibilities;
- Creation of maritime working groups for military and humanitarian projects;
- Proposal of implementation strategies for quick EMSS adaptation.

### c. European Maritime Surveillance Network

- Integration of maritime monitoring and situation awareness (VRMT, MARSUR, SUCBAS) in an interoperable European system;
- Creation of common maritime situation and security centres in the EU;
- Integration of land and holistic situation system;
- Institutionalisation of information exchange;

- Development of a situation system, that includes sea vehicles under 300 BRT;
  - Developmental assistance of compatible systems in Africa;
  - Intercontinental connection with further situational awareness systems.
- d. Establishment of a European coast guard
- Common protection of EU maritime borders through the coast guard;
  - Monitoring and pursuit of illegal fisheries;
  - Monitoring the EEZ of the EU- member countries;
  - Monitoring of environmental protection restrictions;
  - Monitoring aging and environmentally dangerous ships and freight;
  - Following through on commitments in the fight against illegal migration and organized crime.
- e. Common armament planning and deployment organizations
- Development of mission-tailored maritime capabilities;
  - Creation of maritime deployments (based on the EUROMARFOR model) and maritime crisis reaction forces;
  - Construction of a European naval formation unit (comprised of aircraft carriers, escort frigates, corvettes and offshore supply vessels);
  - Development of cheaper common platforms in the fight against international piracy;
  - Intensifying efficient common armament and training coordination;
  - Cost cutting through *sharing* and *pooling*;
  - Cooperation in Research and Development under the framework of the EDA;
  - Improvement of European navies interoperability;
  - Legal clarification of when European navies are needed for administrative assistance of coast guards.
- f. Regional and international cooperation, juridification
- Maritime cooperation with Russia and Turkey on the Black Sea;
  - Increased maritime cooperation with north African and Asian counterparts in the Mediterranean;
  - Maritime cooperation with non-EU countries in the Mediterranean and the North and East Sea;
  - Increased regional cooperation for the protection of maritime *chokepoints* (Suez-Canal, Horn of Africa, Strait of Hormuz, and the Malacca Strait);



- Promotion of the EEZ-Demarcation between EU members and neighbouring countries and the clarification of territorial and EEZ-disputes;
- Legal clarification of environmental pollution liabilities through public and private actors in the maritime area.

## V Conclusion

Maritime security is a guarantee for economic prosperity in the EU and for its members with leading economies. Nevertheless, many of the maritime stakeholders (governments, institutions, public authorities) as well as the general public suffer from *sea blindness*. As this study has shown, the significance of the maritime domain within the European security and defence policy is well-known, but there is no clear common strategic vision due to the numerous actors, institutions and agents involved as well as the complex institutional division of labour within the EU.

National and European strategies as well as efficient and effective integration and development of existing national and international measures (in the area of maritime patrols, common armaments and research goals, European coast guard and international cooperation) are necessary in order to provide maritime security in the EU and beyond. Europe needs a security strategy that is fit for the challenges of the twenty-first century and which can draw attention to the importance of the maritime dimension. Based on this new ESS, a new EMSS needs to be developed which defines maritime threats and responsibilities, area of deployment and the necessary capabilities needed including quick implementation strategies. In addition, the EMSS enables duplication of security measures to be avoided, investments to be focused on maritime security, and provides more effective monitoring, protection and defence mechanisms. Only a new EMSS can increase civil-military and international cooperation, and deepen trust-building measures between all maritime stakeholders. This in turn will lead to a long-term improvement of security in the maritime domain.

Germany has a comparable coordination problem to that of the EU. While its White Paper and defence regulations present strategic concepts, they are not coordinated by one overarching national security strategy that guides all ministries and departments. A national security strategy enables Germany to formulate a national maritime security and serves as a foundation for its application to European rules and regulations. In addition, Germany, as the third-largest seafaring nation, should consider creating a federal ministry for commercial shipping and maritime issues in order to bundle all maritime competencies in one ministry or at least transfer it maritime coordinator from the Ministry of Economics and Technology to the Federal Government, thus sustainably overcoming sea blindness. Further attempts should be made to form a national coast guard in order to bring sea and coastal defence under one leadership. This could serve as the basis for a flexible integration with a future European coast guard. In addition, the clarification of legal questions surrounding humanitarian missions, how to fight piracy and environmental pollution liability is much needed.

The Bundeswehr needs to be able to cover a broad area of maritime responsibilities and capabilities. This includes deterrence against conventional enemies and protection of sovereign territory, conflict prevention and resolution and the fight against piracy and maritime terrorism. While the abilities of the German navies



are sufficient in the *expeditionary navy*, the elements of a *constabulary navy* must be expanded. This includes the development of efficient, contract-specific and flexible sea units for peace and evacuations missions and increased cooperation with EU-partners (*pooling and sharing*) in order to strengthen sea and air transport, maritime logistics and amphibian capacities. In order to increase maritime security in Europe, there needs to be enough political will to build a new strategic framework for the EMSS and to implement the needed national and international reforms. As the third-largest seafaring nation and the economic powerhouse of Europe, Germany must play a primary role in this process and provide leadership through national engagement and close cooperation with the other EU countries in the area of maritime security.

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#### Abbreviations

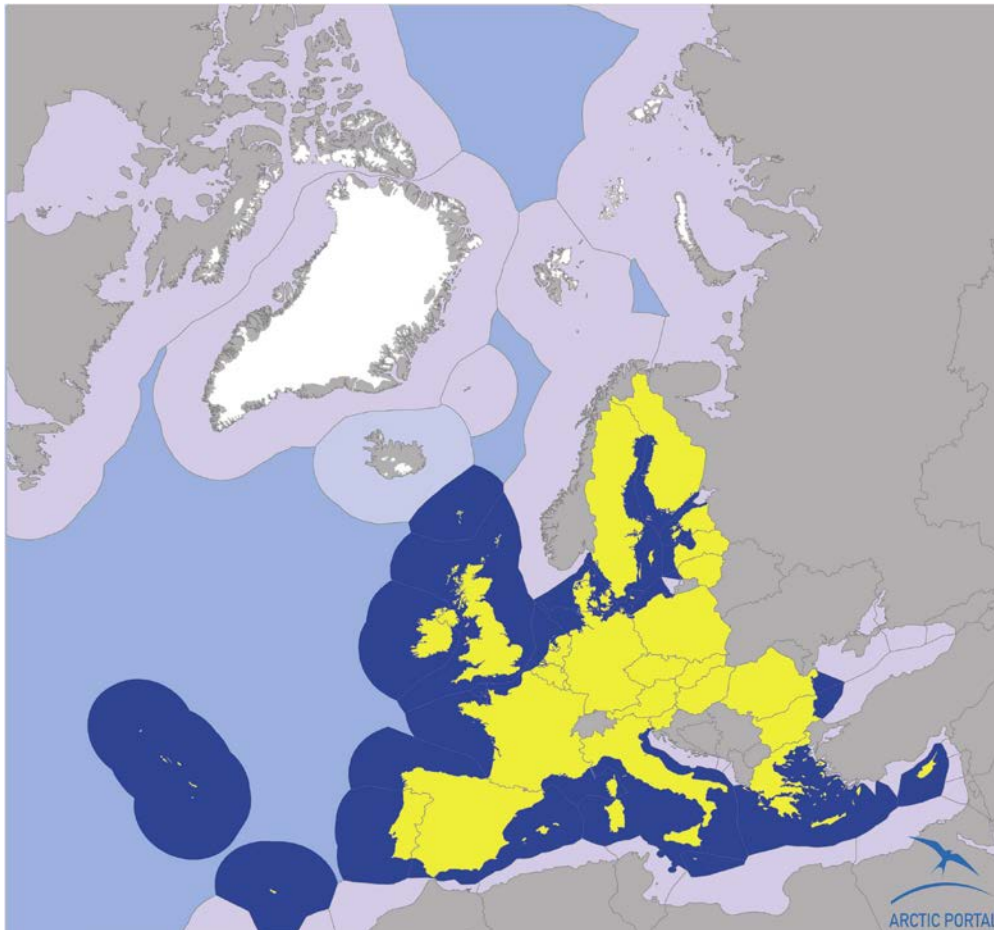
AIS	Automatic Identification System
CCME	Central Command for Maritime Emergencies
CDP	Capability Development Plan
CHENS	Chiefs of European Navies
CRO	Crisis Response Operations
CSDP	Common Security and Defence Policy
EDA	European Defence Agency
EEZ	Exclusive Economic Zone
EMSS	European Maritime Security Strategy
EPN	European Patrol Network
ESS	European Security Strategy
EU	European Union
EUROMARFOR	European Maritime Force
EUROSUR	European external border surveillance system
FRONTEX	European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union
ISTAR	Intelligence, Surveillance, Target Acquisition, Reconnaissance
MARSUR	Maritime Surveillance
MCB	Maritime Capacity Building
MDA	Maritime Domain Awareness
MERAC	Maritime Emergency Reporting and Assessment Centre
MOC	Maritime Operational Concept
MSBPG	Maritime Security Best Practice Guideline
MSO	Maritime Security Operations
MSSIS	Maritime Safety and Security Information System
NGO	Non-governmental organisation
OGMSA	Office of Global Maritime Situational Awareness
PPP	Public private partnership
SUCBAS	Sea Surveillance Cooperation Baltic Sea
SLOC	Sea lines of Communication
RPM	Recognized Maritime Picture
TRMN	Trans-Regional Maritime Network
UNCLOS	United Nations Convention on the Law of the Sea
VRMTC	Virtual Regional Maritime Traffic-Centre

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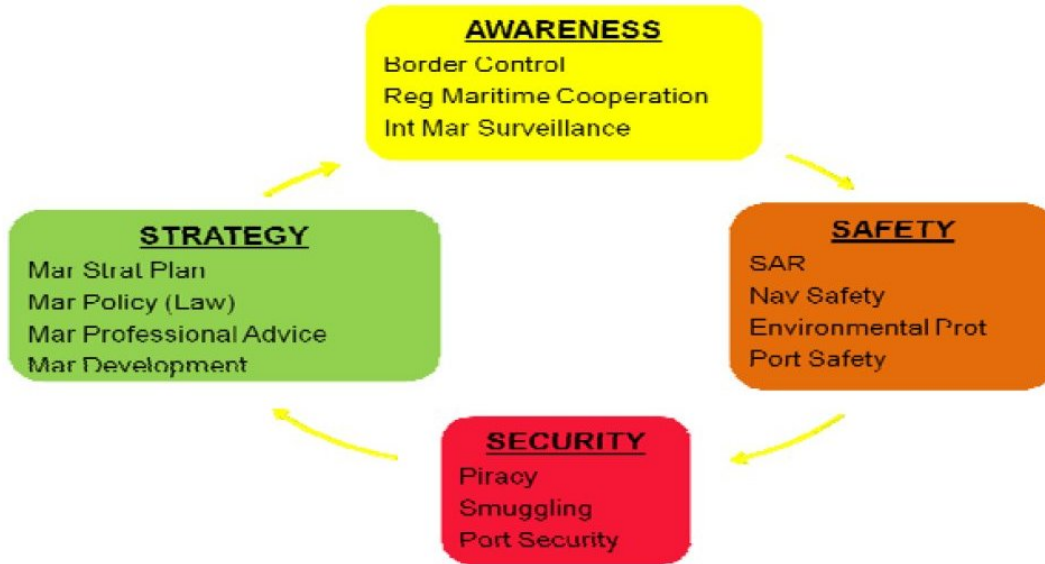
#### Appendix

##### 1) EEZ of the European Union<sup>32</sup>

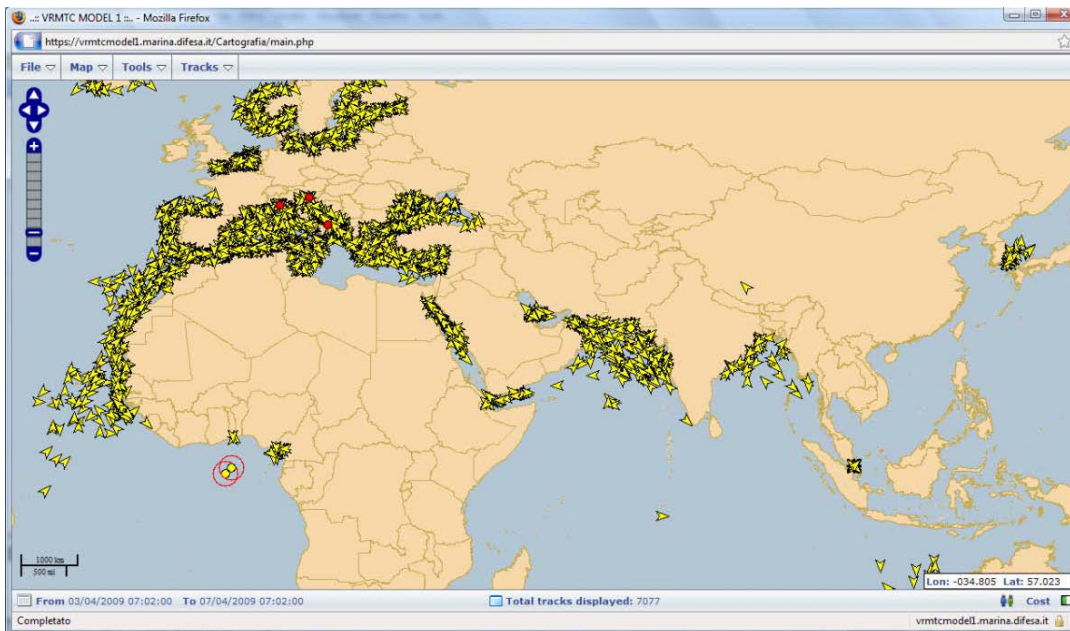


<sup>32</sup> Bildnachweis: Online: [www.library.arcticportal.org](http://www.library.arcticportal.org) [Accessed: 1.8.2012].

2) CHENS CMB Africa<sup>33</sup>



3) VRMTC/TRMN – Transregional situational awareness



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