The European Union and maritime security

Master thesis in Political science with a focus on security policy

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Abstract:
Maritime security has received increased attention by the EU during the last decade. This has resulted not only in policy documents but also in actions taken in the EU’s internal and external relations. Central cases, like EUNAVFOR Atalanta, have been given substantial attention by researchers who are divided in their interpretation of what guides or motivates the EU in this emerging policy space. Some see it as a sign of a more power and materially interest-driven EU, while others see it as a sign of the EU as humanitarian actor. None of these interpretations have however put it in relation with EU policy on maritime security. This essay takes its theoretical base in security governance theory and applies a constructivist approach to the ideational base that constitutes the frame for acting. By conducting a qualitative text analysis of EU maritime policy and comparing this with two central cases, EUNAVFOR Atalanta and CRIMGO in the Gulf of Guinea, the essay researches how the EU perceives itself in global maritime security and what norms guide its actions. The essay concludes that the EU frames itself as an actor in its external relations based on the values of international law and UN principles which pursues economic interests in maritime security but does not to any larger extent promote humanitarian rights. Furthermore it is becoming more independent and capable due to its more state-like positioning in international relations. The essays findings support security governance and constructivist theory about the formation of EU identity and norms.

Key words: EU, maritime security, EU-integration, maritime policy
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1 Introduction

EU integration has since its start been given a vast amount of attention both by scholars and policy makers. The initiating economic cooperation has long been its central aim but foreign and security policy cooperation has followed in its footsteps. An area which is a combination of both and vital for EU economy and security is maritime security. Maritime security regards the stable order of the oceans subject to the law of the sea. This could as an example mean for EU; border control, resources, territorial integrity and safe and secure shipping in all waters where EU have interests.  Security on the oceans and in maritime areas is in other words important not just for the people or nations currently active there but also in order to ensure European way of living. As an example relating this to the European Union is that of its trade, of internal trade 40% goes by sea and of its external the same figure is 90%.

This connects EU: s wealth and security with secure oceans around the world.

Although security in the maritime sector is of vital importance for the EU the maritime context was neglected in the otherwise holistic European Security Strategy 2003(ESS 03). Maritime security has however risen in importance since then. In 2007 an Integrated Maritime Policy (IMP 07) was created which for the first time took a more holistic approach towards maritime policy in the EU. When the implementation report of the ESS was created the following year the question of maritime security and more specifically the piracy in the Gulf of Aden was addressed as a question of European security. At the European council of 2013 another important step regarding maritime security was taken. The decision was made that the EU should formulate a maritime security strategy. A joint communication was presented in March 2014 which presented elements for a maritime security strategy. It identifies strategic interests and threats in a global context and states the wish to create a fully-fledged strategy in order to protect the strategic interests of the Union.

Security governance is the latest approach to understanding the EU as a security actor. It is formed around five characteristics that must be fulfilled in order to constitute an actor. One of these are vital and forms the base for the actor; relationship between the constituent parts are ideational in character. This is in line with constructivist integration theory which highlights the importance of identity and norms in forming a common perception of self and how and why to act. Recent research regarding the EU as a security actor and CSDP concludes that the only maritime operation at that time, EUNAVFOR Atalanta in Somalia, was perhaps not initialized by the same ideational relationship that usually accompanies EU operations and forms the crucial common base. The operation was more a sign of national (member states) interests rather than aligned with the ideational relationship of other CSDP operations.

Another article presents the same idea, that the operation with its interest definition, threat perception and power projection was a sign of EU acting more according to realist perception of material interests than in ground based CSDP operation. Does this mean that EU acting in

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2 European commission & HR of the EU 6 March 2014 *For an open and secure global maritime domain: elements for a European Union maritime security strategy* p.2
3 Commission of the European communities 10 October 2007 *An integrated maritime policy for the European Union*
5 European commission & HR of the EU 6 March 2014 *For an open and secure global maritime domain: elements for a European Union maritime security strategy*
maritime security contradicts security governance and is only driven by member states coinciding interests and that there are no common constructed identity or norms which guide the EU? No, rather it indicates an intriguing phenomenon regarding the ideational base formed within EU maritime security that has yet to be researched.

In examining the EU within the context of maritime security one has to comprehend the borderless complexities that lie within maritime security. The combination of being dependent on global flows and reduced security capabilities of the member states because of the economic crisis sets the stage for increased cooperation.\(^9\) The purpose of the essay is therefore to clarify what is the ideational relationship which shapes EU maritime security policy. The aim of this is to better understand what forms the frame of the EUs acting in maritime security which can help us further comprehend what values and ideas which guides the EU in maritime security.

1.2 Previous research

Early debates regarding EU integration initially revolved around “functional-spill over” as defined by Ernst B. Haas, functionalism claim that sectoral integration would produce unintended integration in other sectors than economic.\(^10\) Later on this was developed with a second approach of “political-spill over” which identified “supranational” organisations to increase integration further and promote common interests and creation of regional integration.\(^11\) When the integration of the European states faltered as result of increasing nation-state focus in the 1970 a second strand of integration theory developed. Intergovernmentalism persisted that the founding premise was that the states controlled the integration of the EU.\(^12\) This was supported by evidence in some areas but faltered when the integration regained momentum in the 1980. The theory developed into liberal-intergovernmentalism and was based on the notion that powerful member states saw increased value of common interests and pushed for further integration.\(^13\) This strand evolved into institutionalism in which the integration is not controlled by member states or EU institutions but rather a growing convergence of interests which make cooperation more preferable. New institutionalism coloured by the rational choice introduced by James March & Johan Olsen assumed that the formal rules of institutions influence the policy decisions and outcomes to certain extent. They do not however effect the fundamental preferences and identities of the member states.\(^14\)

New-institutionalism was met by social-constructivism which saw the importance of identity formation as a result of socializing. These thoughts are closely linked to earlier theories initiated by Karl Deutsch and later on developed by Emmanuel Adler & Michael Barnett which also emphasise the effect of identity formation in formal structures.\(^15\) Structure and processes include both formal and informal rules which form our interests. Interest formation therefore is a result of endogenous factors not exogenous ones as institutionalism claim.\(^16\) This has resulted in the debate regarding the EU integration that persists today, foremost between social-constructivism and new-institutionalism.

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\(^12\) Hoffmann, Stanley (1966) *Obstinate or obsolete? The fate of the nation-state and the case of western Europe* Daedalus 95/3:862-915.
\(^16\) Risse, Thomas (2004)
Another perspective in this debate have begun to use governance theory to explain how the EU works as a security actor. It has been given increased attention since the late 80th and onwards. It has been used as a general theory as a theory of networks, as a system of transnational and international regimes and finally as a heuristic device. Using governance as a heuristic device lets us investigate the role of institutions but still acknowledging the role of states in the security environment. This way of approaching the EU does not intend to challenge institutionalism and constructivist theory but rather build upon them to explain what constitutes the EU as an constituted as an actor. Governance theory is also used since it is based on the notion that a single state cannot handle today’s security environment alone due to the international dependability. It is also important since it allows for researching the norms and ideas driving cooperation. This makes it a suitable theory for researching maritime security since it is inevitably borderless. The research on the EU’s maritime security is mostly focused on the first naval CSDP operation EUNAVFOR Atalanta in Somalia and the scholarly debate regarding the need for the creation of an EU maritime security strategy. In 2009 Basil Germond & Michael E. Smith published an article exploring EUNAVFOR Atalanta claiming it to be not just the first naval operation for the EU but also a first operation based on threats to EU interest and a need for military power projection which strengthen realist and institutionalisms claims. This article was followed by another by Germond in 2011 who by using narrative analysis concludes that there exists a certain EU geopolitical vision in the maritime context which acknowledges the importance of secure maritime margins for the EU. Marianne Riddervold published a contra dictionary article claiming that EUNAVFOR Atalanta was not an exception from CSDP operations. She concludes this by testing if the role of “humanitarian actor” or “interest driven actor” was more coherent with the acting in EUNAVFOR Atalanta. She does not however address the reason for acting and like the previous articles she doesn’t address it in the wider policy perspective. Another example of EU security actor debate not directed at maritime security specifically but regarding all CSDP operations and the EU’s security actorness also favours the notion that there was something else behind Atalanta then other CSDP operations. This and earlier research has asserted with security governance that the EU is a security actor but it has however also indicated that there are unresolved questions behind the ideational characteristic which constitutes the base in maritime security acting. This highlights the need for research in the area. As the issue of maritime security has risen in importance for EU the subject has also become a more interconnected theory. Finally flexing its muscles? Atalanta- The European Union’s naval military operation against piracy 20:3 385-404.

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22 DG for external policies (2013) The maritime dimension of CSDP: Geostrategic maritime challenges and the implications for the Union Publications office
23 Basil, Germond & Smith, Michael E. (2009)
26 Norheim-Martinsen, Per M. (2013)
the notion that security governance can explain EU security actorness but that research is needed regarding the ideational characteristic. Although a geopolitical vision is present, the need for a strategy is clear and Atalanta represents something debatable within CSDP the question is what is the identity and which norms construct the reference point for acting?

1.3 Formulation of problem and research question

Maritime security is a traditional policy area of states that has not until recently been addressed by the EU. Maritime security has risen in importance for the EU and become a part of both internal integration and external relations. This have positioned the EU in a state-like situation which rational institutionalisms claim is driven by coinciding exogenous interests. Security governance can explain EU security integration in other areas and supports the notion of the EU as a security actor but it has had difficulties with maritime security. Therefore this essay proceeds from the statement that the EU is a security actor but acknowledge that there is a need for further research regarding one of the characteristic. The fundamental characteristic of security governance is that the relationship between the constituent parts are ideational in character. This is grounded in the notion, supported by constructivist theory, that identity and norms form the ideational base for the EUs behaviour. In previous research this security governance characteristic has displayed differences in maritime security then in other security areas such as ground based CSDP operations. This supports rationalist ideas and reveals a gap in security governance research which needs review in this case specific area to uphold support. Furthermore the EUs maritime policy has so far not been studied in relation to its actions. Therefore the question is asked:

What constitutes EU maritime identity and which norms are connected to this which together regulate EU behaviour in maritime security?

1.4 Limitation

The essay focuses on the EU as a maritime security actor in international relations and external actions. The search for the security governance approach characteristic of ideational relationship will be applied to the Union’s overall policy regarding the maritime context.

Since it is difficult to draw a line where external security measures and policies ends and internal begins the limitations will not focus on where they are meant to be conducted but rather if the objective is to secure interests outside the EU or promote global interests. The research will furthermore be concentrated on EU institutions the Council and the Commission, this is motivated by the fact that this encapsulates both CSFP/CSDP and member states (the Council) and EU officials (the Commission). By doing this the essay hopes to include the cooperative work within the EU with regards to maritime security issues but analyse the ideas and norms that are present when working with maritime security internationally.

The time frame of analysis begins in 2007 when the first maritime policy document was created and ends in 2014 with the latest EU document on maritime security. The cases chosen are operation EUNAVFOR Atalanta around the Horn of Africa and CRIMGO in the Gulf of Guinea. They are chosen due to their differences, the first a military CSDP operation and the second a small Commission funded action. This provides examples from two different areas and with different approaches but both handle maritime security outside the EU neighbourhood. Furthermore there are only three different cases of EU external actions taken in the maritime sector which are relevant in size. The third and last one is also located in Somalia and in order to widen this study CRIMGO is chosen.
2 Important concepts

2.1 International actor
An understanding of actorness is needed in order to put perspective of the term. To be an actor an entity must possess actor capability. The most basic constituent parts of this is a minimal degree of internal cohesion and a minimal degree of separateness from the surrounding environment. This enables autonomy which is necessary to attain actor capability.\(^{27}\) This definition also correlates with the perception of governance that internal cohesion is needed which constitutes the frame for self.

2.2 Maritime security

The importance of maritime security has been emphasised but we must also understand what it is. The definition mentioned earlier, stable order of the oceans subject to the law of the sea, enables the peaceful use of the oceans for all. This in turn is connected to the widened security perspective presented by Barry Buzan and Ole Waever.\(^{28}\)

A common justification for the increased importance of maritime security is motivated by the fact that shipping is needed to sustain and develop economic growth encouraged by trade. This is emphasised by the “just in time” principle which means that there exists no massive storage of goods on land to sustain the needs of societies for more than a week.\(^{29}\) Furthermore the oceans are a resource for all, a common one since only small portions of it actually belong to states and some resources within the borders move around (fish) and so do threats (pollution). Furthermore everyone is allowed to freely use the oceans for transportation, even if they belong to a territory, and claim freedom of navigation.\(^{30}\) It is, simply put, a mixture of international security and national security.\(^{31}\) Therefore at sea all politics is global since the oceans represent the largest global common regulated in the United Nations Convention Laws of the Sea (UNCLOS). The area of laws of the sea and maritime security is a typical example of governance where multiple different actors converge with the aim of securing the common resources. This does not however avert conflict of interest to arise.\(^{32}\) International and intergovernmental organisations play an important role in the making of authoritative and controlling decisions for maritime security law which in turn help avert conflicts.\(^{33}\)

\(^{27}\) Sjöstedt, Gunnar (1977) *The external role of the European community*. Farnborough [Hants.]: Saxon house. p.15


\(^{30}\) State owned vessels are bound by restrictions according to UNCLOS


\(^{32}\) Kraska, James & Pedrozo, Raul A. (2013) p.15

\(^{33}\) Ibid. p.13
Geoffrey Till has, as depicted above, set out four roles of the oceans and thereafter identified threats to these. This essay will not dwell on the possible threats which affect the states as a result of their dependence upon it. Instead the four above purposes of the oceans will be used to review how the EU values the different areas and structure the analysis.

In order to secure this broad spectrum of interests the scholars and practitioners of today agree that an integrated approach is needed where both civilian and military assets are used. The importance of the oceans is likely to increase as a result of growing populations and decreasing resources on land. Together this risks creating a more confrontative environment where states or groups of states fend for themselves. Furthermore the freedom of the oceans permits that naval forces can be used to project power with naval forces on land in situations not only related to maritime security. To ensure ones interests in the maritime arena a capability to be physically present is seen as vital component for a maritime security actor and important for a international actor overall.

2.2 EU values

The founding values of the EU will be used to compare and identify, if present, differences between EU maritime policy and EU values. The objective of the first European cooperation, Treaty of Rome, was to create a common market to increase growth. This was enshrined in the four freedoms; free movement of people, goods, services and capital. This has followed the integration being the foremost practical use of EU integration. The EU is however founded on the values of respects for human dignity, democracy, equality, the rule of law and respects for human rights. These are guiding for the EUs external relations as well and EU shall seek to advance: democracy, the rule of law, the universality and indivisibility of human

36 http://ec.europa.eu/internal_market/top_layer/index_en.html retrieved 10/5-2014
的权利和基本自由，尊重人的尊严，尊重平等和团结的原则，尊重联合国和国际法的原则。38

3 Theory

3.1 Security governance

安全治理理论被用来理解和解释欧盟作为安全行为体的一种东西，而不仅仅是28个成员国的政府间工作。39 它基于安全领域已经发生了实质性的变化，安全领域今天不能仅仅通过看国家作为行为体来解释。39 进一步，它连接到早期理论讨论，关于整合，因为它从构造主义和新制度主义中得到理论支持。

“治理涉及由多个和分离的权威组成的协调管理和调节，由公共和私人行为体（取决于问题），正式和非正式的安排，以及在话语和规范中结构，最终是有目的的政策结果。”40

治理可以看作是欧盟的全部，机构，民间社会，公司利益，跨国组织以及国家对安全的决策和政策制定的影响。

在欧洲大陆，以及在欧盟具体来说，主权国家的概念和对国家的外部领土威胁已经显著弱化。41 随着欧盟计划的发展，以及其成员之间日益依赖，国家已经成为物质上，理念上和文化上密切相连。42 这种相互关联和被割裂的主权要求重新定义安全在欧洲，并因此安全治理被用来分析安全行动性。

这并不意味着国家不再是欧洲的重要行为体，它们是，也不意味着欧洲国家已经失去了他们自己行动的能力。相反，它承认国家并不代表与传统现实主义描述的同样的安全行为体，也不会单独行动。43 这是由于安全环境的改变和安全的新意义的结果。44 欧洲的安全目标在今天与早些时候不同，因为安全的概念已经扩大。

通过使用安全治理，我们可以分析欧盟的机构，成员国以及更大范围的安全社区的工具和目标。

- I. Heterarchy，存在多元中心
- II. Interaction of multiple actors，多行为者互动
- III. Formal and informal institutionalization，正式和非正式的机构化
- IV. Relations between actors that are ideational in character，行为体之间的关系
- V. Collective purpose，集体目的

38 Council of the European Union 12 Nov 2012 p.21
42 Wagnsson, Charlotte, Sperling, James & Hallenberg, Jan (red.) (2009) p.3
44 Wagnsson, Charlotte, Sperling, James & Hallenberg, Jan (red.) (2009) p.2
45 Buzan, Barry, Waever, Ole & Wilde, Jaap de (1998) p.1
46 Kirchner, Emil Joseph & Sperling, James (2007) p.19
When applied it explains what gives the EU a direction and momentum regarding security policy in general that is more than the sum of intergovernmental coordination.\footnote{Webber, Mark, et al (2004) p.8} The fourth characteristic of Webber is determinant for if there is no ideational relationship there will be no governance and hence no actor.\footnote{Kirchner, Emil Joseph & Sperling, James (2007) p.19} Whilst governance is made possible by institutional-mechanisms it is dependent upon ideas to facilitate the development. The fact that ideas are changeable also means that security governance is dynamic. Since ideas do not float around freely but are embedded in structures and reproduced in processes constructivist theory is applicable. Constructivism is also a contributing theory to security governance and explains the ideational characteristic which forms the cohesion needed for becoming an actor. It will therefore be used to research the ideational relationship within EU.\footnote{Webber, Mark, et al (2004) p.7}

### 3.1.1 Constructivism

There are multiple strands of constructivism but they do have a common ground which this essay intends to apply. There is a common ontological assumption that “\textit{material resources only acquire meaning for human action through the structure of shared knowledge in which they are embedded}”.\footnote{Wendt, Alexander (1995) Constructing international politics International security 20(1):71-81. p.73} This does not remove the importance of a material threat but it is no threat if it is not perceived as one. This implies that the social world is based on intersubjective understandings which form our perception of both material and immaterial matters. As an example, when we identify a “self” and a “other” we realise what is “our” interest as opposed to “others” interest. Another of the core notions that constructivism is based on is the fact that states through interaction may form collective identities which in turn forms common interests. Interests are not material needs which are discovered but instead they are constructed by social interaction and signs of ideas that are vital for the identity.\footnote{Wendt, Alexander (1992) Collective identity formation and the international state American political science review 99:384-396. p. 384} This further differentiates constructivism from realism and liberalism which has exogenous reasons and interests as driving forces in cooperation\footnote{Waltz, Kenneth N. (1979), Axelrod, Robert (1990[1984]). The evolution of cooperation. London: Penguin.}. Furthermore constructivism sees change not as the result of alteration of material items but rather as the emergence of new norms or constitutive rules.\footnote{Ruggie, John Gerard (1998). Constructing the world polity: essays on international institutionalization London: Routledge. p.14} This is also true for external-shock which induce change. The existing ideational structures which exist not only form how or when to act but can also contribute to what will cause an external-shock. Therefore the cause is embedded in the structure of the entity but the material event triggers the response.\footnote{Legro, Jeffrey (2000) Whence American internationalism International organization 54(2):253-290.p.282} Other mechanism which cause change according to constructivism are processes, structures and practices which in most cases are dependent upon each other.\footnote{Ruggie, John Gerard (1998) p.26} The choices made in these processes are bound by rationality but with a crucial difference than realism or institutionalism. Rationality according to constructivism is not based solely on material interests and the effect of external pressure in relations to power. Rather it’s “a logic of appropriateness” based on the norms which are ruling. Actions are thereby taken which are deemed suitable according to the identity.\footnote{March, James & Olsen, Johan (1998) p.951} Another important concept for the theory is the social communication and use of language. It is in the
communication between entities which identities and norms are created and preferable ideals determined both by individual actors and in collectives. Therefore both the communication and the specific discourse is a part of shaping the identity.57

Acting in international politics is therefore based not on material needs but still affected by them as their value is constructed. Constructivism tells us that Norms and identity are key concepts, they are distinguished by the fact that norms is the regulative cultural content of international politics and identity regulative accounts of actors themselves.58 These are also institutionalized in interaction in the collectives which contributes to the formation of identity.59 Institutionalization then “coordinate and pattern behaviour” and channel it in a certain direction.60 The above unveils the agent-structure problem where norms affect identity and identity affect norms. This makes human agents and social structures interdependent and mutually constitutive. Therefore both are relevant for understanding an actor and difficult to separate.61

**Identity** - the definition of identity is in most cases based on the understanding of oneself in relationship to others. Therefore it is also in the interaction with others and the actors place within an institution which forms the identity. This also means that the positive identity of the self means a negative identification others as threats and therefore interests in relation to these are created.62 To research identity one analyses how one understands “self” in relation to “other”. Individual actors in a community can have individual identities which form interests but also have a common identity which is incorporated in the individual identity. The different identities are triggered by different events and leads to different kind of interest formation and politics.63

**Norms** - A widely accepted definition in constructivism is “collective expectations about proper behaviour for a given identity” leads to the fact that norms regulate behaviour, interests and identity of the actors which subscribe to them.64 Furthermore there is evidence that norms also shape actors interests and behaviour directly.65 The above definition does not make it possible to measure the strength and effect of the norm in question. A simple answer is to what degree the norm has been institutionalized, ergo subscribed and enforced by the actors part of the institution. One way of doing this is to analyse what the actor do- to what degree the acts comply with a specific norm that is given. The second is what the actor say- how the actor justify or defend their actions. Both of these have flaws since behaviour only prove historical acting and rhetoric’s can be manipulated. Therefore there is a need to analyse both rhetoric’s and acting to identify and measure norms.66

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60 Ruggie, John Gerard (1998) p.54
64 Katzenstein, Peter J(1996) p.452
65 Ruggie, John Gerard (1998) p.15
4 Methodology

4.1 Method

Since the ideational relationship is constructed via language, written and spoken, official documents can be analysed with the purpose of interpreting the meaning of the text. This way identity, norms and interests can be retrieved using text analysis. There are two different ways of conducting text analysis. Firstly, a quantitative text analysis where a fixed value is given to the concept as an indicator. This option risks locking the analysis into a “straight jacket” and therefore limits the research. An example of this is by coding concepts into numbers and thereby not enabling it nuances, but it presents “hard” facts. The second approach, qualitative text analysis, a more sensitive value is given, this lets the researcher analyse more subtle nuances which may enrich the analysis. A caution must be made however so that it is not too wide and therefore loses its meaning. The chosen method of these two are the second, qualitative text analysis, this is done for two reasons: the texts chosen must be interpreted in order to retrieve perception of self and what is the frame for acting, secondly quantitative analysis is deemed as less preferable since the amount of text available is restricted which heightens the need to review the texts more thoroughly.67

Qualitative text analysis is based on a hermeneutic view that text can help us explain and understand the underlying meanings not written down.68 There are two overarching qualitative text analysis approaches. The first type wish to systematize in order to describe the thought and ideas presented in texts and one who wish to critically review texts in order to analyse the underlying purpose or meaning.69 Discourse analysis is a critical qualitative text analysis approach which has some important congruence’s with constructivism. But it functions best with critical-constructivism which makes it less useful for this essay since it takes a broader constructivist approach. Furthermore discourse analysis is best used for examining power relations which this essay does not focus on.70 The method used in this essay will critically review the text but not adhere to the strict rules of discourse analysis but a more general form of critical qualitative text analysis. Critically reviewing a text results in a decisive role for the researcher since the method has an interpretative ambition. Therefore it is important to openly and objectively review the study objects perspectives in order to understand the meaning of the text. The fact that the writer does bring along “luggage” of own perceptions is acknowledged and accounted for as a possible weakness. The lack of in-person experience increases the need of the researcher to maintain an objective posture. Furthermore it is important to understand the material, compare it and critically evaluate.71 The main emphasis on the research therefore lies in an interpretive approach which is based on an understanding of the reality which the actors present.

The research perspective applied also need to take not only the details of the texts in consideration but also how these relate to the entire text as a whole. In the same sense as the details must be considered in the light of the entire text. Furthermore the researcher must have a common perception with the “writers” of the key concepts and how these relate to other concepts in the area of knowledge used in the texts.72

69 Esaiasson, Peter (2007) p.238
70 Ibid p.240
This approach also correlates with constructivism as it is based on the common ontology that capacities is the result of interaction between actors.\textsuperscript{73} It is used with the aim of finding answers to questions which cannot be found in clear text in the surveyed documents.

4.2 Operationalization

The characteristic of ideational relationship in security governance will be researched in EU maritime security policy. This will be done by using qualitative text analysis in order to find indicators for identity and norms which display a view of maritime security policy. The questions asked will be based on constructivist theory in order to identify a perception of norms and identity which guide the EU as an actor. What is said and what is done will be surveyed by looking at both documents and practice. This is way rhetoric’s are and actions can be compared against each other and possible inconsistencies in claimed norms or identity can be detected.

First the questions are asked to documents produced by the EU on policy level (strategies, policies, and Council conclusions). They are presented and analysed in order to interpret what norms and identity is expressed. That will result in a measure of what is said by policy makers to ensure maritime security and what identity and norms are present.

Secondly, a qualitative text analysis is conducted on the documents which justify the EU operations in Somalia and the Gulf of Guinea to ensure maritime security and these are compared with statistics and facts from the operations. These will be used to conduct simple calculations in order to put the statistics in perspective to the stated aims of the operation. Are the same identity and norms present in these and are these accompanied by actions which fit in the norm and with the identity? By conducting this two phase research the identity and norms which form the ideational relationship will be analysed both in documents and practice. This will present coherence or inconsistencies regarding ideas and values which frame the EU as an actor in maritime security and therefore tells us something regarding the ideational relationship between the Commission, the Council and to some extent the European External Actions Service (EEAS). The four roles of the oceans earlier presented in the important concepts chapter will be used as guidance to structure how the EU value the possibilities and risks of the oceans for the Union. Furthermore the values that is stated in the Treaty of the European Union as guiding in its external relations and the importance of “the four freedoms” of the EU for integration will be used as reference points in the analysis in order to relate the maritime policy to the overall EU values.

Questions to identify identity and norms:

- What are the reference points of protection?
- What means can be used to change or preserve global order?
- What is the self-perceived role of EU in global maritime security?
- How does EU frame its role towards member states and others?

Interests and threats are largely dependent upon the identity and norms. Threat formulation is based on the perception of self in relation to the other and the others relation to own interests identified. Interests are derived from own identity and the threats to these are derived from what self-perceive as others and the perception of them.

4.2.1 Critique of sources

The use of official documents as a way of analysing the underlying norms and identity can be criticized with regards for two major reasons. The first is the fact that they are not very substantial in size and the second that they are “watered down” by numerous debates and discussions. The essay is aware of the limited amount of document but stress the fact that they are the only ones existing which therefore heightens their importance and stresses the need for objective interpretation. A possibility would have been to support the essay with interviews but those would have been substantial in order not to risk becoming partial. Due to the limitation of time and money of this essay that was not possible. The fact that the documents are “watered down” can be seen as a positive effect since they are all agreed upon which in turn means that they contain the bits and pieces which create the EU ideational base within the major actors.

The inclusion of the ESS implementation report of 2008 is due to its overarching security perspective and direction it gives to EU as a whole. The reason for not choosing the first report of ESS 2003 is due to the time perspective chosen of the essay and the fact that the implementation report acknowledges the same role for EU as ESS 2003.
5 What is said?
The table beneath presents an abbreviated version of the analysis of the empirics on the following pages.

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<tr>
<td><strong>IMP 07</strong></td>
<td>Sustainable European maritime economy: Trade, fishery, energy, environment</td>
<td>Effective enforcement of int. maritime law through dialogue, coordinate EU surveillance</td>
<td>EU needs to establish itself as an actor providing a good international example</td>
<td>As a much needed way to increase growth and secure interests through coordination and cooperation</td>
<td>Partner for developing countries and promoter of UNCLOS. Acts against criminal activity, IUU and pollution</td>
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<tr>
<td><strong>Progress report</strong></td>
<td>Economy, energy, fishery, EU-shipping</td>
<td>Increase int. dialogue and cooperation. Integrate structures in EU and coordinate surveillance.</td>
<td>EU should take a leading role, improve international governance</td>
<td>The integration is seen as bottom up driven where EU takes a framing role to optimize government action</td>
<td>As an actor in and through UN and partner with states. Acts against IUU, piracy and criminal activity.</td>
</tr>
<tr>
<td><strong>Int. dimension of IMP</strong></td>
<td>UNCLOS, environment, fishery, freedom of navigation(shipping-trade)</td>
<td>Influence informal processes and high-level dialogues, act to enforce(Piracy as example)</td>
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</tr>
<tr>
<td><strong>Implementation report ESS 2008</strong></td>
<td>Trade, shipping, society, environment, energy, shift in power- expose different values</td>
<td>Dialogue, force if necessary and supported by UN resolution</td>
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<td>Strengthen EU coherence</td>
<td>Enable UN and OSCE, work with NATO and USA. Act against: terrorism, piracy, org. crime, states?</td>
</tr>
<tr>
<td><strong>Council conclusions 2007-2013</strong></td>
<td>Growth, environment, shipping, trade, according to ESS</td>
<td>Dialogue, Task Force(purpose unclear), civil and military actions, coordinated EU surveillance</td>
<td>Ensure EU and global maritime security by handling threats in ESS</td>
<td>The principle of subsidiarity is mentioned several times and focus is put on EU and member states</td>
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<tr>
<td><strong>Elements for a strategy</strong></td>
<td>Peace and rule of law, maritime infrastructure, EU borders, shipping, resources(fish)</td>
<td>Cooperation and dialogue, improve naval visibility, owned dual-capabilities, common surveillance</td>
<td>Take on a larger role, external actions needed to secure interests, clearer posture.</td>
<td>Increase EU solidarity and coherence in order to solidify EU: s role internationally</td>
<td>Work with NATO, AU, ASEAN and states. Work through UN and IMO.</td>
</tr>
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5.1 Commission documents

5.1.1 Integrated maritime policy

The IMP of 2007 is foremost a document which regulates the development of internal EU maritime policy. But it does have implications for external relations.

“The seas are Europe’s lifeblood. Europe’s maritime spaces and its coasts are central to its wellbeing and prosperity – they are Europe’s trade routes, climate regulator, sources of food, energy and resources, and a favoured site for its citizen’s residence and recreation.”

It highlights the importance of the oceans for the EU and clearly connects maritime resources and the development of the Union. It is a capacity which can be used to meet the challenges of globalisation and are a vital part for international competitiveness. The text proceeds and argues that the well-being of the EU is inextricably linked with the sea. Shipbuilding and shipping is highlighted as needed to ensure maximal use of the seas and oceans nationally and internationally. This is closely connected to the globalisation and the need for the EU to be connected to international trade via safe and secure shipping in order to ensure European economy. The use of the oceans for both energy resources but also supply is stressed in order to; “diversify energy transport routes and thus reinforcing security of supply”. Fishery is another key area which expands beyond territorial waters and includes the aim of eliminating Illegal, Unreported and Unregulated fishing (IUU). This crucial to ensure European food security and ensure international commitments.

The most preferable approach to achieve growth and environmental sustainability is to implement a policy framework with an integrated method of operation. This is needed in order to handle the maritime threats which are both transnational and cross-sector in character. A key function of this is surveillance in order to secure European borders and activities. The EU here takes a leading role in instructing how future challenges are met for the Union. The text itself promotes the enforcement of international law and coordination of European interests in the global arena. The EU promotes international governance to manage maritime affairs and the effective enforcement of international maritime law in order to secure the EU's interests. It therefore seeks a stronger role for action towards other actors in the global context. The policy also sets out the following external priorities for the EU; access to international markets for industries and services, sustainable and commercial exploitation of the deep seas, protection of global marine biodiversity, improvement of maritime security and safety, working conditions, reduced ship pollution and the fight against illegal activities in international waters. Integrating maritime policy and law of the sea in the relations with developing countries is seen as vital and a way to increase the EU's influence.

5.1.2 Progress report on the EU's integrated maritime policy

The report is focused on creating a deeper governance structure in the EU and the beneficial effect the IMP has had with regards to this. The IMP is clearly given an economic value as the report stresses the possibilities the integration creates in countering the current global economic crisis. Another important effect of the report is that it has raised the awareness of the importance of the maritime arena for the prosperous development of Europe.

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74 Commission of the European communities 10 October 2007 An integrated maritime policy for the European Union p.2
75 Ibid
76 Ibid p.7
77 Ibid p.9
78 Ibid p.3-5
79 Ibid p.13
It is seen as a bottom up driven policy of the Union and increased integration is notable.\textsuperscript{80} The integration is therefore further promoted but it also stresses the need for political consensus across the EU to ensure effect and optimize government action on the seas. The international potential of the IMP is seen as a way for the EU to take a leading role and improve international maritime governance in order to handle both piracy and IUU. The EU wish to cooperate with neighbouring states in an IMP fashion to increase the benefits. IMP should also be more closely connected to energy policy in order to increase the supply of resources from and via the oceans. This is also linked to the need of realising the importance of EU flagged shipping as a component in energy and trade policy.\textsuperscript{81}

5.1.3 Developing the international dimension of the IMP of the EU

"Europe is a maritime continent".\textsuperscript{82}

The above statement and the fact that sustainable development lies at the heart of the EUs policy agenda signifies the importance of the maritime sector for growth. This is, according to the report, best maintained by increasing coordination both within the EU and internationally. It stresses the fact that the EU cannot do this alone or within its member states borders. Furthermore it states that the EU has a "...clear-cut responsibility as both a global player and a regional partner... "\textsuperscript{83} Best practice to achieve this is to coordinate member states via an EU framework with an integrated governance approach for global maritime affairs similar to IMP coordinated with external affairs. This should outline how the EUs authority as an international maritime power can be strengthened at the multilateral level.\textsuperscript{84} Six key themes are addressed: First; International governance and the rule of law which should enforce UNCLOS. The EU should promote the ratification of that agreement of all states and ensure that the laws and regulations of UNCLOS are enforced, primarily through dialogue. Second; protection of marine biodiversity including the high seas should be regulated by international governance and common conventions. The specific importance of prohibiting IUU is mentioned. Third; climate change is framed as a global issue where the EU should resume a leading role. Fourth; ensuring maritime safety, maritime security and freedom of navigation is of paramount importance for the EU. The Union is committed to enforcing this as well as it expects its partners to protect EU-flagged ships.

The security of shipping is tightly connected with the international economy, furthermore the realization that insecurity on land threatens the security on the seas are made. Fifth, promoting decent work in the maritime sectors. Sixth; understanding the sea better.\textsuperscript{85}

To strengthen the EUs role globally it is seen as crucial to increase coherence between member states. The EU should also seek full membership in the International Maritime Organization (IMO) and increased influence in the UN. A notice is here made to not override the rights of EU member states. Furthermore the EU should be more active in informal processes in order to influence decisions. All of the above is done in order to enhance influence to strengthen its role as a global player.

\textsuperscript{80} Commission of the European communities 15 October 2009 \textit{Progress report on the EU: s integrated maritime policy} p.1
\textsuperscript{81} Ibid p.12
\textsuperscript{82} Commission of the European communities 15 October 2009 \textit{Developing the international dimension of the integrated maritime policy of the European Union} p.3
\textsuperscript{83} Ibid
\textsuperscript{84} Ibid
\textsuperscript{85} Commission of the European communities \textit{Developing the international dimension of the integrated maritime policy of the European Union} p. 3-7
This should foremost be based on promoting UNCLOS in high-level dialogues to ensure “freedom, safety and security of navigation, including actions against piracy”.  

5.1.4 Analysis of Commission reports

The Commission documents indicate that the EU sees itself as a maritime actor on the international arena which is on equal footing with states. Furthermore the EU claim the need for better integration and therefore relates itself to the member states as a growing actor. It is noted that it does not challenge member state sovereignty but it calls for a bigger role for the EU both within and outside the Union. This means that the EU take a role previously held by states as an actor globally. The fact that the progress report sees the IMP work as being “bottom up” driven indicates the member states willing cooperation. The preferred way of acting is via dialogue to create an international governance system where enhanced cooperation is expected to increase the EU’s influence in support of the international order preferred.

The correlation between protect shipping/trade and piracy/armed robbery are indicators of threats and interests. States that hasn’t signed UNCLOS becomes a threat because the EU subscribe to the rules of UNCLOS. Those who don’t challenge these ergo they can challenge claims to resources done according to UNCLOS and freedom of navigation govern by it. That does not mean it is a threat like piracy which should be fought but it must be dealt with in order to ensure stability.

5.2 Implementation report of the European Security Strategy 2008

“Globalisation has brought new opportunities”

The opportunities also have increased the vulnerability of the arteries of our society, information systems and energy supplies. Furthermore the globalisation also accelerates the shift in power of the world and differences in values.

“To ensure our security and meet the expectations of our citizens, we must be ready to shape events. That means becoming more strategic in our thinking, and more effective and visible around the world.”

The implementation report envisage a more active and visible EU which support its actions on the fundamental principles of UN. The use of military force to circumvent the principles of sovereignty and independence of states are by no means sanctified without UN. Furthermore the peaceful settlement of disputes is the primary solution to conflicts. The primary threats to the EU interests are; proliferation of weapons of mass destruction (WMD), terrorism and organised crime, cyber security, energy security, climate change. All of these can be linked to maritime security but the issue of energy security is closely connected since transit routes and diverse sources of supply are specifically mentioned. The ESS also acknowledges the fact that the EU has interests beyond its borders and neighbourhood and further specifies the effect of piracy on international and European economy.

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86 Ibid p.11
89 Ibid
90 Ibid p.7-8
To respond to this and other challenges to the EU security interest’s better coherence among members and greater institutional strategic coordination is needed. Preventive and early action must be at the heart of the EU approach where long-term poverty reduction is essential.

5.2.1 Analysis of ESS 2008
The EU here relates itself to both organisations such as UN, NATO and OSCE but also specifically to USA. It clearly frames itself as an actor which is capable of supporting and matching states. The threats presented are similar to the ones in IMP (only one year apart) but the ways of dealing with them are tightly linked to the UN-charter regulating and guiding when and how civil and military means should be deployed. The call for a more powerful and active EU to support and secure interests is obvious but the means to do so are unspecified. The interests that are clearly related to maritime security are trade, energy, and environment. The threats to these exist in form of both state and non-state actors; piracy is specifically mentioned as a threat to international economy in large. The issue of diversifying energy supply in order not to become dependent on any one source and the mentioning of a shift in power could relate to the risk of change in the current global order positioning states as possible threats.

5.3 Council conclusions
Council conclusions vary in size and scope, therefore they will be presented as one continuous text.

The first remark of maritime policy is done by the Council and highlights the use of IMP in addressing the challenges of Europe in the perspective of environment and competitiveness in the global economy. But it also highlights the principle of subsidiarity91 in the EU.92 The following council emphasizes the increasing integration of the EU institutions and member states. It specifically supports the creation of cooperative surveillance of European waters of interest. It supports EU led governance but it also mentions that deeper reflection is needed regarding community maritime policy and emphasises the principle of subsidiarity. The recently launched EUNAVFOR Atalanta is mentioned as a good contribution to maritime security of the coast of Somalia. There is also a wish for developing strategic options regarding shipping but it is not further elaborated.93 In 2009 the importance of the integrated approach is stressed and specifically maritime surveillance is yet again mentioned as key for success. Cooperation with other states is deemed as vital for success and the development of sustainable economic growth is a prioritized issue.94

In 2010 the presidency of Spain tried to raise the level of cooperation to a maritime security strategy. The Council conclusion from that meeting is short but raises the issue of the EU contributing to a “...stable and secure global maritime domain by tackling the threats identified in the European Security Strategy, while ensuring coherence with EU internal policies...”.95 There is no specific mentioning of actors or objectives but the relation to ESS and CFSP/CSDP is clear. There is also a mention of establishing a Task Force, for what purpose is not defined but it is most likely related to the above quote.96

92Council of the European Union 14 December 2007 Presidency conclusions 16616/1/07 REV 1 p.17
94Council of the European Union 16 nov 2009 Council conclusions on integrated maritime policy 2973 GENERAL
AFFAIRS council meeting p.2
95Council of the European Union 26 April 2010 Council conclusions on maritime security strategy 3009 th Council meeting FOREIGN AFFAIRS p.1
96Ibid
The same year another Council was held regarding maritime policy which emphasised the importance of UNCLOS in international dimensions. The EU should contribute to security in the global maritime domain in accordance with ESS and IMP. The importance of freedom of the seas is highlighted as connected with secure growth, energy and shipping. Both civil and military contributions must be considered when developing an international dimension of IMP and a possible security strategy within the frame of CFSP and CSDP. The role of the EU and member states in fighting piracy and IUU is recognized as an important part of global maritime governance but the importance of UNCLOS is reiterated in international matters.97 Maritime security surfaced again in 2013 when the Council meeting addressed the important role of UNCLOS in all international matters. Furthermore it notes the need for a more coherent approach to secure strategic interests and that the maritime domain has several challenges but also opportunities.98 At the specific CSDP meeting held in December the decision was made to create a maritime security strategy to face the global maritime challenges.99

5.3.1 Analysis of Council conclusions
The initial conclusions revolve around the internal issues of IMP and frequently mentions the subsidiarity principle. This is also coherent with the fact that the member states are given recognition besides the EU in operation Atalanta. This frames the EU as dependent upon the member states and not controlling.

They do however relate all maritime issues to the external surrounding and the fact that Europe is dependent on the global order of maritime security. When the international focus arises so does the mentioning of ESS and CFSP and CSDP. The EU is seldom mentioned as an actor and the only other actors mentioned are neighbouring states although UNCLOS is crucial. There are some coherence regarding interest formulation, the issues of trade, shipping, freedom of navigation, energy and environment is mentioned more often than the threats of WMD and terrorism and organised crime. This results in interests that are focused around the trade routes, energy supply and environment and threats to these are identified as piracy and other criminal activity.

5.4 Elements for a European Union maritime security strategy
The joint communication from the Commission and the High Representative (HR) regarding elements for a strategy for maritime security represents a fusion of the Commission and the EEAS views.

The document endorses the notion that the security of the maritime arena is vital for the well-being of the EU. It also recognizes the fact that the EU has to do more globally by using the UNCLOS as governing document and increasing cooperation and dialogue. The base for the EU’s larger role in global maritime governance must be a greater cooperation and integration of its member states capabilities in order to be capable to secure strategic interests. The interests identified are; prevention of conflicts, protection of critical infrastructure, effective control of borders, protection of supply chain, prevention of IUU.

97 Council of the European Union 14 June 2010 Council conclusions on integrated maritime policy 3022 th GENERAL AFFAIRS Council meeting p.2-5
99 Council of the European Union 20 December 2013 European Council conclusions EUCO 217/13 p.4
The threats identified are; territorial disputes and acts of aggression, proliferation of WMD, piracy and robbery, terrorism and other unlawful acts against ships and ports, organised crime (trafficking of arms, narcotics, human and IUU), pollution, natural disasters, threats to growth and jobs in the maritime sectors. These should be met with effective use of existing capabilities (bettered cooperation and integration), a clearer posture in international maritime domain and cost efficiency and enhanced solidarity between member states. There is emphasis put on the external actions needed to support this larger role for the EU and the effort needed by the member states to enforce it. For example there should be more EU-flagged naval exercises within the frame of CSDP to increase the EUs visibility. Another important issue is the need for a common maritime surveillance both within and outside the EU. There are also mentioning of the EU owning dual-use capabilities within the context of maritime surveillance. Furthermore the member states should commonly assess risk areas in order to better manage the protection of strategic interests identified. This evolution of the EU maritime security cooperation should follow the global developments in order to secure European interests.

5.4.1 Analysis of elements to EU maritime security strategy
EU positions itself as a counterpart and actor which maintains relations and acts together with other international organisations and states. It also seeks a greater coherence among member states to be capable of enforcing the preferable UNCLOS order. The EU positions itself opposite to maritime illegal activity globally and to some extent against non-signatories of UNCLOS as well. The interests are global in character but also regional as resources, shipping, energy and trade. Threats are therefore those challenging these. The EU wish to handle these by primarily export the IMP type governance and increase own capability and visibility. The goal of increasing naval presence is a statement of wanting to increase power of influence.

5.5 Analysis of what is said
There is no complete coherence of how the EU frames itself in relation to others in the different documents. In general the EU is framed as an independent actor and is not solely a coordinative forum for member states. There is, as could be expected, a larger inclination in the Commission documents to support the EU as an actor then in the Council conclusion. The statement that the IMP is built from the bottom up is interesting and tells us something of how the Commission views maritime cooperation. The ESS supports both views and sees a larger role for the EU in total and especially mentions shipping and international economy as crucial. The EU is framed as an actor in relation to its member states which encapsulates a common identity based on trade and the view of the oceans as a crucial part of the Union. With respect to external relations the Commission, ESS and the joint communication all promote a larger role for the EU. This could impose on the member states individual acting but that is also mentioned as important factor to have in mind. The Council reports also see a bigger role for the EU internationally in securing common interests, foremost shipping and energy but emphasises the importance of individual member states. The documents all focus on the international role of the EU and subscribe to the notion that the EU does have a place among other organisations and states in acting but to different extent.

Having in mind the four roles of the oceans, as set out by Till, the seas as a medium of transportation is most common and the highest valued role in the EU documents. There after the sea as a resource and the sea as an environment follow.

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100 European commission & HR of the EU 6 March 2014
There are least references to *the sea as an area of sovereignty*. This indicates that the EU values the oceans mostly as a means for growth and development. The emphasis on means to ensure the preferred way of order is put on dialogue and creating global maritime governance with the EU as a significant actor. There are some signs of a higher value being put to the issue of sovereignty as the question of creating a Task force arises. Furthermore the joint communication expresses a wish for a more visible EU with EU-flagged exercises which is a typical “show of force” instrument in naval theory. Over all the most important concept of acting is based on adhering to UNCLOS and promoting international governance type rule of the maritime context. This priority can be related to the “four freedoms of the EU” and the initiating cooperation of the Union which revolved around economic cooperation and growth. The chosen priorities thereafter also acknowledge some of the values promoted in its external relations, primarily the rule of law, principles of UN and international law. The EU is framed as an actor both towards member states and other actors. It revolves around the role of the EU to secure interests and preserve the UN based maritime order. The importance of trade and energy is clear but it will not be protected at any costs. Cooperation, dialogue and the international law is guiding for acting in maritime security. There are however signs of the EU willing to use force if necessary and be capable of projecting power.

6 What is done?
The questions are somewhat altered in order to be applicable in the cases, but they do revolve around the same core question and circumstance, the EU as a global maritime security actor.

<table>
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<th>What means are legitimate?</th>
<th>What is the self-perceived role of EU in Somalia and Gulf of Guinea?</th>
<th>How does EU frame itself towards member states?</th>
<th>How does EU frame itself towards other actors?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Atalanta – Horn of Africa</td>
<td>Trade and shipping, WFP transports</td>
<td>Military force and power according to UNSCR</td>
<td>EU is a security actor in the area.</td>
<td>Although it answers to PSC it is responsible for the operation</td>
<td>Contact point for other org. and states. Acts against piracy</td>
</tr>
<tr>
<td>CRIMGO – Gulf of Guinea</td>
<td>Trade, shipping, energy, environment, resources, weak states</td>
<td>Strengthen the rule of law and governance by training military and civilian officials</td>
<td>Help the states achieve; peace, security and prosperity by developing their economies and institutions</td>
<td>As an actor which can form a more powerful actor then individual member states</td>
<td>EU partnership with individual states and organisations</td>
</tr>
</tbody>
</table>

6.1 EUNAVFOR Atalanta
EUNAVFOR Atalanta was launched in December 2008 as a result of a growing piracy of the coast of Somalia. The UN resolutions of UNSCR 1814(2008) called on states and other organisations to take action to protect the vessels delivering supplies for World Food Programme (WFP) and later on in UNSCR 1816(2008) called “...*States interested in the use of commercial maritime routes off the coast of Somalia to increase and coordinate their efforts...to deter acts of piracy and armed robbery at sea.*” the Council therefore called upon those member states willing to combat piracy and robbery of the coast of Somalia in support of UNSC 1814 and 1816 (2008).

The forces deployed where given two objectives to contribute to; firstly the protection of WFP shipments and later on also to African Union mission to Somalia (AMISOM) and secondly protect vulnerable vessels of the coast of Somalia in accordance with UN mandate.
The political control of the operation lies within the Council and the Political and Security committee (PSC). The HR shall in close cooperation with the Presidency act as the primary point of contact with UN, third countries, Somali government and other relevant actors. 101

The operation area stretches from the Somali coast and 500 Nm into the Indian Ocean making it possible to act in Somali and international waters. The primary objective given to protect WFP has resulted in the protecting of 398 shipments from WFP or to AMISOM and not any one of these has been attacked. 154 pirates have been apprehended and 129 attempted piracy acts have been deterred. These are good numbers but they are also indicators of time spent on the two different objectives. Since no WFP or AMISOM ship has been attacked then the pirates apprehended and attempted piracy acts stopped must have been conducted when not escorting WFP or AMISON ships. If the force consist of 7 ships over time, which have been active approximately 1825 days (5 years) that means 12775 days on station. 102 If we approximate the duration of an escort to 7 days depending on capabilities of speed and origins of the ship it result in 2786 days of escorting WFP and AMISOM ships. This leaves almost 10000 days of actions directed at fighting piracy and protecting other vessels.103 This emphasis on protecting shipping en large outside of Somalia is in line with statements by the EUNAVFOR. Official statements say that the EU is worried about the effects of piracy on international trade since the Gulf of Aden and the Indian Ocean is a crucial shipping lane for all traffic between Europe and Asia. 104 The piracy affects international trade and economy and threatens states in the region and therefore Atalanta was launched. 105 The purpose of capturing pirates, of course, in the long run protect WFP shipping as piracy will decline overall but it also shows that the main emphasis was put on preventing piracy not protecting WFP shipping. The calculation is by no means definitive and contains errors due to schematic assumptions such as the fact that ships are not on station the entire time. But it should be interpreted as an indicator of time spent. In 2012 the mandate of the force was changed and broadened to coastal areas which gave EUNAVFOR a greater capability to act against pirates before they leave shore. 106 These actions are supported by an overarching approach towards the entire Horn of Africa which focuses on dealing with the failed state of Somalia to stabilise the region. Examples of this are EUCAP Nestor and EUTM Somalia which focuses on rebuilding Somalia’s and neighbouring states security capabilities. 107 These will not however be treated in the essay since they followed several years after the operation to fight piracy had begun.

6.2 CRIMGO/Gulf of Guinea
The second example of EU external actions to secure the maritime context is not a CSDP operation. The ongoing EU engagement in the Gulf of Guinea is under the rule of Critical Maritime Routes programme (CMR). 108 A decision to increase its engagement in the Gulf of Guinea was taken 10 January 2013 in order to increase the maritime security and safety in the region. 109 In a later joint communication from the HR and the Commission the problem with increasing insecurity in the Gulf of Guinea is linked to the well-being of states in the region and to Europe.

102 http://eunavfor.eu/key-facts-and-figures/ 5/5-2014
103 Calculation can be found in annex 1
104 DG for external policies (2013) p.41
105 EUNAVFOR factsheet 7/8-2012 found at http://eunavfor.eu/key-facts-and-figures/ 5/5-2014
107 Council of the European Union 14 November 2011 Horn of Africa-Council Conclusions 16858/11
108 http://www.crimson.eu.com/about/ retrieved 12/5-2014
109 European Commission press release 10 January 2010 IP/13/14
The growth in criminal activities, which range from pollution to piracy, threatens international trade, local companies and the stability of the coastal states. This results in threats to shared African and European interests. The EU wish to secure these by helping local states to strengthen their rule of law and governance of the region.\textsuperscript{110} At the heart of this approach lies ideas resembling the IMP 07, the focus is in enabling local authorities to cooperate across different sectors and countries. By doing this the entire spectrum of threats against the industries and environment can be mitigated. The joint communication does not disguise the fact that the eradication of these problems will be preferable for the EU as well. The pollution and overfishing threatens EU fish stocks, robbery and piracy threatens shipping and attack on oil and gas platforms threatens an important source of energy.\textsuperscript{111} The programme is initiated and financed by the EU but conducted by a French governmental agency (FEI). The funds emanate from the Instrument for Stability (IfS) governed by the commission but a part of CSDP. The sum is initially set to € 4,5 million. The IfS is a tool aims at connecting security and development and is used where other EU instruments cannot be used. CRIMGO is supported by the UNSCR 2018(2011) and UNSCR 2039(2012) which calls for a comprehensive approach led by the countries in the region to eradicate the piracy, armed robbery and their underlying causes in the Gulf of Guinea. That means establishing rule of law which enables economic development. In the Gulf of Guinea the EU focuses on training local officials in conducting maritime safety and security operations and helping different states coordinate patrols and surveillance.\textsuperscript{112} The EU has engaged both with states and regional organisations in order to ensure a cooperative and integrated approach where the local rule of law officials is trained to better handle the problems at hand.\textsuperscript{113} Although the environment is given substantial attention in the strategy the information sheets from FEI focus primarily on education to secure shipping and law enforcement.\textsuperscript{114} The Gulf of Guinea and the security threats in the region present a difficult task for the EU to resolve since most problems are situated within sovereign state territory. Therefore action cannot be taken and lessons from Somalia cannot be applied.

The attacks carried out are also more violent and better planned; they strike ships not on random but the most valuable ones. This indicates “tip-offs” and therefore possible involvement of government officials. Furthermore there is several countries jurisdictions involved which increases the need for cooperation makes it harder for the EU to consolidate its approach.\textsuperscript{115}

6.3 Analysis of what is done

The two cases have similarities despite their differences in size and scope. They both lay significant emphasis on the roles of the oceans as a medium of transportation. With the case of Atalanta it is important both for own trade and shipping but also for the WFP shipping. Although the primary aims in the documents are the WFP transport more time is put on protecting shipping en large which indicate what the main focus of the operation was. EU took a very active role in launching the operation and coordinating member states and other actors such as states and regional organisations.

\textsuperscript{110} European Commission & HR of the EU 18 December 2013 Joint communication to the European Parliament, the Council, European economic and social committee and the committee of the regions- Elements for the EU’s strategic response to the challenges in the Gulf of Guinea JOIN (2013) 31 Final p.2

\textsuperscript{111} Ibid p.3-5

\textsuperscript{112} European Commission press release 10 January 2010 IP/13/14

\textsuperscript{113} European Commission & HR of the EU 18 December 2013 Elements for the strategic response to the challenges in the Gulf of Guinea p.3


The EU claims a position as an international actor around and on the Horn of Africa which focused on supporting UN and protecting vital European communications. Since the UN resolution left considerable space and promoted the protection of other vessels to do so when the naval force is unoccupied does not present any contradictions. Instead of only protecting one or the other the operation supported what can be seen as two different objectives and supported both the UNs and the EUs interests.

In the case of CRIMGO the problem of disturbed shipping is seen as a vital question for the EU and for African states in the region. The UN mandate in this case does not call for action in the same manner as in Atalanta which makes the EU effort more biased towards its own interests. In the CRIMGO case there is also a lot of emphasis put on the role of the oceans as a resource since it is an important source of energy and fishing. The purpose is to strengthen local authorities in order to secure own interests that lie both within trade, energy, resources and environment. The role the sea as an environment is mentioned in the overarching documents but not specifically mentioned in FEI facts which indicate a low priority.

Both cases can be linked to the importance of trade and development for the EU and ensuring the four freedoms. The Atalanta case is an operation conducted to ensure the principles of the UN and international law whereas the values democracy is not apparent in the operation. Since it has the sanctioning of UN and Somali government it could be claimed to be supporting the rule of law in Somalia. In the case of the Gulf of Guinea the rule of law, UN principles and international law and democracy is present in the entire approach as it aims at supporting the local authorities and supporting UN resolutions in international waters. The issue of human rights as a purpose is not regarded or acted upon especially neither is it mentioned in the documents of CRIMGO or Atalanta.

### 7 Concluding remarks

#### 7.1 Conclusions

The analysis of what is said frame the EU as dependent on the member states but also that EU institutions are affecting its evolvement and actions in a crucial way. There is a common recognition based on that trade and the oceans play a crucial part in the EU and connects EU economy with the surrounding world. With respect to external relations all documents frame the EU as an international actor acting towards and with international organisations and states. There are, as could be expected, differences between the Council and the Commission regarding this but overall the there is a common way forward. There are similar tendencies in the documents guiding the two cases, the PSC is responsible for the operation in Somalia (according to EU treaties when CSDP is applied) but in CRIMGO where the approach is different the EU is seen as a way of turning single member states efforts into something more substantial. In both cases it is EU institutions and EU representatives which are point of contacts for other organisations and states.

This positions the EU as having interests constructed on an idea of self and also capable of handling relations with “others”, both partners and threats. The role taken in Somalia and Gulf of Guinea in establishing EU as a “helping hand” for states to develop own capabilities in rule of law is in line with the role EU seeks or perceive itself to have globally. The EU frames itself as a needed actor which can promote the values of rule of law and UN and international law, specifically UNCLOS. This is done in order to secure global maritime security and, as in cases as Somalia and the Gulf of Guinea, secure interests at the same time as promoting UN principles.
The role of the oceans most clearly used as a reference point of protection is the use of the oceans as a medium for transportation. This is vital for the EU and both cases are related to this role. It is also related to the value of protecting UN principles and international law which connects to the values in EU external relations. Secondly the sea as a resource is partly coherent between what is said and what is done. The Gulf of Guinea is approached since it is important for EU fishing but also the energy supplies exported to EU. The role of the oceans as an environment is frequently addressed in policy documents in the case of CRIMGO but not in Atalanta. The actions taken in CRIMGO does not however support the policy documents regarding environment which makes this essay inclined to believe it is more addressed in internal EU actions or specific environmental actions.

The role of the sea as an area of sovereignty is not related to EU territory to any large extent. However it can be seen in the EU wish to strengthen its role in not just UN but also in other international organisations and towards other states making it more influential. Other signs are the call for the EU to coordinate surveillance, that it seeks EU flagged exercises and owned dual-use resources also positions EU as a more independent state like actor then earlier. This positions the EU as capable of projecting power and perhaps protect “EU territory”. This can also be linked to the UNCLOS and the mentioning in the ESS of the upcoming risks of power shifts and differing values of states.

This brings us to what means the EU perceive as legitimate, this is tightly linked to the UN principles and laws which therefore also can be connected to EU values. The use of or intervention with any type of action, civil or military, is linked to UN. This is also the case in Somalia and the Gulf of Guinea where UNSCRs are the base for acting.

An interesting observation in both policy documents and in the cases is the lack of mentioning of human rights and democracy as set out in the core values of EU external relations. This signals a slightly different posture regarding maritime security then in other security documents which indicate other reasons for acting and perception of self. Other values are more present such as the rule of law and international law which is given pre-eminence. What does however seem to influence EU action in maritime security is the founding reason of EU, the four freedoms which can be linked to the sea as a medium of transportation. This is also conclusive in answering the research question.

The identity is based on the importance of economic functions and frames EU as important to protect these both internally and externally. The EU is a trading Union which is formed on the notion of economic cooperation. This role is taken both towards member states and other actors where the EU sees its own internal policies as the way forward for maritime policy globally. It stresses the need for ensuring the security of the global commons where the EU is closely linked to UN principles and international law as both enabler for action and motivating its stance towards other actors. The relations with other states and especially the “shift in power” mentioned and the hints of EU naval presence could signal a more power related acting.

But there are no indicators of diverting from the UN based frame for acting. The identity is formed around the notion of the economic indispensability of the maritime context and its meaning for the EU. This is the frame which EU positions itself within its relations with other actors and ideas of interests. This does not promote a EU which seeks to secure economic interests when and where ever possible rather it relies on UN principles as guide for action and to present the preferable order. Action and inaction is based on these and therefore constitutes norms of behaviour. These two combined conclude that the EU is driven by interests but they emanate from and are guided by values that have constructed EU as well.
7.2 Summary and final remarks

The purpose of deploying security governance was to be able to research EU identity and norms which regulate behaviour in maritime security. This was done in order to try to fill the gap of knowledge regarding what forms the ideational base of the EU’s maritime security policy. By applying constructivist theory about the role of identity and norms the essay has presented a conclusion that the EU have an identity and guiding norms which has been and is being constructed on parts of the founding values. This was concluded by qualitative text analysis which meant asking specific questions to the text regarding identity and norm. The identity could be summarised as based on relying on the founding premise of the EU, economic cooperation and the respect for rule of law and international law. This frames the EU wanting to secure interests related to its economic development but acting in accordance with international law and UN prescriptions.

It does not, to any larger extent, reiterate the other core values of human rights and democracy stated in the Treaty of the European Union. That supports earlier research that Atalanta did not concur with earlier CSDP operations which has been motivated by humanitarian values and the call for democracy. The essay does not however concur with the notion that this would falsify the constructivist contribution to security governance since the EU in the Atalanta case pursue what could be framed as temporarily coinciding exogenous interests.

This is supported by several findings in this essay. Firstly the high economic importance of maritime affairs can be claimed to be fairly consistent over the centuries for trading states. Securing maritime trade has been a traditional state interest but as EU integration has developed so has also the construction of a common idea regarding international trade, maritime security and the EU’s role. If it was exogenously given interests of the member states then this should have been evident in the Council conclusions from the beginning instead of slowly developing in congruence with the work of the Commission. It does appear that the maritime policy cooperation that has developed fits in the larger EU integration process where a notion is constructed that the maritime context is a vital part of the EU’s identity which links to how the EU should handle it. Secondly, as one follows the empirics in this essay it indicates an increasing common perception between the Council (representing states) and the Commission (representing the Union) regarding maritime security. Thirdly, its value is also tightly connected to the farthest gone EU integration area (economy) but also to some of the core values stated in the Treaty which links it to a common idea rather than suddenly appearing common interests. The importance of maritime security has been in that sense constructed during the last decades and become an area of EU integration closely tied to other high held values.

Furthermore this essay indicates that although material values are risked substantial time and money is still spent on protecting values and ideas not directly linked to member states interests. This is emphasised in all documents stressing the need for combined acting and common realisations of what needs to be done and that it must be done together through dialogue and positioning the EU’s internal and global role. As a contribution to existing security governance approach regarding the EU as a security actor this essay does support the theory since it claims to have revealed a different but existing ideational characteristic then earlier research on ground based CSDP operations. According to the writer of this essay it is possible for different values to be attributable to different contexts within one and the same security governance structure and actor.

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116 Stopford, Martin (2009) p.45
As mentioned in the theory chapter different identities may co-exist as long as they do share fundamental principles which in this case is UN principles. The EUs acting in Somalia and the Gulf of Guinea can, when briefly reviewed, be understood as member states specific coinciding interests but when conducting this essay another picture reveals itself. The idea that the EU is a maritime entity results in ideas of interests based on securing the strategic functions in the maritime context. The EU integration has resulted in a perception that the EU has a role to play on its own and functioning not simply as a tool for member states. This aspect incorporates the fundamental values of the Union based on UN principles but also the importance of the founding premise of economic development which form the ideational relationship between the Commission and the Council and therefore also the base for the EU in maritime security. An important remark must here be made regarding the theoretical perspective, the ideas that are constructed and forms identity and norms may very well include material interests ergo economic interests in maritime security. The crucial difference between this essays presented perspective and earlier lies in the fact that these interests are constructed together in the Union and not simply temporary congruent interests of the member states. Other CSDP operations and maritime security acting by the EU does occur within the same security actor but does present both commonalities and differences in the ideational characteristic. This essay do to some extent challenge institutionalism but more likely the two theories complement and present explanations which both contribute to understanding EU with the aid of security governance.

This essay wished to examine the gap relating both to the EUs maritime security role and as a part of EU integration theory. It cannot for see future behaviour of the EU in maritime security but it does tell us something of how it frames itself and what boundaries that is applicable in the current state of world order. The debate between constructivism and institutionalism with its central conflict regarding where interests emanates from cannot be distinctively determined but it is the authors belief that the ideas of interests of the importance of maritime security and how the EU should act is to a large extent built upon a constructed view of the EUs role both internally and externally. The essay claims to fulfil the purpose of reviewing the existence of an identity and norms which guide the EU in maritime security external relations. A second effect has been the reiteration of maritime securities borderless functions since the norms and identity is most likely the same in EU internal affairs.

7.3 Suggestions for further research
This essay could be further developed by reviewing the coherence with member states policies and actions. In constructivist theory there are room for multiple identities but there has to be some coherence to prove that it just not exogenously coinciding interests. This would contribute to the debate between institutionalism and constructivism integration theory. Furthermore one could argue that the increased attention and cooperation is a result of the, in the beginning mentioned, increase in lack of resources in the member states. This presents another perspective which could be applied.

Furthermore it would also be interesting to conduct research which applies all of the characteristics from security governance with the purpose of creating a better understanding of the power relations and processes behind the policies. An interesting perspective would be to use discourse analysis theory and method to review the power relations between the Commission and the Council in order to research whom controls the development of maritime policy in the EU. By applying another method, process tracing, it could also be possible to analyse how come, why and when maritime security increased in importance during this decade. This could result in insights regarding the integration process and what events has been crucial in maritime security development.
8 Bibliography


Kirchner, Emil Joseph & Sperling, James (2007). EU security governance. Manchester:
Manchester University Press.


**8.1 EU documents**

**8.1.1 Commission**
Commission of the European communities 10 October 2007 *Communication from the commission to the European parliament, the council, the European economic and social committee and the committee of the regions- An integrated maritime policy for the European Union* COM(2007)574 Final

Commission of the European communities 15 October 2009 *Communication from the commission to the European parliament, the council, the European economic and social committee and the committee of the regions- Developing the international dimension of the integrated maritime policy of the European Union* COM(2009)536 FINAL

Commission of the European communities 15 October 2009 *Report from the commission to the council, the European parliament, the European economic and social committee and the committee of the regions-progress report on the EU: s integrated maritime policy* COM(2009)540 Final

European Commission press release 10 January 2010 IP/13/14

European commission & HR of the EU 18 December 2013 *Joint communication to the European parliament, the Council, the European economic and social committee and the committee of the regions – Elements for the EU:s strategic response to the challenges in the Gulf of Guinea* JOIN (2013) 31 Final

European commission & HR of the EU 6 March 2014 *Joint communication to the European parliament and the council – For an open and secure global maritime domain: elements for a European Union maritime security strategy* JOIN(2014) 9 Final

**8.1.2 Council conclusions**
Council of the European Union 14 December 2007 *Presidency conclusions* 16616/1/07 REV 1
Council of the European Union 8 December 2008 Council conclusions on the integrated maritime policy 16862/08 (Presse) 359 2914th Council meeting General Affairs

Council of the European Union 16 November 2009 Council conclusions on integrated maritime policy 2973rd GENERAL AFFAIRS Council meeting

Council of the European Union 26 April 2010 Council conclusions on maritime security strategy 3009th Council meeting FOREIGN AFFAIRS

Council of the European Union 14 June 2010 Council conclusions on integrated maritime policy 3022nd GENERAL AFFAIRS Council meeting

Council of the European Union 14 November 2011 Horn of Africa- Council Conclusions 16858/11

Council of the European Union 24 June 2013 Council conclusions on the integrated maritime policy GENERAL AFFAIRS Council meeting

Council of the European Union 20 December 2013 European Council conclusions EU CO 217/13

8.1.3 Other

DG for external policies (2013) The maritime dimension of CSDP: Geospatial maritime challenges and the implications for the Union Publications office


8.2 UN resolutions
UNSCR 1814(2008)
UNSCR 1816(2008)
UNSCR 2018(2012)
UNSCR 2039(2012)

8.3 Webpages
http://eunavfor.eu/key-facts-and-figures/ retrieved 12/5-2014
Annex 1

Time span 2009-2013 5 years

5*365 = 1825
1825*7 = 12775

Coast of Somalia is approximately 1680 Nm (if traveled from most north-western point to most southern)

Speed of cargo ship 10 kn (Varies between type of vessel but lies between 8-14 kn)
\[
\frac{1680}{10} = 168 \text{h}
\]

\[
\frac{168}{24} = 6.9 \text{ days}
\]

\[
7 \times 398 = 2786 \text{ days}
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