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# **EU-AU AT SEA: TOWARDS A EURO-AFRICAN MARITIME SECURITY ORGANISATION?**

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## ABSTRACT

Maritime security is usually a neglected topic in the continental public debate. However, facts and figures suggest that the sea is central to the current establishment of a secure multipolar world. The European Union shares with Africa a maritime security challenge that can be tackled only through close cooperation between the European and the African regional orders. The European Union and the African Union are already converging through the EUMSS and the AIMS 2050, which is a signal that could mean that the two continents are ready to engage more to secure their seas. These actors need to take responsibility over the sea domain to ensure freedom of the seas, an equal share of maritime resources, and positive and negative security for their citizens. The Research Paper argues that the creation of a multilateral platform, the Euro-African Maritime Security Organization, could be the answer to the need to integrate and coordinate the Euro-African maritime security initiatives in the MED and the enlarged Mediterranean.

Keywords: Maritime security, AU, EU, integrated regional orders, multilateralism

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1. The strategic relevance of EU-AU cooperation in maritime security • 2. The roots of political will for EU-AU maritime security cooperation • 3. Euro-African maritime security: active programs • 4. An Institutional framework for maritime security • 5. UE-AU Cooperation: Towards a Euro-African Maritime Security Organisation?

#### **1.** The strategic relevance of EU-AU cooperation in maritime security

Maritime security is usually a neglected topic in the continental public debate, and interest in seaborn issues has, in the main, been left to the "sea powers"<sup>1</sup>, here the US and the UK are notable as the traditional guardians of the maritime domain. However, when we recall that 95% of cyberspace traffic flows along the seabed in communication cables<sup>2</sup>, and that in 2015 61% of oil and petroleum products<sup>3</sup> were transported by sea, it is evident that maritime security is major, global concern for the international community as a whole, not of few powers only.

During the recent open debate, organised by India, the Security Council spoke about the unprecedented levels of insecurity in the Gulf of Guinea and West Africa. Maria Luiza Ribeiro Viotti, the UN Secretary-General's Chef de Cabinet, highlighted the need for stronger international cooperation given that "Maritime insecurity is also compounding the terrorist threat emerging from the Sahel". She argued that "These growing and interlinked threats call for a truly global and integrated response"<sup>4</sup>.

Notwithstanding the support that the European Union (EU) has given to past United Nations Security Council Resolutions, and its constant commitment for a rules-based international order, the EU should strongly cooperate with regional partners to take on responsibility for the call launched from the Security Council, a call that cannot be ignored.

The narrow continental vision about the relevance of the sea is now under question together with the role that the EU should play in maritime security. Can the EU be included or wants to be included, or indeed does it want to be included among maritime security providers? And if yes, who are its natural partners? To which extent the EU should contribute to keep maritime peace and security? Which should be its priorities and why?

In responding to the question, we can trace an EU interest to be recognised as a maritime security provider back to the 2008 piracy crises, that started in the Mogadishu port and then shifted into the Gulf of Aden<sup>5</sup> when the responsibility to protect international sea lanes was upheld through the EU's Operation Atalanta. The international effort to counter piracy off the Somali's coast,

<sup>&</sup>lt;sup>1</sup> "Sea power" refers to the power exerted by a state through its capacity to use the sea for both military and civilian purposes. <u>https://oxfordre.com/view/10.1093/acrefore/9780190846626.001.0001/acrefore-9780190846626-e-294</u>

<sup>&</sup>lt;sup>2</sup> <u>https://www.nato.int/cps/en/natohq/topics</u> 136233.htm

<sup>&</sup>lt;sup>3</sup> <u>https://talkbusiness.net/2017/08/61-of-global-crude-oil-and-petroleum-products-transported-by-sea/</u>

<sup>&</sup>lt;sup>4</sup> "Global response needed to counter rising security threats at sea", UN News. 9 August 2021. https://news.un.org/en/story/2021/08/1097432

<sup>&</sup>lt;sup>5</sup> The Gulf of Aden became a major shipping route with over 16,000 vessels sailing through each year, hence being an appetible target for pirates. See "The Security Bazaar, Business Interests and Islamist Power in Civil War Somalia", Aisha Ahmad.

mainly in the High-Risk Area (HRA), brought evident results in 2015, when there were zero attacks recorded for the first time, objective that was reached again in 2020.<sup>6</sup>

Since then, an integrated approach to maritime issues and a comprehensive vision of the seas, oceans and coastlines has constituted an important objective for the EU.<sup>7</sup>

The mission undertaken has affected the security landscape that is constantly evolving, in much the same way as risk assessments of the context should change with it. For instance, the Baltic and International Maritime Council (BIMCO) Secretary General David Loosley said that there is a need to update the HRA because the security incidents in the waters around the Arabian Peninsula demonstrated we must "develop a global, threat-based concept which captures how ships of various type, size, nationality, ownership etc. face different risk levels".<sup>8</sup> A parochial view of maritime security is not suited to the current transnational challenges.

The concept of an 'enlarged Mediterranean'<sup>9</sup> already suggests that the stability of the EU is linked to the safety of its neighbouring surrounding maritime areas. What happens at sea is a reflection of the inland situation. Thinking in terms of the enlarged Mediterranean is a useful tool to interpret why European security is at stake, and it suggests engaging more with African countries' security in order to keep the EU safe.

From 2011 until today, the Mediterranean area, and the waters surrounding the African continent became a worrying element for the EU that once again employed its maritime capacities after the fall of Ghedaffi's regime, whose arsenal was sold all over Africa, when the United Nations established an arms embargo on Libya.<sup>10</sup>

The subsequent 2014 Libyan civil war worsened the instability of the African region that was already threatened by internal turmoil. Primary concerns emerged from the desertic Sahel, where jihadists "benefit from the porousness of the borders and the states' inability to exercise consistent control over large expanses of their territory".<sup>11</sup> The terrorist presence was manifold, including Boko Haram, al Qaeda in the Maghreb (AQIM), ISIS<sup>12</sup>, and Al-Shabaab in Somalia. Moreover, numerous illicit activities, and trafficking go on, for instance the taking of hostages, and smuggling gold,<sup>13</sup> arms, and drugs.

The Covid19 pandemic has had an impact on illicit traffic. While the lockdowns might have hampered single individuals trafficking drugs using air or land transport, it particularly emphasised

<sup>&</sup>lt;sup>6</sup> <u>https://eunavfor.eu/key-facts-and-figures/</u>.

<sup>&</sup>lt;sup>7</sup> Council Conclusions on the Integrated Maritime Policy of December 2008 16503/1/08 REV 1.

<sup>&</sup>lt;sup>8</sup> International Chamber of Shipping, "Change in piracy threats in Indian Ocean prompts rethink of High Risk Area", 17 August 2021 <u>https://www.ics-shipping.org/press-release/change-in-piracy-threats-in-indian-ocean-prompts-re-think-of-high-risk-area</u>

<sup>&</sup>lt;sup>9</sup> Area that extends from Gibraltar to the Persian Gulf and the Horn of Africa, passing through the Red Sea. <sup>10</sup> Security Council Resolution 1970 (2011), 2292 (2016).

<sup>&</sup>lt;sup>11</sup> Salah, Mohamed Mahmoud Mohamed. Threats to Peace and Security in the Sahel: Responding to the Crisis in Mali. International Peace Institute, 2012, <u>www.jstor.org/stable/resrep09509</u>

<sup>&</sup>lt;sup>12</sup> "Sahel trade routes: Arms, people and drugs".<u>https://www.dw.com/en/sahel-trade-routes-arms-people-and-drugs/a-37125072</u>

<sup>&</sup>lt;sup>13</sup> Instability in the Sahel: how a jihadi gold rush is fuelling violence in Africa, Neil Munshi in Kaya, See <u>https://www.ft.com/content/8ff4c2ca-7ac3-4f3b-96ba-6fb74bbb60d5</u>

the use of sea lanes that never closed,<sup>14</sup> continuing to function worldwide. According to the United Nations Office on Drugs and Crime (UNODC) between January 2017 and April 2020 88% of cocaine, 54% of cannabis and 37% of amphetamines were transported by sea,<sup>15</sup> hidden in cargo vessels. To confront this trend it was suggested that "smart ports" could be a solution to detect drugs efficiently,<sup>16</sup> and confiscate them.

Many people involved in transnational crimes are recruited from low-income countries in conflict zones, usually with a young and unemployed population. The 2015 wave of migration is still rooted in our memory, which brought to the surface the awareness of a widespread humanitarian crisis, mainly from Syria. According to the International Organization for Migration (IOM) more than 1,011,700 migrants reached the EU by sea,<sup>17</sup> through the principal route from North Africa across the central Mediterranean. The EU should dialogue both with African partners and, at the same time, find an integrated response within the EU to cope with next waves coming from the western, southern and eastern directions.

In light of the recent take-over of Afghanistan by the Taliban terrorist group,<sup>18</sup> the EU should take into account the humanitarian condition of people crossing sea and land borders, to prevent a worsened repetition of the 2015 migration crises.

This humanitarian distress may well be accentuated by global warming, indirectly producing irregular migration. The 9<sup>th</sup> of August Intergovernmental Panel on Climate Change (IPCC) Report set out how increasing temperatures will impact the lives of Euro-African peoples that will face problems connected to droughts and extreme weather, that will impact on health, livelihood, food security, water supply, human security, and economic growth. To stem these threats, the international community must keep the global average temperature below  $2^{\circ}$ C above preindustrial levels and pursue efforts to limit the temperature increase to  $1.5^{\circ}$ C above preindustrial levels. A target that cannot be reached acting alone.

The EU's commitment to fight climate change can be seen in the European Green Deal that aims to make the EU climate neutral by 2050. The Deal reinforced the Paris Agreement, and thus the 2030 Agenda for Sustainable Development, and demonstrates EU leadership in setting an example<sup>19</sup> on fighting climate crises. For instance, the EU is studying the sea level rise phenomenon, whose European Environmental Agency (EEA) published an indicator assessment. The EEA detected that sea level has risen about 19 cm since 1900, at an accelerating rate, and reached its highest value ever in 2019. Current projections "include the possibility of faster disintegration of the polar ice sheets predict a rise of up to 2.4 m in 2100 and up to 15 m in 2300.

<sup>&</sup>lt;sup>14</sup> It is well known that the 90% of international trade is maritime.

<sup>&</sup>lt;sup>15</sup> <u>https://www.unodc.org/documents/data-and-analysis/covid/Covid-19-and-drug-supply-chain-Mai2020.pdf</u>

<sup>&</sup>lt;sup>16</sup> <u>https://issafrica.org/iss-today/can-smart-ports-curb-drug-trafficking</u>. Even if the cost of sophisticated technologies could be a problem for low-income countries.

<sup>&</sup>lt;sup>17</sup> <u>https://ec.europa.eu/programmes/europe-for-citizens/projects/efc-project-details-page/?nodeRef=workspace://SpacesStore/4bebb137-51c9-4498-ab2e-e537b759fb78</u>

<sup>&</sup>lt;sup>18</sup> Will the Afghanistan crisis spark a refugee influx to Europe? By Sandrine Amiel

https://www.euronews.com/2021/08/16/as-chaos-deepens-in-afghanistan-is-europe-on-the-verge-of-a-freshrefugee-crisis

<sup>&</sup>lt;sup>19</sup>Brussels, 25 January 2021 (OR. en) 5263/21 Council conclusions on Climate and Energy Diplomacy - Delivering on the external dimension of the European Green Deal.

Most coastal regions in Europe have experienced an increase in sea level relative to land."<sup>20</sup> This could have an effect on sea law. Given that the Exclusive Economic Zone (EEZ) is calculated from the baseline, with the rise of the sea there could be maritime disputes to determine from where to calculate the 200 miles of the EEZ.

Cooperation at the international level is the key to addressing the issues that global warming is causing. It is interesting that the EU seeks to establish "green alliances" with its neighbours to favour climate neutrality. Accordingly, in the next "summit between the African Union and the EU, the goal is to make climate and environmental issues key strands in relations between the two continents. In particular, the Africa-Europe Alliance for sustainable investment and jobs will seek to unlock Africa's potential to make rapid progress towards a green and circular economy".<sup>21</sup>

The sea is central to the debate on cross-border crimes, migration, pollution and the rule of law. Using the words of Admiral Mahan,<sup>22</sup> the sea is a "great highway" ensuring international commerce and a "wide common" to be administered in proper democratic lieu; this is the task that the EU shares primarily with its African neighbours. Within the EU, Italy and France have shown interest in entering a special relationship to deal with maritime security and develop a dialogue with Africa,<sup>23</sup> but the whole of the EU is affected by the security challenges of the Mediterranean. In facing the security challenges that the European Union must tackle together with the African Union (AU), Africa must be urgently treated as a maritime security partner to facilitate building places and networks of dialogue in order to make the maritime Euro-African area a safe maritime commonwealth.

#### 2. The roots of political will for EU-AU maritime security cooperation

An indicator of maritime security cooperation between the EU and the African Union can be found in the Council Conclusions on the Integrated Maritime Policy,<sup>24</sup> which invited the Commission and Member States to continue to support capacity-building on marine and maritime affairs for Southern Mediterranean partner countries.

But the clear will to cooperate with our African neighbours went further thanks to the 24 June 2014 European Union Maritime Security Strategy (EUMSS)<sup>25</sup> which sought to connect the internal

<sup>24</sup> 11204/14 Brussels, 24 June 2014 Council conclusions on the Integrated Maritime Policy.

<sup>25</sup> Brussels, 24 June 2014 (OR. en) 11205/14 European Union Maritime Security Strategy.

The EUMSS pinpoints as major objectives the protection of its energy security passing by maritime infrastructures like ports, pipelines, seabed cables, and sources of energy supply, and of cybersecurity for the

<sup>&</sup>lt;sup>20</sup> Indicator Assessment, Global and European sea level rise. <u>https://www.eea.europa.eu/data-and-maps/indicators/sea-level-rise-7/assessment</u>

<sup>&</sup>lt;sup>21</sup> http://www.aalep.eu/diplomatic-challenge-european-green-deal

<sup>&</sup>lt;sup>22</sup> "The Influence of Sea Power Upon History, 1660 - 1783" by Alfred Thayer Mahan (1890)

<sup>&</sup>lt;sup>23</sup> In the Draghi-Macron Pact on defence and migrants "Let's reform the EU" it is proposed to create an Italian-French Defence Council with the respective ministers they will meet periodically to bring together strategic visions and

<sup>&</sup>quot;Intensify joint dialogue at the technical and operational level". "These consultations will focus on the struggle against terrorism, maritime security, gun control, cooperation on capabilities, energy challenges, hybrid threats and disinformation". Regular meetings will also take place between the holders of other departments with ad hoc formats. Talking about Africa to "strengthen joint development, stabilization and security with priority for Mediterranean Africa, the Sahel and the Horn of Africa ". La Repubblica - 14/09/2021 "La bozza del trattato del Quirinale, Patto Draghi-Macron su difesa e migranti "Riformiamo la Ue" Anais Ginori.

and external aspects of the EU's maritime security, "understood as a state of affairs of the global maritime domain, in which international law and national law are enforced, freedom of navigation is guaranteed and citizens, infrastructure, transport, the environment and marine resources are protected". Among the EUMSS's guiding principles, we find maritime multilateralism<sup>26</sup> as a base to strengthen the EU's maritime response, in a 21<sup>st</sup> century made up by a decentred and multipolar world. Indeed, the EU should give special attention "to the development of partnerships with international organisations. The Union's capacity to cooperate with the UN, NATO, regional partners like the African Union (...) has a direct impact on its ability to safeguard its interests and to strengthen regional and international maritime security." The Union's engagement with international partners contributes to the promotion of rules-based governance at sea, and the respect of international conventions, such as the universal application of the United Nations Convention on the Law of the Sea (UNCLOS).

The African Union developed the same prioritisation towards sea-related issues with Africa's Integrated Maritime Strategy (AIMS 2050) on 27 January 2014,<sup>27</sup> and the launch of the 2015-2025 Decade of African Seas and Oceans.<sup>28</sup>

As for the EU, the traditional concept of security in Africa "has been dominated by land-based conflicts with little attention being paid to maritime threats and the protection of the maritime environment".<sup>29</sup> This land-based view changed with a new awareness of maritime safety brought about after the intensification of African pirate attacks. West and Central African States, which bear the primary responsibility for combating maritime crime in the region, had already in June 2013 made political commitments already in June 2013 in the "Code of Conduct concerning the repression of piracy, armed robbery against ships, and illicit maritime activity in West and Central Africa". These commitments have been pivotal in the progressive establishment of the Yaoundé Architecture<sup>30</sup> to improve coordination and cooperation on maritime security.<sup>31</sup>

proper functioning of the maritime transport and communications. Internationally, the EU should protect the freedom of navigation, the global EU supply chain, the right of innocent passage of ships and the security of their crew and passengers. Also the environment's protection is a priority to be promoted fighting pollution, Illegal Unreported and Unregulated fishing (IUU) and respecting the Exclusive Economic Zone (EEZ). Hence, the management of EU external borders and maritime areas are necessary to prevent cross border illegal activities that can involve cross-border organized crime devoted to facilitating illegal migration, trafficking of arms and narcotics or smuggling of goods of contraband. Terrorism is recognised as threatening ports, ships, cargo, with crew and passengers, as well as ports, facilities and critical maritime and energy infrastructure, including through cyber-attacks, as well as the proliferation of weapons of mass destruction, including chemical, biological, radiological and nuclear (CBRN) threats are of EU's interest.

<sup>&</sup>lt;sup>26</sup> The other three principles are: a cross-sectoral approach, functional integrity and respect of rules and principles.

<sup>&</sup>lt;sup>27</sup> On the same date also the AU Agenda 2063 was adopted.

<sup>&</sup>lt;sup>28</sup> <u>http://sdg.iisd.org/news/au-launches-decade-of-african-seas-and-oceans/</u>

<sup>&</sup>lt;sup>29</sup> Pieter Brits & Michelle Nel (2018) African maritime security and the Lomé Charter: Reality or dream?, African Security Review, 27:3-4, 226-244, DOI: 10.1080/10246029.2018.1546599

<sup>&</sup>lt;sup>30</sup> "In June 2013, the leaders of the Economic Community of West African States (ECOWAS), the Economic Community of Central African States (ECCAS) and the Gulf of Guinea Commission (GGC) gathered in Yaoundé, Cameroon, to lay the basis for a common regional strategy to prevent and prosecute illicit activities in the waters of the Gulf of Guinea". <u>https://www.gogin.eu/en/about/yaounde-architecture/</u>

<sup>&</sup>lt;sup>31</sup> Brussels, 25 January 2021 (OR. en) 5387/21 Council Conclusions launching the pilot case of the Coordinated Maritime Presences concept in the Gulf of Guinea.

The AU has considered cooperation with the EU in its security strategy as a medium-term partner to ensure security and safety of maritime transport systems. This should be kept as an opportunity for cooperation.

The AIMS 2050 indicated as priority the protection of populations, and also of the maritime environment, including Africa's Maritime Domain (AMD) heritage, assets and critical infrastructure, and maritime pollution and dumping of toxic and nuclear waste.

Another AU strategic objective is to promote the ratification, domestication and implementation of international legal instruments, a goal that can be supported by the EU, that is already committed with the European Union's comprehensive approach based in Somalia. A practical example of EU nonmilitary answers to the problem of piracy were to supervise the Puntland ministry of Justice, religious affairs, and rehabilitation in revising Puntland's Anti-Piracy Laws to ensure that it could meet international standards. This type of Action that could be repeated in cooperation with other states of the AU to strengthen the rule of law in Africa.

Having an attitude of openness towards the AIMS 2050 "Strategic Objectives" in the field of maritime economy and security, the EU can be inspired, in turn, to innovate. For example, the AU proposed the creation of a Combined Exclusive Maritime Zone of Africa (CEMZA), that can be perceived as a model for the EU, possibly proposing a Combined Exclusive Maritime Zone of Europe (CEMZE) for the future of Europe.

In 2016, the Lomé Charter complemented the AIMS 2050 in realizing the strategy's propositions. Its objectives are compatible with the EUMSS; indeed, the EU supports the African Union in promoting maritime security and development, including the entering into force of the Lomé Charter,<sup>32</sup> and the Djibouti Code of Conduct.

Furthermore, the AU aims to prevent and suppress national and transnational crime, protect the marine environment, promote and enhance cooperation in the fields of maritime domain awareness, establish appropriate national, regional and continental institutions and ensure the implementation of appropriate policies likely to promote safety and security at sea, and promote inter-agency and transnational coordination and cooperation between Member States, all in conformity with International Maritime Law.<sup>33</sup>

The 2018 revision of the EUMSS' Action Plan again identified the African Union (AU) as the relevant international partner<sup>34</sup> to cooperate with in promoting maritime security. It also encouraged a regional approach and focus over subsea basins, such as the Mediterranean Sea and maritime zones of great strategic interest (i.e. the Horn of Africa, Gulf of Guinea).

<sup>&</sup>lt;sup>32</sup> Luxembourg, 19 June 2017 (OR. en) 10238/17Council conclusions on Global Maritime Security.

<sup>&</sup>lt;sup>33</sup> "Objectives" Art. 3, AIMS 2050.

<sup>&</sup>lt;sup>34</sup> The others being the United Nations (UN) system, including the International Maritime Organisation (IMO), the North Atlantic Treaty Organisation (NATO), the Association of Southeast Asian Nations (ASEAN) and Organisation for Security and Co-Operation in Europe (OSCE).

In achieving these aims, the EU's Common Security and Defence Policy (CSDP) can contribute to the effective coordination of existing and future maritime security through capacity building and development initiatives.<sup>35</sup>

It is undeniable that the AU is slowly converging with the EU in the treatment of its own Member States, that are encouraged to be more engaged with each other (for instance promoting the training and capacity building of the maritime, port and industrial sector) as well as with the establishment of international cooperation for maritime security in full respect of the international maritime rules-based order. The EU Joint Communication "Towards a comprehensive Strategy with Africa" states that the ties that bind Africa and the EU are broad and deep as a result of history, proximity and shared interests. Another example of this EU-AU meeting of minds, is the shared interest in the development of the Blue Economy and Aquaculture; indeed Africa is called the European's "twin continent" that is characterised by initiatives that resemble those of the EU.<sup>36</sup>

Because of the common interests between the EU and the AU, the EU wants to base the relationship with Africa on mutual responsibilities, therefore increasing the EU's strategic autonomy. The five main partnerships that the EU plans to build with the AU are based on green transition and energy access, digital transformation, sustainable growth and jobs, peace and governance and migration and mobility. More extensively, "combatting climate change; ensuring access to sustainable energy and protecting biodiversity and natural resources; promoting peace and security; ensuring well-governed migration and mobility; engaging together on the global scene to strengthen the multilateral rules-based order, promoting universal values, human rights, democracy, rule of law and gender equality".<sup>37</sup>

The European Union has proposed several partnership initiatives with Africa; in "Proposed Action 6" the EU offered to support African peace efforts through a more structured and strategic cooperation, with a particular focus on regions where tensions and vulnerabilities are the highest.

With more cooperation with the United Nations and NATO, the EU-AU's joint action could gain in providing maritime security compared to actions taken alone. The EU Global Strategy, that "nurtures the ambition of strategic autonomy for the European Union",<sup>38</sup> states that the EU will strive for a strong UN as the bedrock of the multilateral rules-based order, and develop globally coordinated responses with international and regional organisations using soft and hard power going hand in hand. Through the support of cooperative regional orders, the EU can share security responsibilities with like-minded partners, such as the African Union.

<sup>&</sup>lt;sup>35</sup> Brussels, 26 June 2018 (OR. en) 10494/18 Council conclusions on the revision of the European Union Maritime Security Strategy (EUMSS) Action Plan (26 June 2018).

<sup>&</sup>lt;sup>36</sup> Refers to the African Continental Free Trade Area, the African Visa-free Area, a Single African Digital Market and the Single African Air Transport Market.

<sup>&</sup>lt;sup>37</sup> European Commission High Representative of the Union for Foreign Affairs and Security Policy, Brussels, 9.3.2020, Join (2020) 4 final, Joint Communication to the European Parliament and the Council Towards a comprehensive Strategy with Africa.

<sup>&</sup>lt;sup>38</sup> June 2016. "European Union Global Strategy". Shared Vision, Common Action: A Stronger Europe A Global Strategy for the European Union's Foreign And Security Policy.

In this context, whilst non-binding, the 2018 "EU-AU Memorandum of Understanding on Peace, Security and Governance" (MoU) is a step in that direction. The Memorandum is made up of the Principles, Objectives and Areas of Cooperation. The *Principles* of the MoU indicate the Joint Africa-EU Strategy (JAES), the Africa-EU Peace and Security Partnership as strategic priority areas. The *Objectives* go from sharing information, enhancing cooperation and facilitating joint actions between the EU, the AU and the UN with its agencies. To attain the purposes of the MoU the *Areas of Cooperation* deepen EU-AU-UN coordination during conflict cycles, enhance the effectiveness of the African Peace and Security Architecture (APSA),<sup>39</sup> thus increasing counter terrorism, enhance criminal justice, protection of civilians in conflict situations, in accordance with universal human rights and international humanitarian law, address climate related security risks and support "national, regional and pan-African initiatives contributing to the advancement of maritime security, good international ocean governance and enhancing capacities to combat illegal fishing and the dumping of toxic waste, in line with continental and regional strategies, such as the African Integrated Maritime Strategy (AIMS 2050) and the Charter on Maritime Security, Safety and Development in Africa (the Lomé Charter)."

There can be different forms of cooperation and implementation of the MoU, one of these can be the creation of a collaboration platform that would facilitate the interaction between the EU-AU-UN and other relevant actors in exchanging information aimed at the creation of a shared security strategy, necessarily being also maritime.

The Council of the European Union has pushed in this direction, and declared that "Africa and Europe are natural partners bound by history, geography and culture. The EU and the African Union (AU) enjoy a unique partnership, built on common values and a shared commitment to regional integration and effective multilateralism."<sup>40</sup> Hence, "A prosperous, peaceful and resilient Africa is an essential EU foreign policy objective".

The next EU-AU Summit had been foreseen as a pivotal moment for renewing a comprehensive joint strategic approach, but the global pandemic postponed the Summit that had not yet been organised. However, this postponement is not bad at all, if we make a virtue out of necessity and think about what the EU-AU Summit should achieve next time.

Despite coordination difficulties after the Covid19 outbreak, during 2021 there have been interesting developments in the field of maritime security. The New Agenda for the Mediterranean and the Southern Partnership have been highlighted to be beneficial aspects of cooperation for people on both shores of the Mediterranean. In seeking solutions to the crises in the region, the EU will focus on terrorism, cyber and hybrid threats as well as organised crime and on the continuing tensions in the Sahel-Saharan area, due to its spill over effect for the Mediterranean region.<sup>41</sup> The EU will continue to support the UN and engage with regional and

<sup>40</sup> Brussels, 30 June 2020 (OR. en) 9265/20 Africa

https://www.consilium.europa.eu/media/44788/st\_9265\_2020\_init\_en.pdf

<sup>&</sup>lt;sup>39</sup> "The African Union established the African Peace and Security Architecture (APSA) in 2002 as a long-term structural response to the peace and security challenges on the African continent. Through the APSA, the African Union and mandated sub-regional organisations have access to tools which help them to prevent, manage and resolve conflicts". <u>https://op.europa.eu/webpub/eca/special-reports/apsa-20-2018/en/</u>

<sup>&</sup>lt;sup>41</sup> Brussels, 19 April 2021 (OR. en) Council conclusions on a renewed Partnership with the Southern Neighbourhood - A new agenda for the Mediterranean.

international organisations, notably the League of Arab States, and the African Union. For example, the EU will dialogue with the AU about the strategic Horn of Africa (HoA). In respect of African autonomy for its peace and security, the EU, will continue to support, including through its CSDP missions and operations, the build-up of regional security capacity, including at sea.<sup>42</sup>

In conclusion, maritime security is a priority to ensure a free and peaceful use of the seas and is a prerequisite for safe, clean and secure oceans and seas for all types of activities, such as to protect strategic interest or the blue economy.<sup>43</sup> The initiatives of the AU, and the EU's aims for regional seas cooperation are supported by the UN, that has called for an approach to the access of global commons (e.g. high seas), aligned to EU's interests and values and a rules-based global order. The EU's Strategic Compass, in line with its Strategic Agenda 2019-2024, should address European maritime borders and maritime security, thus further contributing to the developing of a common European security and defence culture.<sup>44</sup> This idea can be extended also to the building of a Euro-African defence culture, in which common maritime responsibilities are jointly tackled, while respecting EU-AU strategic autonomy.

#### 3. Euro-African maritime security: active programs

In the first part of the article we identified threats to maritime safety. A short review of the active programs that contribute to Euro-African maritime security can show from a "bird-eye" view the main maritime focus areas, which are where the EU and its African partners should be more committed to providing the comprehensive approach needed to tackle maritime security.

#### Frontex

Among the EU's instruments employed in the Mediterranean Sea, its Frontex' Agency focuses on border surveillance and the detection of cross-border crimes, and can also assist Member States and third countries in the context of technical and operational cooperation. Nowadays, Frontex has three missions active to secure EU and neighbouring countries' borders.

Operations Minerva, and Indalo are located on the border between Spain and Morocco to cope with migration flows from the Western Mediterranean route and the smuggling of narcotics.<sup>45</sup> In addition, the central Mediterranean is covered by Operation Themis.<sup>46</sup> Its operational areas include the waters of Algeria, Tunisia, Libya, Egypt, Turkey and Albania. From 2018, Themis has worked to enhance law enforcement, while continuing to include search and rescue as a crucial component. Another hot spot is in eastern Europe, where the Greek-Turkish borders, are monitored through Operation Poseidon.<sup>47</sup> Its main tasks include a wide range of actions such as countering the smuggling of illegal substances, and weapons, the detection of forged documents,

<sup>&</sup>lt;sup>42</sup> Brussels, 10 May 2021 (OR. en) 8135/21 The Horn of Africa: a geo-strategic priority for the EU - Council conclusions (10 May 2021)

<sup>&</sup>lt;sup>43</sup> Brussels, 22 June 2021 (OR. en) 9946/21 Council conclusions on maritime security

<sup>&</sup>lt;sup>44</sup> UN Resolution A/75/239 of 31 December 2020, the United Nations Convention on the Law of the Sea (UNCLOS) "sets out the legal framework within which all activities in the oceans and seas must be carried out"

<sup>&</sup>lt;sup>45</sup> <u>https://frontex.europa.eu/we-support/main-operations/operations-minerva-indalo-spain-/</u>

<sup>&</sup>lt;sup>46</sup> https://frontex.europa.eu/we-support/main-operations/operation-themis-italy-/

<sup>&</sup>lt;sup>47</sup> <u>https://frontex.europa.eu/we-support/main-operations/operation-poseidon-greece-/</u>

saving lives at sea, ensuring registration and identification capacities and detecting illegal fishing and maritime pollution.

Out of these three missions we can say that Frontex has three main fields of action: enhaninge the rule of law, countering cross-border crimes and protecting the environment in respect of international law. However, the character of Frontex is internal to the EU, because only the EU's Member States can ask for its deployment.

#### CSDP

The sea-based Operations conducted under the EU's CSDP, are labelled as 'expeditionary' because they involve the projection over extended lines of communications of independent, specially designed and prepared, sustainable EU military and /or civilian instruments with the ability to work autonomously.<sup>48</sup> The CSDP operations work strictly with the United Nations, which is the only body that can allow the use of force. This instrument is more open to cooperation with outside actors like non-Member States, and its operations/missions are decided with the agreement of the European Council. It seems that in maritime affairs it is easier to reach a decision at EU level and overcome the big problem of unanimity.

From 2020 CSDP Operation Irini<sup>49</sup> has enforced the United Nations Security Council (UNSC) Resolutions on arms embargo to Libya;<sup>50</sup> elsewhere Operation Atalanta<sup>51</sup> has repressed piracy in Somalia and the strategic Gulf of Aden after UNSC Resolutions<sup>52</sup>.

Other than stemming the flow of weapons into Libya, Operation Irini has three secondary tasks. It prevents illicit exports of petroleum, contributes to the capacity building and training of the Libyan Coast Guard and Navy and contributes to the disruption of the business model of human smuggling and trafficking networks through information gathering and patrolling by planes. Similarly, Operation Atalanta has fulfilled other tasks than fighting piracy. It has protected vulnerable vessels and humanitarian shipments off the coast of Somalia, such as the World Food Program's vessels.

Operation Atalanta has received contributions from Member States alongside international support; the German Bundestag decided to deploy the frigate FGS KARLSRUHE, already used by Standing NATO Maritime Group 2 (SNMG 2). Similarly, the Royal Navy's frigate HMS NORTHUMBERLAND was deployed for Operation Atalanta, previously operating in the area as part of Combined Task Force 151. These details make us understand how the interoperability and the cooperation between allies in deploying military assets is necessary for the operation to succeed.

Operation Atalanta was complemented by the European Union Capacity Building Mission in Somalia (EUCAP), which is a civil mission to equip maritime police units at federal and state levels. The combination of land-based missions with maritime deterrence has produced visible results.

<sup>&</sup>lt;sup>48</sup> Brussels, 19 December 2014 (OR. en) 17107/14 CSDP/PSDC 750

<sup>49</sup> https://www.operationirini.eu/about-us/

<sup>&</sup>lt;sup>50</sup> Ibid, 7

<sup>&</sup>lt;sup>51</sup> https://eunavfor.eu/mission/

<sup>&</sup>lt;sup>52</sup> Resolution 1814 (2008), Resolution 1816 (2008), Resolution 1838 (2008)

#### CMR

The European Union founded the Critical Maritime Routes Programme, whose objective is to progressively form one global joint action which will contribute to create trans-regional synergies and increase maritime security and safety of critical maritime routes. It is an ongoing process of the creation of a global maritime security network that is made up of subprograms.

Starting with the western coast of Africa, the Gulf of Guinea Inter-regional Network (GoGIN)<sup>53</sup> connects the countries of the Economic Community of Central African States (ECCAS), Economic Community of West African States (ECOWAS) and the Gulf of Guinea Commission. The CMR program builds on the Yaoundé Architecture and Code of Conduct, making sure that the states do not experience an information asymmetry in respect of the others. To gain a regional maritime dialogue, surveillance capacity, and intersectoral coordination it established an Information Sharing platform.

In order to connect the Western and Central States of Africa, the European Union launched the WeCaps,<sup>54</sup> with the goal of 'Improving Port Security in West and Central Africa'. As the name suggests, the aim is to raise port security from preparedness and resilience when a crisis event occurs, such as an explosion, to detection and handling of illicit or dangerous goods. The countries that benefit from this program are part of ECOWAS and ECCAS.

Finally, on the east coast of Africa the CMR Indian Ocean, South and Southeast Asia (CRIMARIO),<sup>55</sup> and its successor CRIMARIO II, connects Eastern African countries, MENA countries and reaches Indo-Pacific countries like India and Malaysia. The main goals of the program are to increase Maritime Situational Awareness (MSA) sharing data across the region, and to create opportunities for joint training, capacity building exercises to promote security and safety. Furthermore, a nucleus of South and Southeast Asian countries has engaged in communicating among their law enforcement agencies at different levels.

This broad approach reminds us that the sea is a physical and informational route that includes most countries on its way. To appreciate the existence of similar perils along maritime highways helps us to assess the same level of risk, share comprehensible information and trigger coordination to take action.

#### NATO

In 2011, NATO launched the Alliance Maritime Strategy, that aimed to enhance cooperation with NATO partners and the European Union.<sup>56</sup> Under the strategy, the 2016 Operation Sea Guardian, led by Allied Maritime Command (MARCOM),<sup>57</sup> once again proved to be a great contributor to Euro-African maritime security. Initially, NATO countries deployed three ships and two

<sup>&</sup>lt;sup>53</sup> <u>https://criticalmaritimeroutes.eu/projects/gogin/</u>

<sup>&</sup>lt;sup>54</sup> https://criticalmaritimeroutes.eu/projects/wecaps/

<sup>&</sup>lt;sup>55</sup> <u>https://criticalmaritimeroutes.eu/projects/crimario/</u>

<sup>&</sup>lt;sup>56</sup> https://www.eu-logos.org/2016/11/15/a-stronger-nato-means-a-stronger-europe-sea-guardian-andoperation-sophia-together/

<sup>&</sup>lt;sup>57</sup> <u>https://mc.nato.int/about-marcom/history</u>

submarines, during the operation the port of Alexandria and Haifa were visited, more than fifty ships were boarded and more than five hundred ships were identified.<sup>58</sup>

The operation has been flexible in nature, it can move according to necessity thanks to the mobile FOCOPS,<sup>59</sup> and is compatible with other Operations. For instance, it supported the call for help from Frontex, Greece and Turkey to assist refugees, it supported Operation Sophia until its completion, and implemented the arms embargo against Libya. Here NATO was seen to be a fundamental actor in providing maritime security for the Euro-African area and in its cooperation with the EU.

Operation Sea Guardian is still active today, and its main tasks are to build maritime security awareness, counter terrorism, uphold freedom of navigation, conduct maritime interdiction, fight proliferation of mass destruction and protect critical infrastructures including the control of choke points. Its field of action depends on where the crises are and from where its help is asked.

#### AU

The Constitutive Act of the AU pinpointed as its objectives the encouragement of international cooperation, the promotion of peace, security, and stability on the continent and of democratic principles and institutions, as well as popular participation and good governance.<sup>60</sup> The establishment of the AU Peace and Security Council (PSC), made up by Heads of State, offered the chance of actually providing for peace and security on the continent with a system of collective security and early warning. The Assembly, or AU members, can ask for PSC intervention, and the PSC together with the Chairperson of the Commission can authorise the deployment of a peace support mission, prevention of conflicts, or implement common defence policies that would be effected by the AU States.<sup>61</sup> Moreover, the PSC has an African Standby Force to support peace missions and interventions and fulfil tasks from monitoring missions to humanitarian intervention.<sup>62</sup>

However, the African Union has yest to launch any maritime security operation or permanent collaboration at sea. In 2011, twenty-four troops from the AU Mission in Somalia (AMISOM) were trained by EU NAVFOR Atalanta to improve AMISOM capabilities, and enhance their response to possible pirate attacks,<sup>63</sup> but the AU's commitment for peace and security remains mainly terrestrial, even if it could be extended to sea given that the African continent is almost a great island.

The establishment of an African collective security system, and its Peace Found, is testament to an African will to provide for its own security, and after the publishing of the AIMS 2050, it seems that maritime security might be the next field of security in the AU's focus, and provide and opportunity for cooperating within the African Union. The AIMS 250 itself states that "The need for the 2050 AIM Strategy is also inherent in the objectives and principles of the Constitutive Act (Article 3 and 4). Article 3 of the Protocol relating to the establishment of the Peace and Security

<sup>&</sup>lt;sup>58</sup> <u>https://mc.nato.int/media-centre/infographics/focops-195</u>

<sup>&</sup>lt;sup>59</sup> https://mc.nato.int/missions/operation-sea-guardian/focused-operations-force-composition

<sup>&</sup>lt;sup>60</sup> Art. 3 (e,f,g), Constitutive Act

<sup>&</sup>lt;sup>61</sup> Art. 7, Protocol relating to the establishment of the Peace and Security Council of the African Union

<sup>&</sup>lt;sup>62</sup> Art. 13, Protocol relating to the establishment of the Peace and Security Council of the African Union

<sup>&</sup>lt;sup>63</sup> <u>https://eunavfor.eu/eu-navfor-trains-amisom-vessel-protection-detachment-troops/</u>

Council (PSC) of the AU provides that the objectives for which the PSC was established shall include the development of a Common African Defence and Security Policy (CADSP) for the AU, in accordance with Article 4(d) of the Constitutive Act".<sup>64</sup>

The active maritime security programs cover the enlarged Mediterranean, along with the western and eastern coast of Africa extending towards the Indo-Pacific region. After having constructed strong internal regional orders for economy and security we see their benefits. The successful cooperation between the UN, EU and NATO are an indicator of the fact that individual actions are not profitable, and these institutions support and legitimise each other.

However, we are dealing with a process, Euro-African maritime security; and it seems that the multilateral approach is sufficiently developed because of the AU's lack of involvement. The subregional economic orders, such as ECOWAS, are fundamental partners in the work of maritime information sharing and enhancing the rule of law, but only the AU, jointly with the European Union, supported by NATO, can provide peace and security for whole Euro-African community. The reason is that not all countries or international organisations have the capacity of countering 'negative security', i.e. classic security issues. In Africa there are many 'failed states' that could not react to existential threats by using their military in the same way as non-failed states would do. But they have the means to provide for positive security, which follows the principle of 'enabling'. Positive security, instead of negative security, focuses not only on the use of force, but on community trust, good governance, capacity building, humanitarian aid, development aid, commerce, education, and the environment.<sup>65</sup> These are the leading security goals and narratives individuated in partnership EU-AU documents and memorandums.<sup>66</sup> Also, a strategy that must be pursued by the EU is balance positive and negative security in maritime affairs, given that it still has structural limits that prevent it from always being effective. The EU should consider how the AU takes decisions, namely in the PSC; if consensus is impossible, decisions on procedures are taken by simple majority, and all the other matters are decided by two-thirds majority.

An inclusive multi-actor model can balance positive and negative security and is favourable to maritime security; because the maritime domain is fluid and fast changing, and security depends on the relation and dialogue between multiple actors, not just a few. In this way conflicts can be prevented and be solved peacefully.

#### 4. Institutional framework for maritime security<sup>67</sup>

The UN is the organ that permits negative security operations, while a positive security action does not need its approval, even though the UN can ask states or international organisations to provide positive security in specific scenarios, such as the need for humanitarian help.

<sup>&</sup>lt;sup>64</sup> Introduction (10), AIMS 2050

<sup>&</sup>lt;sup>65</sup> Gjørv, G. (2012). Security by any other name: Negative security, positive security, and a multi-actor security approach. *Review of International Studies, 38*(4), 835-859. Retrieved July 13, 2021, from <a href="http://www.jstor.org/stable/41681492">http://www.jstor.org/stable/41681492</a>

<sup>&</sup>lt;sup>66</sup> See above 'II. The roots of political will for EU-AU maritime security cooperation'.

<sup>&</sup>lt;sup>67</sup> At the end of the Article, you can find a Table of Countries' Memberships.

Other than the UN, EU, AU and NATO, the Mediterranean area is of interest for other organisations. Namely, the Parliamentary Assembly of the Mediterranean (PAM), Union for the Mediterranean, OSCE and the ACP countries. How do these bodies interact to provide maritime security?

The Parliamentary Assembly of the Mediterranean (PAM) is an instrument of inter-parliamentary diplomacy that sets all the parliaments on equal footing. It brings together Mediterranean states<sup>68</sup> in the Assembly to address issues of common concern to foster and enhance further confidence between Mediterranean States, such as to ensure regional security and stability, and to promote peace. It also seeks to unite the endeavours of the Mediterranean States in a true spirit of partnership with a view to ensuring their harmonious development.<sup>69</sup>

The Assembly has three permanent parliamentary commissions that present opinions and recommendations to national parliaments, governments and regional or international fora. The focuses of these commissions are political and security cooperation (e.g. counter-terrorism), cooperation in the Mediterranean (e.g. energy, commerce, job policy, investments) and cooperation for civilisation (e.g. human rights, migrations). PAM works in partnership with the OSCE and is observer organisation in the UN.

An example of its action is that in 2015, the PAM, UN, and EU started organising a series of joint regional meetings for parliamentarians of the Euro-Mediterranean countries on counter-terrorism legislation to harmonise national laws, and to track, capture and prosecute terrorists.

The Union for the Mediterranean (UfM) is the outcome of the Barcelona process started in 1995 to bring the EU closer to its southern neighbours. The UfM is composed of twenty-seven countries of the European Union and fifteen countries of the South and the East of the Mediterranean.<sup>70</sup> These countries' ministers meet to adopt common agendas in key strategic areas and propose shared projects in three 'Baskets'. These Baskets are focussed on political dialogue on security (e.g. cybersecurity, food security, water security), the creation of an area of prosperity in the Mediterranean gradually establishing a free trade area, and favouring and encouraging understanding between cultures and exchanges between civil societies.<sup>71</sup> Furthermore, the UfM has a Parliamentary Assembly to promote peace and stability around the Mediterranean that is joined by a European Parliament's Delegation to the Parliamentary Assembly of the Union for the Mediterranean (DMED).<sup>72</sup>

Since 2012 the co-presidency of the UfM European Union and Jordan, has given rise to an increase and steady development of its activities. The main actions adopted in 2017<sup>73</sup> are enhancing

<sup>&</sup>lt;sup>68</sup> These are: Albania, Algeria, Andorra, Bosnia and Herzegovina, Croatia, Cyprus, Egypt, France, Greece, Israel, Italy, Jordan, Lebanon, Libya, Malta, Mauritania, Monaco, Montenegro, Morocco, Palestine, Portugal, Republic of North Macedonia, Republic of San Marino, Romania, Serbia, Syrian Arab Republic, Tunisia, Turkey. <sup>69</sup> Art. 3 (2), PAM Statute

<sup>&</sup>lt;sup>70</sup> These are: Albania, Algeria, Bosnia and Herzegovina, Egypt, Israel, Jordan, Lebanon, Mauritania, Monaco, Montenegro, Morocco, Palestine, Syria – suspended, Tunisia and Turkey; Libya is an observer. <a href="https://ec.europa.eu/trade/policy/countries-and-regions/regions/euro-mediterranean-partnership/">https://ec.europa.eu/trade/policy/countries-and-regions/regions/euro-mediterranean-partnership/</a> <sup>71</sup> Annual Report 2020. Union for the Mediterranean.

<sup>&</sup>lt;sup>72</sup> <u>https://www.europarl.europa.eu/delegations/en/dmed/about/introduction</u>

<sup>&</sup>lt;sup>73</sup> UfM Roadmap for Action. The Union for the Mediterranean: an action-driven organisation with a common ambition. Adopted by the UfM Ministers of Foreign Affairs, on 23 January 2017 in Barcelona

political dialogue amongst the Member States, ensuring the contribution of UfM activities to regional stability and human development, strengthening regional integration, and strengthening the UfM's capacity for action.

Six countries of the UfM, Algeria, Egypt, Israel, Jordan, Morocco and Tunisia, are also part of the OSCE-Mediterranean Partnership. The OSCE is the largest regional security organisation based on an inclusive multilateral platform of cooperation and peaceful settlement of disputes, and is made up of fifty-seven states. The organisation has a special relationship with the Mediterranean. Thanks to the OSCE Mediterranean Conference the Mediterranean partnership can interact with OSCE members to contribute to the security dialogue and to the cross fertilisation of ideas and recommendations.<sup>74</sup> Since the Helsinki Process and the 1975 Helsinki Final Act, a chapter on the Mediterranean was included in which it was stated that security in Europe is closely linked to security in the Mediterranean as a whole.<sup>75</sup>

Some countries of the African Union are members of the Organisation of African, Caribbean and Pacific States (ACP).<sup>76</sup> Under the Cotonou Agreement,<sup>77</sup> these countries made a commitment to promote the economic, cultural and social development of ACP States, with a view to contributing to peace and security and to promoting a stable and democratic political environment.

The ACP works closely with the EU in the Joint Parliamentary Assembly, a body that brings together representatives of the EP and elected representatives of the ACP that signed the Cotonou Agreement. The representatives of the 78 ACP states meet their 78 European Parliament counterparts in a plenary session for one week twice a year. It is a unique international assembly in which the representatives of different countries sit together on a regular basis, with the aim of promoting the interdependence of the North and South.

ACP countries can also cooperate with regional organisations and sub regional organisations,<sup>78</sup> indeed the African Union is seen as a partner for peace building policies, conflict prevention and in countering growing security threats, "a key responsibility for the African Union".<sup>79</sup> The ACP recognises the interdependence between security and development, and for this reason, promotes activities that include border control, the security of international supply chains and an improvement in maritime transport safeguards. The interest in security includes the fight against terrorism, implementing the UN's Security Council Resolutions and international law, countering the proliferation of weapons of mass destruction, taking action against drugs, organised crime, money laundering, bribery, and corruption.<sup>80</sup> In terms of positive security, the ACP supports social sector development, economic and trade cooperation, human rights, the rule of law, along with humanitarian, emergency, and post emergency assistance.<sup>81</sup>

<sup>&</sup>lt;sup>74</sup> <u>https://www.osce.org/partners-for-cooperation/mediterranean</u>

<sup>&</sup>lt;sup>75</sup> https://www.affarinternazionali.it/2018/01/osce-connubio-mediterraneo/

<sup>&</sup>lt;sup>76</sup> List of countries: <u>https://www.europarl.europa.eu/intcoop/acp/21\_01/default\_en.htm</u>

<sup>&</sup>lt;sup>77</sup> The Cotonou Agreement 2014 Signed in Cotonou on 23 June 2000 Revised in Luxembourg on 25 June 2005 Revised in Ouagadougou on 22 June 2010 and multiannual financial framework 2014–20.

<sup>&</sup>lt;sup>78</sup> Art. 6 (1), Cotonou Agreement

<sup>&</sup>lt;sup>79</sup> Art. 11 (1), Cotonou Agreement

<sup>&</sup>lt;sup>80</sup> Art. 29 (1-3), Cotonou Agreement

<sup>&</sup>lt;sup>81</sup> Art 72 (1-5), Cotonou Agreement

#### 5. UE-AU Cooperation: Towards a Euro-African Maritime Security Organisation?

From this analysis, the picture that we see is a network of international organisations and supranational bodies that interact to provide negative and positive maritime security. This start from the UN with its affiliates (e.g. IMO, ITLOS), that are the first organs responsible for world security. Then, when we approach the enforcers of UN Resolutions, there are the regional actors that can provide maritime security such as NATO. Moreover, the European Union has proved capable of taking responsibility for its seas by its own operations and in partnership with other actors. This is recognised in the EUMSS, which is a supranational response to the needs of the European Union, and the AU AIMS 2050 mirrors the EUMSS in expressing AU's supranational nature. These actors have the potential to provide both positive and negative security.

Furthermore, the EU had cultivated relationships with its southern and eastern neighbours well before the AU's establishment. The Union for the Mediterranean, which is a platform for ministerial and inter-parliamentary dialogue on the Mediterranean, matches with the Parliamentary Assembly of the Mediterranean, where the discussion on maritime security is open to those countries that are not included in the UfM, and the OSCE cultivates dialogue with special Mediterranean partners. The European Union also engages with African countries through the ACP, which at parliamentary level recognises the authority of the AU in security matters. This is a network for prevention of maritime crises and a network for international coordination to promote international sea law, trade, the blue economy and the protection of the maritime environment.

Nevertheless, the challenges to maritime security are rapidly evolving. The constant process of digitalisation, along with hybrid threats, are concerns for sea operators; both merchants and navies can be the target of cyberattacks, such as with the use of malware that compromise onboard computers or ports. Cross-border crimes, such as drugs or arms smuggling, persists in the Mediterranean and the coasts of Africa, while piracy is still present in the Gulf of Guinea and regular commerce is threatened by its presence. The terrorist threat is present in the northern and southern Mediterranean, as well as dispersed in the African continent. Climate change will sharpen inequalities, causing droughts, fires, and shortages of food, displacing peoples and creating new flows of migration; together with the flows caused by current armed conflicts, these have the capacity to create constant humanitarian crises. Hence, the EU must provide an adequate response to international and transnational threats.

#### How to answer these maritime security threats?

The creation of an 'Euro-African Maritime Security Organisation' could be an answer to ensuring maritime security for all the community that is bathed by the waters surrounding Europe and Africa. The EU should support this initiative because, as European security is not separable from Mediterranean security, European security is not discernible from African security.

The AU could benefit from supporting the Euro-African Maritime Security Organisation, because the AU would receive EU expertise and experience to build its own capabilities in partnership with the EU, that in turn would be supported by NATO. Furthermore, the Organisation would offer the chance to the Euro-African community to take a stand for its own security, with this enhanced cooperation between European and African countries evolving into mutual commitment. They would have a shared vision of maritime security. The maritime threat narrative is built by knowledge, sharing of knowledge, and the perception of shared knowledge,<sup>82</sup> the EU and AU should open the maritime security dialogue in their next Summit to cope with maritime security challenges.

This Organisation would be an actor devoted to maritime multilateralism that involves maritime security actors at different levels. The Euro-African Maritime Security Organisation should be founded on a on a joint naval operative structure that will report to an Executive Board, under the control of a ministerial committee and a joint parliamentary assembly.

Also, the institutions should develop means of interaction with civil society, NGOs, and stakeholders to hear the voice of the people daily affected by maritime security threats.

The Euro-African Maritime Security Organisation is the key to fostering the democratisation of maritime safety and its perception as a common good. It Africa it can promote the commonality of the principles of the European Union and the UN in their values of democracy, human development, legality, free trade, and security. This will come alongside a stabilisation of the African continent increasingly disputed between foreign powers, and which has the need to cultivate its own awareness and identity.

The convergence of maritime security interests of the AU and EU was confirmed during Operation Irini's Webinar 'Road to Shade Med 2021 - New directions in maritime security'<sup>83</sup> by Professor Patalano from King's College London. He has been asked by me his opinion about a major engagement between the EU and the AU. According to him the 'relationship with Africa will be prioritized because of its vicinity and because of the political and economic process already ongoing (...). The EU way of presenting activities conducted has clear ramifications with Mediterranean security and the political and social stability in North Africa and in the African continent has an impact on the stability of the Mediterranean (...). There is an understanding within the European Union of the importance of Africa, there is also a political intention and economic, to make something out of it and as a result (...). The next months will be indicative of how serious the EU is about enhancing its relationship with Africa, specifically to increase the political and social stability of the continent and have a more stable dialogue across the Mediterranean."

EU-AU relations through a Euro-African Maritime Security Organisation would enjoy strategic autonomy, allow an integrated surveillance of the European and African coasts, information sharing, and an integrated security network to train forces, fight against illicit trafficking, unauthorised fishing, and crimes. These measures would allow free and safe trade, rule of law and human development on both the shores, and start balancing current inequalities.

However, there is a prerequisite; this structure would only work if the EU had a common foreign policy to be presented at the Commission level, and a strengthened CSDP with the possibility of deployment of EU forces similar to the African Union Standby Forces. Importantly, the EU needs

<sup>&</sup>lt;sup>82</sup> Ciovacco, C. (2020). The Shaping of Threat Through Narration. *Journal of Strategic Security, 13*(2), 48-63. Retrieved July 14, 2021, from <u>https://www.jstor.org/stable/26918084</u>

<sup>&</sup>lt;sup>83</sup> <u>https://youtu.be/s9-NKkwsHBM</u> 1:50:03 min

to put an end to the many duplications and waste of money between the armies of the EU member states.

Recently, Josep Borrell, High Representative of the EU for Foreign Affairs and Security Policy, declared that the EU needs to become more independent, and he announced that the EC "will propose to give the Union a 50,000-strong expeditionary force.<sup>84</sup> Hopefully, the EU will find the political will to evolve in a closer Union and establish a partnership for maritime security, otherwise the price to pay is to endanger what has been constructed in 70 years, because of national egoism only.

### TABLE OF COUNTRIES' MEMBERSHIPS:

\*OSCE-Mediterranean Partnership

STATE	EU	NATO	AU	PAM	UfM	OSCE-MP*	ACP
Austria							
Belgium							
Bulgaria							
Croatia							
Cyprus							
Czechia							
Denmark							
Estonia							
Finland							
France							
Germany							
Greece							
Hungary							
Ireland							
Italy							
Latvia							
Lithuania							
Luxembourg							
Malta							
Netherlands							
Poland							

<sup>&</sup>lt;sup>84</sup> <u>https://brusselsmorning.com/2021/08/23/borrell-calls-for-formation-of-eu-army/amp/?fbclid=lwAR2AP4yeQf4anoM81kbVMgfWSprV9QeYPi3dflgBOrOtLKE\_yhbBOJUyDTA</u>

STATE	EU	NATO	AU	PAM	UfM	OSCE-MP*	АСР
Portugal							
Romania							
Slovakia							
Slovenia							
Spain							
Sweden							
Algeria							
Benin							
Botswana							
Burkina Faso							
Burundi							
Cabo Verde							
Cameroon							
Central African Republic							
Chad							
Côte d'Ivoire							
Djibouti							
Egypt							
Equatorial Guinea							
Eritrea							
Eswatini							
Ethiopia							
Gabon							
Gambia							
Ghana							
Guinea							
Guinea-Bissau							
Kenya							
Lesotho							
Liberia							
Libya					Observer		
Madagascar							
Malawi							

STATE	EU	NATO	AU	PAM	UfM	OSCE-MP*	ACP
Mali							
Mauritania							
Mauritius							
Morocco							
Mozambique							
Namibia							
Niger							
Nigeria							
São Tomé and Príncipe							
Senegal							
Seychelles							
Sierra Leone							
Somalia							
South Africa							
South Sudan							
Tanzania							
Тодо							
Tunisia							
Uganda							
Zambia							
Zimbabwe							
Antigua and							
Barbuda Bahamas							
Barbados							
Belize							
Comoros							
Dominica							
Dominican Republic							
Grenada							
Papua New Guinea							
Saint Kitts and							
Nevis							

STATE	EU	NATO	AU	PAM	UfM	OSCE-MP*	ACP
Saint Lucia							
Saint Vincent and							
The Grenadines							
Samoa							
Suriname							
Tobago							
Fiji							
Albania							
Andorra							
Angola							
Bosnia and							
Herzegovina							
Israel							
Jordan							
Lebanon							
Montenegro							
North Macedonia							
San Marino							
Syria					Suspended		
Turkey							
UK							
USA							

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