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## **EU Grand Strategy and the Ethics of Military Force: The Case of EUNAVFOR-Atalanta**

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Over the past decade, the EU has gradually expanded its range of foreign policy tools: diplomatic, economic, and now police/military forces. Moreover, these changes have been increasingly accompanied by various degrees of strategic thinking and planning regarding the EU's security, economic, and ethical interests, the sum total of which increasingly represents an EU 'grand strategy.' However, the EU's has also faced recurring difficulties in projecting its various forms of power – both material and ideational/ethical - in a coherent fashion.

This problem can be seen in the conduct of most of the EU's missions conducted under its Common Security and Defence Policy (CSDP), which have rarely involved an efficient mix of military and civilian resources. However, the EU's counter-piracy naval operation, EUNAVFOR-Atalanta, breaks with this trend, and involved close coordination between the EU Military Staff and the Commission over the question of prosecuting suspected pirates captured by various multinational naval forces. Unlike NATO, which faced criticism for its release of captured pirates the EU managed to overcome this problem in organizing its own multilateral counter-piracy operation (Operation Atalanta). This solution, however, was not part of the original Atalanta mandate and had to be improvised by various civilian and military EU bureaucracies. Such a response suggests that effective civil-military coordination over the legal (and related) aspects of various 'new security' issues is possible but also is highly contingent on other factors. These include not just the 'hard power' resources of actors such as the EU but also their legal experience and normative reputations in coping with the unique problems of judicial reform in less developed countries.

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In November 2008 the European Union (EU) decided to launch its first-ever naval operation under the rubric of its Common Security and Defence Policy (CSDP<sup>1</sup>). This mission, Operation Atalanta (or EU-NAVFOR), was intended to help counter the threat of piracy off the coast of Somalia, and to help deliver humanitarian aid to the region. Specifically, Atalanta has a mandate to deter, prevent, and repress acts of piracy and robbery at sea, including within Somali territorial waters.<sup>2</sup> These goals indicate that the operation goes well beyond the traditional “Petersberg-type” CSDP tasks that originally helped to justify an independent EU military capability in the 1990s.<sup>3</sup> Petersberg tasks consist of humanitarian or rescue operations, peace operations, and combat missions for crisis resolution, including peacemaking operations. Atalanta, however, exercises a monopoly on the legitimate use of violence on the high seas and within another state’s territorial waters in order to protect the EU’s and its member states’ *own* interests (maritime trade), in addition to protecting the population of the state in question through the delivery of humanitarian aid.<sup>4</sup>

The decision also involved a number of unprecedented achievements for the EU. Although the EU has launched well over 20 CSDP missions since 2003, Atalanta is the first CSDP operation that directly protects *European/EU* security interests, as opposed to the security interests of third-parties that past CSDP missions have addressed (as in the Balkans, the Democratic Republic of the Congo, Chad, the Middle East, and elsewhere). Atalanta is

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<sup>1</sup>Formerly known as the “European Security and Defence Policy” (ESDP).

<sup>2</sup>Council of the EU, ‘Council Joint Action 2008/851/CFSP of 10 November 2008’, on a European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast’, *Official Journal of the European Union*, 12 November 2008, L 301, p.35.

<sup>3</sup>Defined in 1992 by the Western European Union (WEU), these missions are now included in article 17 of the Treaty on the EU (Nice Treaty).

<sup>4</sup>The 1982 United Nations Convention on the Law of the Sea (UNCLOS) as well as UN resolutions provide the legal bases for undertaking counter-piracy operations in the international waters as well as within Somalia’s territorial waters. On the legal issues regarding the arrest and the prosecution of pirates, see Assembly of the WEU, ‘The role of the European Union in combating piracy’, Paris, 4 June 2009, Document A/2037, pp.12-14 and 19-23; and Eugene Kontorovich, ‘International Legal Responses to Piracy off the Coast of Somalia’, *ASIL Insights*, Vol. 13, No. 2 (2009).

also the first CSDP mission intended to counter a sea-borne threat, even though the 2003 European Security Strategy (ESS) specifically mentions geographic areas and threats that almost certainly would benefit from an EU naval presence.<sup>5</sup> Atalanta is also one of the largest CSDP operations ever mounted by the EU (over 1,800 military personnel and over 20 vessels and aircraft), and required a unique degree of civilian-military coordination between two of its most important CSDP-related bureaucratic actors: the Commission (on the civilian side) and the EU Military Staff (EUMS).

This degree of civilian-military coordination also resulted in one of the more unique aspects of Atalanta: the EU's ability to encourage third-states to accept, prosecute, and incarcerate convicted pirates captured by EU forces, something that NATO and other multinational counter-piracy forces were not able to do. Unwilling to release the pirates (like NATO had done), and knowing that there was no political will to accept the pirates in any of the EU's 27 member states, the Commission and EUMS managed to work out an arrangement to reduce the threat of piracy, and maintain a certain degree of "legal cover" in these efforts, by combining several EU power resources. This achievement, as well as other aspects of the CSDP capacity, suggests an increasing tendency towards coherent, and even strategic, thinking and acting regarding the EU's global interests, which now includes a clear security dimension along with economic interests and ethical interests.<sup>6</sup> Indeed, one of the major criticisms of the EU as a global actor has been its inability to coordinate its various resources – which in fact are quite vast – in the service of its common political or security

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<sup>5</sup>Indeed, the ESS refers to the growing strategic importance for the EU of regions such as the Mediterranean and the Black Sea, and mentions piracy, terrorism, and transnational crime, all of which have maritime aspects. Council of the EU, *A Secure Europe in a Better World: European Security Strategy* (Brussels, 2003).

<sup>6</sup>For a more extensive discussion of this trend, see Gerrard Quille, 'The European Security Strategy: A Framework for EU Security Interests?', *International Peacekeeping*, Vol. 11, No. 3 (2004), pp.422-38; and Michael E. Smith, "A Liberal Grand Strategy in a Realist World? Power, Purpose, and the EU's Changing Global Role," *Journal of European Public Policy* 18/2: 144-63.

interests. The EU has been attempting to address this problem through institutional reforms and policy entrepreneurship<sup>7</sup> despite long-standing disputes over the division of labour between the EU and NATO, which partly resulted from American reluctance to support the creation of independent EU military capabilities (that is, the US preference for ‘no duplication’ of NATO’s capabilities, including planning and operational headquarters, within the EU).<sup>8</sup>

The rest of this paper examines these arguments in more detail, beginning with the EU’s growing realization of a ‘maritime dimension’ to its global interests. It then examines how the EU linked the threat of piracy to its understanding of maritime interests and its view of ‘grand strategic’ interests: security, economic, and ethical. These views, in turn, laid the groundwork for launching Atalanta. The third section of the paper focuses on the decision-making behind Atalanta, while the fourth section examines the specific problem of how the EU attempted to deal with captured pirate suspects when undertaking the mission.

### **Context: The EU’s Maritime Dimension<sup>9</sup>**

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<sup>7</sup>Michael E. Smith, ‘The Quest for Coherence: Institutional Dilemmas of External Action from Maastricht to Amsterdam’, in Alec Stone Sweet, Neil Fligstein, and Wayne Sandholtz (eds.), *The Institutionalization of Europe* (Oxford Univ. Press: 2001); Rory Keane, ‘The Solana Process in Serbia and Montenegro: Coherence in EU Foreign Policy’, *International Peacekeeping*, Vol. 11, No. 3 (2004), pp.491-507; Marcela Szymanski and Michael E. Smith, ‘Coherence and Conditionality in European Foreign Policy: Negotiating the EU-Mexico Global Agreement’, *Journal of Common Market Studies*, Vol. 43, No. 1 (March 2005), pp.171-92; and Marika Lerch and Guido Schweltnus, ‘Normative by Nature? The Role of Coherence in Justifying the EU’s External Human Rights Policy’, *Journal of European Public Policy*, Vol. 13, No. 2 (2006), pp. 304-21.

<sup>8</sup>Personal interviews with EU Military Staff (EUMS) officials, Brussels, November 2007, June 2008, April 2009, and June 2009. Most of the initial 100+ EUMS officials hired by the EU after 1999 have served at NATO, as did several officials interviewed for this article. These individuals are especially well-positioned to compare the workings and mindsets of each institution.

<sup>9</sup>Portions of the first half of this paper draw upon Basil Germond and Michael E. Smith, “Re-Thinking European Security Interests and the ESDP: Explaining the EU’s Anti-Piracy Operation,” *Contemporary Security Policy* 30/3 (December 2009): 573-93.

The EU's novel decision to initiate its counter-piracy CSDP operation was clearly linked to broader developments regarding the perception of a 'maritime dimension' in European economic and security affairs.

From its beginnings in the late 1990s, beginning in the form of the "European Security and Defence Policy", the CSDP has always had a naval component, at least on paper.<sup>10</sup> However, initial EU military operations in sub-Saharan Africa and in the Balkans were so limited in scale that the use of naval assets was unnecessary. Even so, the Council of the EU has regularly stressed the importance of European naval forces in the eventuality of higher intensity CSDP operations. As indicated in the EU's Headline Goal 2010, force projection requires capacities in terms of maritime strategic transport (sealift) and amphibious operations.<sup>11</sup> Some of these resources – air, naval, and land - have been organized into the EU 'battlegroup concept', while others can be committed to CSDP operations on a case-by-case basis.<sup>12</sup>

In addition, EU military authorities have highlighted the potential use of 'naval diplomacy', or the prepositioning of naval forces for deterrence purposes. The Council eventually mandated an 'EU Maritime Dimension Study' (2005-2006), which concluded that naval forces are important as a guarantee of the freedom of the seas, as an element of diplomacy, and as an enabler of the rapid deployment of forces. This study also

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<sup>10</sup>Council of the EU, 'Headline Goal 2010', Brussels, 2004, p.3, §5; see also the various past years *Council Conclusions on ESDP*; and Basil Germond, 'The Naval and Maritime Dimension of the European Union', in Gérard Bossuat and Anne Deighton (eds), *The EC/EU: A World Security Actor?* (Paris: Soleb, 2007), pp. 349-52.

<sup>11</sup>Council of the EU, 'Headline Goal 2010', Brussels, 2004, p. 3, §5.

<sup>12</sup>A battlegroup is a form of rapid-response capacity-building, each one consisting of around 1,500 troops reinforced with combat support elements, including relevant air and naval capabilities. See Lt. Col. Ron Hamelink, 'The Battlegroups Concept: Giving the EU a Concrete "Military" Face,' *EuroFuture* (Winter 2005), pp.8-11; and Gustav Lindstrom, *Enter the EU Battlegroups*, Chaillot Paper No. 97 (Paris: EU Institute for Security Studies, 2007).

recommended the creation of a Maritime Rapid Response Mechanism.<sup>13</sup> According to the EU Military Committee (EUMC), which approved the idea in November 2007, this mechanism should be focused on force generation; that is to say, it should provide the EU with enough naval means to undertake various missions.<sup>14</sup>

However, until late 2008, and although new CSDP concepts and missions have been developed, the question remained as to when, how, and to what exact purpose these capabilities were going to be employed. Despite this apparent lack of foresight or detail regarding the use of naval forces under the CSDP framework,<sup>15</sup> other entities within the EU were taking a much broader view of the maritime dimensions of European integration. Problems such as illegal immigration, arms trafficking, drug smuggling, terrorism, piracy and robbery at sea, overexploitation of sea resources, and marine pollution were increasingly being considered by the EU as important risks or threats.<sup>16</sup> Moreover, the EU also takes into account the importance of the sea in terms of energy security, “as a source of oil and gas, and an enabler of energy transportation.”<sup>17</sup> Taken together, these important concerns clearly pointed to a need for much greater coherence, and forward-looking or strategic thinking, across the EU’s many policy domains, internal and external. As always, this problem (that is,

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<sup>13</sup>Rear Admiral Jan van der Burg, ‘Naval Components within the EU’, Seminar on Europe’s maritime frontiers, Assembly of the Western European Union (WEU), Lisbon, 18 September 2007, p.3.

<sup>14</sup>Council of the EU, ‘Draft Single Progress Report on the Development of EU Military Capabilities’, Brussels, 28 November 2007, p.9.

<sup>15</sup>Although anti-piracy missions could well have been envisaged, as the 2003 ESS mentioned piracy as a potential threat. Council of the EU, *A Secure Europe in a Better World*, *ibid.*, p.5.

<sup>16</sup>See Council of the EU, *ibid.*, pp.4-5; Assembly of the WEU, ‘Surveillance of the Maritime and Coastal Areas of European States’, Paris, 6 December 2005, Document A/1920, p.4; Commission of the European Communities, ‘Green Paper: Towards a Future Maritime Policy for the Union: A European Vision for the Oceans and Seas’, Brussels, 7 June 2006, COM(2006) 275 final, Annex 6, pp.29-31; and Commission of the European Communities, ‘An Integrated Maritime Policy for the European Union’, Brussels, 10 October 2007, COM(2007) 575 final, p.5.

<sup>17</sup>Commission of the European Communities, ‘Energy Policy and Maritime Policy: Ensuring a Better Fit’, Commission Staff Working Document, Brussels, 10 October 2007, SEC(2007) 1283 provisional version, p.2.

of policy incoherence or fragmentation) required better coordination across the EU's three main institutional pillars. For example, the EU copes with sea-borne/sea-based transnational threats, as well as with marine environment degradation and fisheries protection, through its first pillar (the European Community, or EC) and its third pillar (Police and Judicial Affairs). The second pillar (CSDP) is also involved, notably concerning counter-terrorism, or simply when using or coordinating military assets, as in the case of counter-piracy. Moreover, various EU specialized agencies assume some authority over maritime affairs: the Community Fisheries Control Agency, the European Maritime Safety Agency, FRONTEX,<sup>18</sup> the European Defence Agency (naval procurement), the European Environmental Agency (marine environment protection), and the European Space Agency (maritime surveillance).

In order to promote coherence and good governance regarding the EU's maritime interests, the EU produced an "Integrated Maritime Policy" (IMP) (also known as the "Blue Book") in October 2007. The rationale behind this policy is to integrate horizontally the sector-based policies and activities regarding maritime affairs.<sup>19</sup> Based on the understanding that maritime issues are to be dealt with comprehensively, the aims of this policy are to deal with the challenges of globalisation and competitiveness, climate change, degradation of the marine environment, maritime safety and security, and energy security and sustainability.<sup>20</sup> However, although the IMP tends to stress economic rather than security issues, despite the efforts of different stakeholders during the consultation process that produced it,<sup>21</sup> the EU has always implicitly recognized a fundamental link between its economic, political, and security

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<sup>18</sup>The European agency responsible for the management of operational cooperation at the external borders of the member states. Among other tasks, FRONTEX coordinates EU member states' police operations to monitor and combat illegal immigration at sea.

<sup>19</sup>Commission of the European Communities, 'An Integrated Maritime Policy for the European Union', *op.cit.*, p.2.

<sup>20</sup>*Ibid.*

<sup>21</sup>See notably the comments of the CHENS (Chiefs of European Navies) on the EU maritime Green Paper, 29 May 2007, Annex to Personal letter 42/07, available at: [http://ec.europa.eu/maritimeaffairs/contributions\\_post/237chens.pdf](http://ec.europa.eu/maritimeaffairs/contributions_post/237chens.pdf).

objectives. In the case of the IMP, we find environmental security issues, such as fisheries protection and anti-pollution activities, as well as the struggle against illegal immigration and criminal activities at sea, including piracy. Among the cross-sector tools identified by the IMP, particular emphasis is placed on maritime surveillance; it involves ‘safety of navigation, marine pollution, law enforcement, and overall security’.<sup>22</sup> As the challenges are mostly transnational in nature, maritime surveillance requires coordination between the different EU bodies involved in maritime affairs, among EU member states, and between member states and the EU.

### **The EU and the Threat of Piracy<sup>23</sup>**

Piracy is one of several transnational criminal activities described as a threat by the EU and its member states, and pirates are linked to wider criminal networks and organizations which are not restricted to illegal activities at sea.<sup>24</sup> Pirates have been active in the waters off Somalia for more than a decade as the civil war in that state has dragged on, but 2008 saw four major developments: the number of attacks increased dramatically (by 75%) in a very short time (more than 130 in 2008 alone); pirates began to take hostages and ask for ransoms rather than just seize cargoes; the types of targets evolved towards ‘high sides’ ships (such as oil tankers) that were believed to be safe until very recently;<sup>25</sup> and the operational range (from the coast) of pirates’ raids increased to 500nm (far beyond Somalia’s

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<sup>22</sup>Commission of the European Communities, ‘An Integrated Maritime Policy for the European Union’, *op.cit.*, p.5; see also European Commission, ‘Integrated Maritime Policy for the EU Working Document III On Maritime Surveillance Systems’, European Commission/Joint Research Centre, Ispra, Italy, 8 January 2008, p. 6.

<sup>23</sup>Legally speaking, ‘piracy’ refers to actions performed on the high seas, outside the jurisdiction of any state; actions performed within territorial waters are termed ‘armed robbery at sea’. UNCLOS, 10 December 1982, available at: <[http://www.un.org/Depts/los/convention\\_agreements/texts/unclos/unclos\\_e.pdf](http://www.un.org/Depts/los/convention_agreements/texts/unclos/unclos_e.pdf)>.

<sup>24</sup>Martin N. Murphy, *Small Boats, Weak States, Dirty Money: Piracy and Maritime Terrorism in the Modern World* (London: C. Hurst & Co Publishers, 2009).

<sup>25</sup>Roger Middleton, ‘Piracy in Somalia: Threatening Global Trade, Feeding Local Wars’, Briefing paper, Chatham House, October 2008, AFP BP 08/02, p. 4.

12nm territorial waters and its 200nm Exclusive Economic Zone) thanks in part to the pirates' use of well-armed 'mother ships' to launch raids on the high seas. These trends made Somalia the new piracy capital of the world, displacing Indonesia.

Thus, for Europeans, as for many states whose trade and energy imports transit through the area (notably China, India, Japan, and Russia), piracy in 2008 clearly exceeded the level of a marginal annoyance and reached the level of a major threat off the Somali coasts, both on the Eastern coast and in the Gulf of Aden. For the first nine months of 2008 alone, the International Maritime Bureau reported 63 cases of piracy and robbery at sea in this area,<sup>26</sup> and at least 200 people and 13 vessels were being held hostage by around five to ten major Somali pirate gangs, with as many as 1,000 members.<sup>27</sup> This activity has resulted in major cargo losses, and millions of dollars have been paid as ransoms. Beyond these direct financial costs, piracy represents a threat to the EU and its member states along several dimensions.

First, piracy constitutes a threat to EU citizens (yachters and sailors) who are subject to kidnapping and ransoming. Public authority is thus responsible for assuring the security of these citizens, or at least, legally speaking, of the ships flying their flag. As the British Foreign Secretary David Miliband notes, normal national policy involving hijackers (terrorists or pirates) is to pay no ransom.<sup>28</sup> However, although ransoms are generally paid to pirates by shipping companies, states are often involved in the transactions. In any case, as piracy is now highly publicized by the media, states must demonstrate that they are doing something to prevent further attacks or to rescue kidnapped citizens. In this sense, France has been extremely proactive. Indeed, after the hijacking of the French yacht *Le Ponant* in April

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<sup>26</sup>International Chamber of Commerce, Commercial Crime Service, IMB, <http://www.icc-ccs.org>. Other risky zones listed by the IMB are located in the waters near China, Indonesia, the Gulf of Guinea, and in the vicinity of some Brazilian ports.

<sup>27</sup>Rob Crilly, 'Only Guns Can Get Aid Past the Pirates Into the Gates of Hell', *The Times*, 20 September 2008, pp.54-5.

<sup>28</sup>'No Ransom for Pirates, UK Insists', BBC News, 20 November 2008.

2008, French President Nicolas Sarkozy did not hesitate to authorize French Special Forces to chase the pirates on land. In September 2008, he further authorized the use of deadly force to rescue two kidnapped French yachters; the operation resulted in the death of one pirate. As the number of raids has been increasing, prevention and deterrence have appeared to be better options than reacting to attacks (rescue operations, payments, and so on).

Second, pirate raids clearly harm maritime trade, which is obviously damaging to the European (and world) economy, as about 20% of global trade passes through the Gulf of Aden. Beyond the ransoms that may be paid in case of hijacking, piracy creates delays, not only for attacked ships, but also for all ships that have to divert to avoid certain areas. Certain shipping companies have even decided to favour the Cape of Good Hope route, which imposes extra costs in a period when sea cargo is already expensive. Upstream, the cost of insurance for shipping companies increases, and certain operators have even had to make special extra payments to sailors when they transit through the 'pirates' area. In just one year, for example, insurance costs to ship cargo through the Gulf of Aden soared from \$900 to \$9,000, a huge economic drain considering that upwards of 16,000 ships per year transit the area.<sup>29</sup> These extra costs, totalling hundreds of millions of dollars, will obviously pass on to other firms and consumers<sup>30</sup>. Given the current world financial crisis and the foreseen long-term economic recession, this goes far beyond the level of annoyance and requires firm action. Moreover, by November 2008, the secretary-general of the European Community Ship-owners Association (ECSA), which claims to speak for 41% of the global

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<sup>29</sup>Julian Borger and Xan Rice, 'Big Rise in Piracy Could Close Suez Canal Trade', *The Guardian*, 2 October 2008, p. 24; Crilly, *op. cit.*, p.54.

<sup>30</sup>Costs include ransom payments (estimated at 20-30 million dollars in 2008), extra fuel to avoid attacks (estimated at 1-2 million dollars), higher insurance premiums, and the hiring of private security escorts (estimated at up to 100,000 dollars). See Miles Costello, 'Shipping Insurance Cost Soars With Piracy Surge Off Somalia', *The Times*, September 11, 2008; and Catherine Holahan, 'The Real Cost of Piracy', *MSN Money*, 14 April 2009, available at: <<http://articles.moneycentral.msn.com/Investing/Extra/the-real-cost-of-piracy.aspx>>.

merchant fleet, was explicitly calling on EU member states to take more forceful action against piracy off Somalia. The ECSA wanted not only more escorts but actual military repression of piracy operations.<sup>31</sup>

Third, piracy at the Horn of Africa constitutes a threat in terms of energy security for Europeans. Indeed, a great share of the EU's oil imports transit through this area, as six million barrels a day – more than 12% of global oil transport - are shipped through the Gulf of Aden, worth about several hundred million dollars a day depending on oil prices.<sup>32</sup> The extremely bold hijacking of the Saudi supertanker *Sirius Star* in November 2008 demonstrated that even these types of ships (with high sides) are no longer secure. Western countries have been making major efforts to secure oil transport through the Gulf and the Strait of Hormuz; thus they cannot tolerate insecurity further south, as it could be equally damaging to their energy security.

Fourth, due to the location of the pirates' activities and bases, some say that there could be a risk that pirates develop links with terrorist groups. They are already linked to warlords and militias in Somalia and Yemen; some groups have even been labelled as terrorist organizations by the US, such as the Al-Shabaab group in Somalia.<sup>33</sup> As long as pirates' attacks and gains are increasing, the risk exists that terrorists will become progressively more interested in pirates, who can provide them with ships and cargo.<sup>34</sup> Although such direct links are so far unproven, the potential clearly exists, especially after one pirate gang, in September 2008, captured a Ukrainian freighter, the *MV Faina*, which was

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<sup>31</sup>Xan Rice and David Gow, 'Shipping Industry Urges EU Governments to Take Up Arms Against Somali Pirates', *The Guardian*, 22 November 2008, p.37.

<sup>32</sup>Carl Mortished, 'Security Firms Spy New Jobs on High Seas', *The Times*, 22 November 2008, p.58.

<sup>33</sup>On the link between piracy and terrorism, see Martin N. Murphy, 'Contemporary Piracy and Maritime Terrorism: The Threat to International Security', *Adelphi Paper*, No. 388 (2007).

<sup>34</sup>Concerning the alleged link between pirates and terrorists in the Strait of Malacca, see Peter Chalk, *The Maritime Dimension of International Security* (RAND: Santa Monica, 2008).

loaded with military hardware, including grenade launchers, 33 Russian-made tanks, and ammunition.<sup>35</sup> The pirates demanded a ransom of \$20 million and the attack prompted an immediate response by ships of the US Fifth Fleet in the region. Given this type of attack, the on-going civil war in Somalia, and the extensive resources devoted by Europeans to counter-terrorism, this potential piracy-terrorist-insurgency link must be taken into consideration when formulating a counter-piracy strategy.

Fifth, piracy constitutes a risk to the marine environment. Indeed, the hijacking of oil and chemical tankers by pirates using heavy machine guns and even rocket-propelled grenade launchers may well cause the hulls of tankers to crack, releasing dangerous chemicals into the environment. Given the terrible effects of tankers' accidents (such as the *Erika* in 1999 or the *Prestige* in 2002), one can only fear such accidental effects of deliberate attacks without even mentioning the potential use by terrorists of hijacked tankers to create massive pollution.

Sixth and finally, piracy harms Somalia itself, or at least the Somali population. The delivery of UN humanitarian assistance is vital for millions of Somalis who chronically suffer from food shortages and totally depend on the World Food Program. Pirate raids clearly have constituted a real threat, as any interference in food delivery could make the humanitarian disaster in Somalia much worse than it already is. Moreover, the money gained as well as the food or arms stolen by pirates are often, in one way or another, transferred to warlords. Piracy thus reflects and perpetuates the state of chaos and civil war in Somalia.<sup>36</sup> Since 2007, different actors, such as Canada, the Netherlands, and NATO (in Operation Allied Provider) have escorted UN/World Food Program ships, until EU NAVFOR took over this task in December 2008. If a long-term settlement of the internal situation of Somalia is not on the European agendas (financially too costly, politically too risky, and militarily too dangerous),

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<sup>35</sup>Xan Rice, 'Somali Pirates Capture Ukrainian Cargo Ship Loaded With Military Hardware', *The Guardian*, 27 September 2008, p. 29.

<sup>36</sup>Middleton, *op.cit.*, p. 5.

the securing of the delivery of humanitarian aid against pirates and similar threats constitutes a reasonable stopgap measure.

### **The Atalanta decision**

However, while these factors may *justify* an EU operation, they are not enough to *explain* the EU's actual decision to launch such an operation, especially given the other potential options: unilateral or joint national operations, a UN operation, or a NATO operation. The critical link between these two processes – threat perception and CSDP mission creation – involves the limited European efforts to coordinate the naval operations of its own member states during 2008, beginning with a general recognition among all of the European parties with an interest in stopping piracy that the collapse of the Somali state and the chaotic situation ashore provide pirates with rear bases or safe havens to support their raids; indeed, they are largely tolerated, if not supported, by warlords.<sup>37</sup> Thus, vanquishing piracy off Somali coasts depends to a large degree on an end to the chaos ashore. The remedy would consist in providing Somalia with an effective government able to exercise the monopoly on the legitimate use of violence within its territory.<sup>38</sup> As another military intervention in Somalia is clearly not on the American or European agendas, the only realistic solution consists of escorting certain ships and in monitoring the area to deter pirates and to react in case of attacks. Due to the width of the area subject to piracy (Somalia's and

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<sup>37</sup>As one observer notes, 'Pirates cannot function, and piracy could never have survived unless there were sympathizers, protectors and customers on the shore ready, willing and able to provide sanctuary'. Donald J. Puchala, 'Of Pirates and Terrorists: What Experience and History Teach', *Contemporary Security Policy*, Vol. 26, No. 1 (April 2005), pp. 6-7.

<sup>38</sup>Middleton, *op.cit.*, p. 3. Interestingly, this is also the position defended by the self-proclaimed Republic of Somaliland that affirms that its 'well-trained' armed forces could efficiently fight pirates at sea and 'blow up their bases inside Somalia including Puntland' if only it gains diplomatic recognition. Abdulaziz Al-Mutairi, 'Somaliland Navy: The Only Way to Stop Somali Piracy', 26 November 2008, available at: <http://www.somalilandembassy.com>.

Kenya's eastern coasts, the Strait of Bab-el-Mandeb, and the Gulf of Aden), any effective such mission would require numerous ships.

Thus, the Europeans began to make national contributions in 2001 to multilateral efforts to monitor and secure the sea in this area within the naval component of US-led operation Enduring Freedom, including Task Force (TF) 151, which operates in the Strait of Hormuz, and TF 150, which operates at the Horn of Africa. Following the dramatic increase in the number of raids in 2007 and 2008, the UN Security Council passed several resolutions between May and December 2008 in order to manage this problem. Resolution 1816 authorizes states to use 'within the territorial waters of Somalia, in a manner consistent with action permitted on the high seas with respect to piracy under relevant international law, all necessary means to repress acts of piracy and armed robbery';<sup>39</sup> while Resolution 1846 extended these provisions 12 more months.<sup>40</sup> In the meantime, various states, including Europeans, sent naval units in the region to deter pirates as well as to signify their support to the ships flying their flag. Between October and December 2008, NATO sent units from the NATO Standing Maritime Group (NSMG) 2 to protect ships carrying humanitarian aid to Somalia (operation Allied Provider). The Council of the EU also began to pay attention to this threat in the spring of 2008, and expressed strong concerns about piracy. In September 2008, it established 'a coordination cell in Brussels with the task of supporting the surveillance and protection activities carried out by some (EU) Member States off the Somali coast [EU NAVCO]'.<sup>41</sup>

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<sup>39</sup>UN Security Council, Resolution 1816 (2008). Adopted by the Security Council at its 5902<sup>nd</sup> meeting on 2 June 2008, S/RES/1816 (2008), p. 3.

<sup>40</sup>UN Security Council, Resolution 1846 (2008). Adopted by the Security Council at its 6026<sup>th</sup> meeting on 2 December 2008, S/RES/1846 (2008).

<sup>41</sup>Council of the EU, 'Council adopts joint action on a European Union military operation against acts of piracy and armed robbery off the Somali coast', Brussels, 10 November 2008, 15478/08 (Press 321), p. 4.

Following these initial steps, the advocates of an CSDP naval mission framed this option as not just a measured response to a known threat, but also as an opportunity to increase the EU's scope of action and spread European/EU values. In the case of EU NAVFOR, the mission was publicly supported by several Members of the European Parliament (MEPs) after Dominique Bussereau, the French President-in-Office of the Council, stated that the EU is "not only showing its determination to act, but also affirming its position as a prime mover on the international scene in the fight against piracy." For example, Rosa Miguélez Ramos, a Spanish MEP, echoed this view, stating that an EU option would be "an important sign of visibility for Europe"; similarly, for Philippe Morillon, a French MEP (and former commander of the UN forces in Bosnia), EU NAVFOR would be "a chance for the European Union to use the means to defend its values and interests." Outside the EP, Antonio Tajani, Vice-President of the Commission, argued that "it is a matter of defending not just the interests but also the values of the European Union."<sup>42</sup> As with previous CSDP missions, then, the EU decision to launch Atalanta was clearly motivated by common perceptions of not just the interests but also the *grandeur* of the EU and the affirmation of its values or ethics. Even so, all CSDP operations – particularly those with a military component – also require the explicit endorsement of one or more of the EU's major member states,<sup>43</sup> so it is also necessary to examine their role in putting the EU's general ideals into actual practice.

France responded quickly and robustly after the French yacht *Le Ponant* was hijacked in April 2008, launching a commando raid on land to capture the pirates after the ransom was paid and the hostages liberated. This event was highly publicized by the media and served as a trigger in the fight against piracy in the Somali waters. France again took the lead of the

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<sup>42</sup>European Parliament, 'Sea piracy (debate)', 23 September 2008, Brussels. Transcript of the debate available at: <http://www.europarl.europa.eu>.

<sup>43</sup>Anthony King, 'The Future of the European Security and Defence Policy', *Contemporary Security Policy*, Vol. 26, No. 1 (April 2005), pp. 46-8.

multilateral anti-piracy crusade, pushing for the UN Security Council to pass a resolution (No. 1816) authorizing operations within Somali waters, and advocating the creation of an international anti-piracy force. President Sarkozy, as holder of the rotating EU presidency between July and December 2008, also employed the traditional French strategy of using the EU to foster France's rank (and eventually France's role) on the world stage. Following also the now-traditional French desire to strengthen the CSDP, Sarkozy was naturally the first major official advocate of an EU naval operation, as it would bolster his anti-piracy policy and his desire to strengthen the CSDP by giving it a true naval dimension. Since the end of the Cold War, France has traditionally been a strong advocate of naval cooperation with European partners outside NATO, notably with the *Force Navale France-Allemande* (French-German naval force – or FNFA) and the EUROMARFOR<sup>44</sup>. Thus, according to French defence Minister Hervé Morin, the EU naval operation is “a ‘marvellous symbol’ of moves towards a Euro-military and defence policy.”<sup>45</sup>

France, however, would still need allies among the other major EU member states to launch an actual CSDP operation, rather than merely a French-led European effort, and Germany was an obvious partner. For example, recent German doctrinal documents, notably the 2003 *Zielvereinbarung für die Deutsche Marine*,<sup>46</sup> place a great emphasis on the transition from an “escort” navy to an “interventionist” one: “Beyond the traditional assets of the Navy in coastal waters, adjacent waters, and the high seas (the Escort Navy), the capacity is developing to carry out in priority enduring operations very remote from the adjacent

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<sup>44</sup>Created in 1995 with France, Italy and Spain (and since 1998 Portugal as well), EUROMARFOR is a multinational on-call naval force. It consists of pre-designated units that could be activated within a few days, particularly for crisis management missions as defined by the Petersberg declaration. Its perimeter of action seems to correspond, for the moment, to the Mediterranean region (enlarged to the Horn of Africa) even if this does not constitute the official position. The FNFA works in a similar way.

<sup>45</sup>Bruno Waterfield, ‘UK to Lead EU Anti-piracy Force Off Somalia’, *Telegraph.co.uk*, 19 November 2008.

<sup>46</sup>Bundesmarine, Inspekteur der Marine, ‘Zielvereinbarung für die Deutsche Marine’, Bonn, 8 July 2003.

waters within the framework of various threats scenarios (the Expeditionary Navy).”<sup>47</sup> Consequently, the German Navy (officially renamed in 2005 as the *Deutsche Marine* instead of the *Bundesmarine*) has participated in various “out-of-area” (that is, out of Europe) operations, notably the anti-terrorist operations Enduring Freedom at the Horn of Africa and Active Endeavour in the Mediterranean (even assuming the command of a task force), as well as the naval component of the UN force off the coast of Lebanon that it also commanded in 2006. In addition, Germany is an active member of the FNFA, which demonstrates Berlin’s clear acceptance of European naval cooperation conceived outside NATO. This is also another major advance of the German position since the 1990s regarding ‘out of area’ multilateral military operations, whether conducted by NATO, the EU, or on a case-by-case basis.<sup>48</sup> However, German public opinion has increasingly criticized Germany’s naval operations as primarily a means to please the US. As is often the case, German public opinion also considers purely NATO operations (such as Active Endeavour) to be under the US aegis.<sup>49</sup> For example, the German Parliament faced considerable public opposition when it endorsed in October 2008 an increase in Germany’s participation in NATO’s operation in Afghanistan. Facing the challenge of piracy in an adjacent region, the German government clearly felt a domestic political preference for an EU option rather than yet another controversial NATO or US-led operation.<sup>50</sup>

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<sup>47</sup>Bundesministerium der Verteidigung, ‘Transformation – Marine Auf Kurs’, Bonn, 28 June 2004, p.2. Translation by the authors; ‘Escort Navy’ and ‘Expeditionary Navy’ are in English in the German document.

<sup>48</sup>Michael E. Smith, ‘Sending the Bundeswehr to the Balkans: The Domestic Politics of Reflexive Multilateralism’, *German Politics and Society*, Vol. 14, No. 4 (Winter 1996), pp. 49-67.

<sup>49</sup>EUMS officials, even those who have served in both NATO and EU institutions, also attest to a common perception that NATO is basically a tool of US interests, and thus may not be accepted in certain parts of the world (particularly the Middle East). As one such official put it, the EU, not NATO, is ‘the acceptable face of Europe’. Personal interviews with EUMS officials, Brussels, November 2007, June 2008, April 2009, and June 2009.

<sup>50</sup>It is also arguable that other states might prefer an EU-led operation to a NATO-led one, particularly as all EU operations are typically endorsed by the UN. India, for example,

Rather than Germany, then, the real problem in the EU was the UK, which has been reluctant to let the EU become more competent in naval matters, and has tended to take a somewhat passive role regarding leadership on CSDP military missions compared to other EU states.<sup>51</sup> Indeed, NATO has been the only competent actor in naval operations so far, and it has proved to be very flexible and versatile in past years, especially concerning anti-terrorist operations<sup>52</sup>. According to NATO, operation Allied Provider was another ‘clear demonstration of Alliance flexibility, notably in the maritime field, and its ability to meet the variety of challenges posed in today’s security environment’.<sup>53</sup> Seemingly viewing the NATO-CSDP relationship as a zero-sum game, the British government has tended to believe that a new CSDP competence in naval matters would automatically undermine NATO’s capacities. However, as a major naval power in its own right, the UK still has to act against piracy to maintain its own credibility on the high seas. The UK would certainly have preferred to use NATO, but NATO was already becoming over-stretched elsewhere (notably in Afghanistan, and, in naval terms too, in monitoring potential terrorist activities at sea).<sup>54</sup>

Thus, although operation Atalanta may have been a sub-optimal option in British eyes, it was still preferable to doing nothing or – even worse – allowing the French to take the lead in a high-profile multilateral anti-piracy operation that clearly affected British shipping

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supports the idea of UN-authorized naval missions, as it traditionally avoids participation in coalition operations (except within the UN), and especially not a coalition dominated by the US (through NATO or otherwise), as it would create problems in India’s internal politics. China and Russia have the same attitude. See Atul ANEJA, ‘India weighs counter-piracy options in Somalia’, *The Hindu*, 21 November 2008.

<sup>51</sup>Personal interviews with EUMS officials, Brussels, November 2007, June 2008, April 2009, and June 2009.

<sup>52</sup>Since the end of the Cold War, the NATO standing maritime groups have been often and efficiently engaged in various operations ranging from embargos to counter-terrorism.

<sup>53</sup>NATO, ‘Operation Allied Provider’, *Press Release*, 21 November 2008, available at: [http://www.afsouth.nato.int/JFCN\\_Operations/allied\\_provider/background.html](http://www.afsouth.nato.int/JFCN_Operations/allied_provider/background.html).

<sup>54</sup>However, NATO did consider an operation in Somalia (as well as an intervention in the 2006 Israeli-Lebanon war) but abandoned both efforts because it was felt that NATO forces would not be accepted. Personal interview with an EUMS official, Brussels, November 2007.

interests. The UK's role in the operation was enhanced further when the EU agreed that Atalanta would be commanded by a British rear admiral and that the EU's Operational Headquarters for the mission would be located at Northwood in the UK. Additional contributions of aircrafts, ships, and personnel were made initially by France, Germany, Greece, Italy, Spain, and Sweden; in 2009 Norway (a non-EU member state) agreed to send one frigate to the mission and Bulgaria offered two soldiers. These contributions eventually totalled over a dozen vessels involving thirteen EU member states, and military personnel from nine other EU member states, all devoted to a single goal: counter-piracy. In the end, David Miliband could argue that 'Britain had a leading role in the European effort to tackle piracy' even though the entire effort was engineered by France.<sup>55</sup>

### **Extraordinary rendition, European style?**

Finally, an EU-led operation also sends a signal to Somalia, to other states in the region, and to European citizens that even though the EU takes piracy seriously enough to mount a naval operation against it, Europe (unlike the US or NATO) would not even consider a more offensive or aggressive operation against Somalia itself to deal with the underlying problem: state failure. This realization, however, raised other problems on the part of Atalanta's mission planners. One involved the fact that the problem of piracy was deeply embedded in the various dimensions surrounding state weakness or failure: political, economic, security, humanitarian, etc. A more parochial concern involved the question of security sector reform in Somalia in the event that Atalanta managed to capture any pirates. Although this issue was not considered in detail during the planning stages of the mission (the "Concept of Operations" stage, or CONOPS), the EU soon began to consider the criticisms levelled at other naval forces when they released captured pirates, and believed it

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<sup>55</sup>BBC News, 'Miliband Warns of Piracy Danger', 18 November 2008.

could develop a more effective and comprehensive approach to the problem. The EU also was acutely aware of, and feared, perceptions of a “European Guantanamo” type of arrangement given the controversies surrounding America’s use of extraordinary rendition tactics to deal with suspected terrorists.<sup>56</sup>

The first major step to address this dilemma involved the EU’s programme to create a legal framework, institutional arrangements, and operational measures such as strengthening information exchange capability. The programme (costing 14-18 million euro) essentially concerns coastal states along the main maritime routes from the Gulf of Aden to the Straits of Malacca was planned to start in 2010.<sup>57</sup> For Somalia in particular the EU also agreed to devote 215.8 million euro in development aid for state-building projects during the period 2008-13, easily making the EU the largest aid donor to that country.

These efforts, however, clearly were more in the nature of long-term solutions and did not solve the EU’s immediate problem regarding captured pirates. Somalia had agreed to accept the legal jurisdiction exercised by EU member states under the auspices of various UNSC resolutions noted earlier, as well as Article 105 of the UN Convention on the Law of the Sea. Under these instruments, suspected pirates or armed robbers who are detained with a view to their prosecution could be transferred: 1) to the competent authorities of the flag Member State or of the third state participating in the operation, of the vessel which took them captive, or 2) if this state cannot, or does not wish to, exercise its jurisdiction, to a Member State or any third state which wishes to exercise its jurisdiction over the aforementioned persons and property. Option number one was rejected by the European states participating in the operation for domestic political reasons, and option number two could not apply to Somalia owing to its own domestic political situation. Therefore other

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<sup>56</sup>Interview with a Commission official, Brussels, October 2009.

<sup>57</sup>Assembly of the WEU, ‘The Role of the European Union in Combating Piracy’, Paris, 4 June 2009, Document A/2037, p.17.

third states would have to be encouraged, somehow, to accept the captured pirates. In addition, any transfers of pirates under these terms would be subject to international humanitarian law, meaning that prohibitions against the death penalty, torture, and cruel and unusual punishment would have to be respected.

To address this issue, in early 2009 the EUMS, the EU's Political and Security Committee (composed of representatives from EU member states), and the Commission entered into a series of discussions regarding what resources the EU could bring to bear on the problem. The operating budget for Atalanta itself was only in the range of about eight million euro a year (for the first year of the mission), and these funds came directly from EU member states as the EU's own budget could not be used to fund military operations. Therefore other resources would have to be found – beyond those involving the development aid noted above – to convince third states to accept any pirates captured by Atalanta forces. Given the highly complex and time-consuming nature of the EU budgetary cycle, which involves complex negotiations between EU member states, the Commission, and the European Parliament, the EU searched for a quicker and more creative way to finance a solution. This began when the Commission undertook a fact-finding mission to Atalanta's operational headquarters in the UK, and then to Kenya, where it developed a proposal in coordination with a local partner already in place, the UN Office on Drugs and Crime (UNODC). To fund the support for Kenya's security sector reform, the EU relied upon a new (from 2007) financing instrument, the Instrument for Stability (IFS). The IFS was created to provide crisis funding for the EU's external relations outside the normal yearly budgetary cycle, and without requiring individual contributions from EU member states, which also can be time-consuming. The decision to use these EU budgetary funds to support a *military* CSDP operation was extremely unusual for the EU, although this decision was made in a manner that was legally separate from the CSDP process that initially approved Atalanta.

This process was not without its setbacks; in particular, although Kenya made an informal agreement with the EU to accept pirates for prosecution, in mid-2009 it then revoked its law allowing it to cooperate in this fashion, so the EU had to “get tough” in the words of one EU insider.<sup>58</sup> However, once the IFS/UNODC funds were provided later that year, Kenya began to accept the suspected pirates on a case-by-case basis. In such cases, the prosecutions are made by Kenyan prosecutors under Kenyan law, and the trials are conducted in English but with interpreters made available to suspected pirates. Kenyan authorities cooperate closely with Atalanta forces regarding evidence, witness statements, and other facets of the trials. The UNODC finances legal representation for all suspected pirates as Kenyan law does not provide this service; this is critical for the human rights of defendants as the maximum sentence for piracy under Kenyan law is life imprisonment. Suspects are held at Shimo La Tewa prison north of Mombasa; this facility has been improved thanks to funding by the EU and other aid providers.

Once this precedent was set, on 30 October 2009 an agreement was finalized with the Republic of Seychelles to accept suspected pirates and armed robbers captured in the region by Atalanta forces. At the time of writing, the EU had provided about 1.75 million euro to Kenya for these judicial reforms, as well as about 750,000 euro to the Seychelles for the same purposes. The funds are of course only a small part of the larger development and aid programmes devoted to these states, so the EU clearly had considerable financial leverage to offer the governments of their Atalanta partners in terms of reaching an agreement to accept the suspected pirates. Moreover, as these IFS, development, and trade/aid measures are directly controlled by the Commission, the EU has now set an important precedent for its efforts to coordinate the civilian and military/policing elements of its emerging security and

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<sup>58</sup>Interview with an EU member state official, Brussels, June 2010.

defence policy, a longstanding, and heretofore elusive, strategic goal of the EU.<sup>59</sup> The EU has also followed up these initial counter-piracy efforts with other projects to improve security sector reform in Somalia, Kenya, the Seychelles, Chad, and other developing states in the region. The EU is also trying to reduce the prosecutorial burden on Kenya and the Seychelles by negotiating piracy cooperation agreements with India, South Africa, Mauritius, and Tanzania. Clearly it is unfair for just two states, and poor ones at that, to take on the bulk of the burden of prosecuting and incarcerating pirates who threaten the maritime interests of most if not all trading states in the international system.

## **Conclusion**

The gradual development of a comprehensive maritime dimension of European security, including a recognition of the importance of the EU's maritime frontiers, the unprecedented rise of piracy off Somalia, and a mixture of EU member states' domestic and foreign interests, helps explain the EU's first CSDP naval operation. All major actors within the EU shared a desire to respond to a common security threat and enhance the EU's global role once the specifics were worked out, and cooperated closely to organize the Atalanta operation.

Since the mission began in December 2008, Atalanta forces have conducted over 100 escorts of foreign vessels, most of which were devoted to the delivery of humanitarian aid. Through these efforts, over 492,000 tons of food aid has been delivered by the World Food Programme, meaning that more than 1.6 million people are fed each day on average by the mission. Moreover, the IMB has reported that piracy attacks in the Gulf of Aden dropped by more than 50 per cent in its report on the period from 1 January to 30 September 2010 thanks to the naval forces of Atlanta and other missions. In terms of transfers of pirates, 75

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<sup>59</sup>For a more extensive discussion of this point, see Smith, "A Liberal Grand Strategy in a Realist World?"

individuals were handed over to Kenyan authorities before the first complete year of the mission (2009) had even ended; at the time of writing, about 130 suspected pirates had been handed over for prosecution under these arrangements. These clear successes led to the EU's decision in December 2010 to extend the mission for a second time, until December 2012.

Operation Atalanta, and the EU's conduct of it, also demonstrates the increasing importance of civilian-military coordination in dealing with non-traditional security threats involving piracy, organized crime, terrorism, smuggling/trafficking, and similar threats. And unlike America's approach to some of these problems, the EU has managed to achieve this coordination in a transparent and legal fashion, using a full range of its power resources. The EU will not undertake a CSDP operation unless it has been authorized under international law and/or is at the invitation of a host country, and the EU's own internal legal order requires a very high degree of bureaucratic coordination to comply with the rules of the European Community, the EU, and the legal orders of individual EU member states, some of which (such as Austria, Finland, and Ireland) still maintain an officially neutral position on certain security/defence issues.<sup>60</sup> And given the controversies surrounding America's own attempts to deal with non-state actors outside of its own jurisdiction, the EU's efforts show that it is possible to achieve security through multilateral legal measures rather than through unilateral and extra-legal (if not illegal) measures such as extraordinary rendition, torture, and extended detention in legal "black holes" such as Guantanamo.

Finally, in light of the EU's demonstrable concern with legal precedents to justify its foreign/security policy decisions, Atalanta has paved the way for similar operations to defend the EU's maritime frontiers, which are as extensive as any other major power in the system, and which the EU increasingly feels it must control, and with military force if necessary. In other words, the defence of European security interests outside the EU's territory now

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<sup>60</sup>Michael E. Smith, "Diplomacy by Decree: The Legalization of EU Foreign Policy," *Journal of Common Market Studies*, Vol. 39, No. 1 (March 2001), pp. 79-104.

requires a prioritization of the maritime zones bordering Europe and well beyond it (namely major shipping lanes, sea lines of communication, undersea economic resources, etc.). The Horn of Africa, as a gateway to the Gulf and further east to Asia, is strategically important for many powers, such as China, India, Russia, and the US.<sup>61</sup> Over the past decade, all of these states have increased their presence and leverage in the region for a variety of reasons. Obviously, EU member states cannot rely upon the US or upon their individual resources to secure their interests in this vast turbulent region of the world; nor can they expect other multilateral organizations (particularly the UN and NATO) to support European objectives. Consequently, EU members increasingly realize they have to act through the EU. This is precisely what they did in giving the EU a clear naval dimension, linked to its maritime interests and to its internal legal requirements, following the dramatic 2008 increase in piracy attacks. This unique mission, the support given by non-EU actors to the mission, the clear successes of the mission so far, and the EU's claims regarding its right and its duty to act against piracy at the Horn of Africa, all suggest the EU may become a stronger and more proactive player in one of the most tumultuous regions of the world; one where the EU's interests, and involvement, are only likely to grow in the foreseeable future.

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<sup>61</sup>James Rogers, 'From Suez to Shanghai: The European Union and Eurasian maritime security', *EU-ISS Occasional Paper*, No. 77, March 2009.