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Subject: EU Maritime Security Operations (MSO) Concept

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Delegations will find attached the EU Maritime Security Operations (MSO) Concept, which was agreed by the EUMC on 4 April 2012.

**EU CONCEPT FOR  
MARITIME SECURITY OPERATIONS UNDER CSDP  
- *EU MARITIME FORCES CONTRIBUTION TO  
STRENGTHENING MARITIME SECURITY* -**

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## INTRODUCTION

1. The EU's prosperity, its economic development and the well-being of its citizens are critically dependant on international trade and other activities generating significant revenues performed at sea; i.e. shipbuilding, shipping, fisheries, energy resources exploitation, transport and tourism. However, these maritime activities are highly vulnerable to threats and challenges to the security of the maritime environment.
2. Threats and challenges that have to be dealt with in the maritime domain have become more complex, irregular and interrelated; influencing not only the economic, social and environmental aspects of our societies but also national sovereignty and integrity. Accordingly, tackling these challenges at sea contributes to the securing of the movement of people, ships and goods, and the flow of vital resources on the world's seas, as well as to safeguarding EU and Member States (MS) security interests.
3. The European Union, as a global actor committed to strengthening the international security (Refs. A and B) and concerned with its internal security (Ref. D), has recognised its responsibility to participate in consolidating the security of the maritime domain. As a result, important policies, activities and programmes have been initiated at the EU level in order to improve maritime security.<sup>1</sup>
4. In addition, the Council, highlighting the contribution that the Union has to make to a stable and secure global maritime domain, recommended initiating work in the context of CFSP/CSDP, for the elaboration of a Security Strategy for the global maritime domain, within the framework of the European Security Strategy (ESS). This is to be developed in line with EU internal maritime and security policies (Ref. E).

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<sup>1</sup> Integrated Maritime Policy (IMP)/ Common Information Sharing Environment (CISE); which also represents Phase 3 of the European Border Surveillance System (EUROSUR); the European Patrols Network (EPN) and Joint Operations managed by FRONTEX in the Mediterranean Sea and its Atlantic approaches; operations combating narcotics trafficking managed by MAOC-M in cooperation with EUROPOL; a series of projects and demonstrators related to Maritime Surveillance - namely under the EU's Framework Programme for R&D under the themes Security and Space - and European Space Agency's MARISS project; military CSDP Operation ATALANTA; the civil-military CSDP mission for Regional Maritime Capacity Building in Horn of Africa and Western Indian Ocean; programmes such as Instrument for Stability Programme (IFS) under the " Critical Maritime Programme: Enhancing **M**aritime Security and Safety through information sharing and capacity building(MARSIC) and **M**aritime Security Programme (MASE); EDA's MARSUR Network project.

5. Based on their inherited attributes (Annex A) and supported by their specific capabilities, Maritime Forces of the EU MS have the potential to play a **significant role in improving maritime security** by implementing and supporting EU efforts in this domain.
6. Furthermore, EU MS' maritime forces are able to perform the following specific roles:<sup>2</sup>
  - **Maritime Deterrence and Defence** - deter by demonstrating decisive maritime presence based on operational readiness and capability; protect and defend national sovereignty and integrity, as well as national security interests of the EU Member States; contribute to safeguarding the EU and international interests through power projection at a global scale.
  - **Crisis Response** - participate in specific operations ranging from peacekeeping and peace enforcement, conflict prevention to humanitarian assistance, disaster relief and non-combatant evacuation.
  - **Naval Diplomacy** - provide a visible symbol of national, EU and/ or wide international commitment and support to political objectives i.e. conflict prevention and stabilisation. This is realised through port visits and common exercises or even the simple presence of a naval ship (show of force).
7. Accordingly, this concept acknowledges the additional enhanced potential of Maritime Forces to contribute to the CSDP as a whole, which is to be addressed in further EU maritime conceptual documents.

#### A. AIM

8. To identify the role and associated tasks of EU Maritime Forces in supporting EU-led efforts aimed at improving security of the global maritime domain, in the framework of CSDP.

#### B. SCOPE

9. The concept describes the extent of EU Maritime Forces' contribution to the enhancement of Maritime Security, within the context of CSDP, focusing on specific tasks aimed at deterring, preventing and countering unlawful activities within the global maritime domain.

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<sup>2</sup> This Para presents the maritime forces potential in general. It draws upon the "Maritime Operational Concept", a document issued by the Chiefs of European Navies (CHENS), 2010.



10. Pointing out the wide range of threats and challenges to the EU security interests in the global maritime domain, which nowadays overlap the boundary between defence and law enforcement, this concept acknowledges that this contribution should lie within the area of competence of maritime forces and be coordinated with the EU civilian instruments, whenever appropriate, thereby enabling EU Comprehensive efforts to improve maritime security.

## C. DEFINITIONS

11. The following definitions are established in support of this concept:
  - a. **Maritime Forces** comprise Naval Forces and elements from other Military Services (Land, Air and Space) assigned to conduct operations at and from the sea.
  - b. **EU Maritime Forces** consist of Maritime Forces of the MS involved in CSDP operations.
  - c. **CSDP Maritime Operations** are those operations initiated under the provisions of Art. 42. and 43. of the TEU (Ref. A) and conducted in the global maritime domain, in accordance with International Law.
  - d. **Global maritime domain** comprises oceans, seas, bays, estuaries, waterways, coastal regions and ports, including all maritime-related activities, infrastructure, people, cargo and vessels, subject to the EU Common Foreign and Security Policy (CFSP) and Common Security and Defence Policy (CSDP) (Ref. A).
  - e. **Maritime Security** is a state of affairs of the maritime domain in which international (in particular UNCLOS) and national law is enforced, freedom of navigation is guaranteed, citizens, infrastructure and resources are protected, and legitimate national and international interests safeguarded.
  - f. **CSDP Maritime Security Operation (MSO)** are those operations performed by EU Maritime Forces, in the CSDP framework, in coordination with other EU specialised actors/ instruments, or alone as directed, to counter threats and mitigate the risk of illegal or threatening activities in the maritime domain. Aimed at consolidating maritime security these operations focus on the unlawful use of the global maritime domain.

- g. **Maritime Situational Awareness (MSA)** is the management of information related to the maritime domain that can have an impact on maritime security. It requires the timely exchange and analysis of different pieces of information, coming from different sources, in order to obtain actionable conclusions that might otherwise remain unnoticed. Consequently, MSA should include as many international and interagency information sources as possible.
- h. **Maritime Surveillance** is the systematic and continuous observation in the global maritime domain, in order to achieve effective maritime situational awareness (MSA) over activities at sea impacting on maritime security, so as to facilitate sound decision making.

## **D. EU MARITIME FORCES' CONTRIBUTION TO MARITIME SECURITY**

### **I. Threats and challenges to Maritime Security**

- 12. The security of the contemporary global maritime domain is endangered by a range of diverse and complex threats and challenges. They are in line with the range of key threats and challenges identified in the European Security Strategy and its Implementation Report (Ref. B & C) and can be summarized as the following:
  - a. Illicit and illegal activities (including Organised Crime, Piracy, Terrorism and Marine pollution)
  - b. Proliferation of Weapons of Mass Destruction (WMD)
  - c. Resource competition (including Energy security, Fishery, etc)
  - d. Territorial conflicts and crises (potentially generating threats to maritime security)
  - e. Climate Change
- 13. In addition, the interrelated nature of these threats and challenges crosses the line between defence and law enforcement and between internal and external security, resulting in the vulnerability of the entire spectrum of maritime activities and other broad security aspects of our society, with a potential to impact on national sovereignty and integrity.
- 14. It is essential, therefore, that the consolidation of maritime security is achieved through a combination of preventive and responsive measures, performed in a coordinated manner by civilian and military instruments, supported by an enhanced management of maritime environment, resources and activities.

15. From this perspective, EU MS' maritime forces could significantly contribute to EU-led efforts towards the maintenance and improvement of security within the global maritime domain. Through their unique capabilities they are able to enhance the acquisition and provision of MSA, and provide, when required, appropriate response to a variety of security threats and challenges at and from the sea, at the global level.

## **II. EU political and strategic framework**

16. EU MS maritime forces' contribution to EU efforts aimed at consolidating maritime security has a specific nature characterised by the following particularities of the EU political and strategic framework:<sup>3</sup>
- The contribution of EU MS' maritime forces to EU efforts aimed at securing the global maritime domain is to be based on a Council Decision and performed by means of a CSDP operation (based on Ref A, art. 28 & 42(3)). The appointed EU Maritime Forces will therefore be acting under a mandate of the EU Council (Ref. A, art 43(2)).
  - As part of EU comprehensive efforts, the contribution of EU Maritime Forces to maritime security will be intrinsic in safeguarding the EU's fundamental interests and security and in strengthening international security (Ref. A, articles 21(2) and 42.1).
  - CSDP operations conducted by EU Maritime Forces in support of maritime security are to be seen as a significant contribution to EU efforts, as a global actor, aimed at responding to a range of key threats and challenges that are increasingly more significant and complex (Ref. C).
17. At the national level, EU MS' maritime forces participate alongside civilian authorities/agencies, based upon national arrangements, in activities in support of maritime security. Even though this participation is not performed under the auspices of CSDP (i.e. through CSDP operations) maritime forces might perform, in their areas of responsibility, the same tasks described in this document.

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<sup>3</sup> Provided by the TEU (Ref. A) and ESS with its implementation report (Refs. B and C)

### III. EU Maritime Forces' role in strengthening maritime security

18. The significant role that EU MS' maritime forces are, generally, able to play in strengthening maritime security is defined as their *responsibility to support law enforcement, protect citizens and safeguard national and international interests by countering threats and mitigating risks of illegal or threatening activities in the global maritime domain*.<sup>4</sup>
19. However, the mandate of a CSDP operation aimed at enhancing maritime security, might require EU Maritime Forces to perform a combination of the roles described in para 6 above. The inherent flexibility of EU Maritime Forces could also facilitate the necessary coordination with civilian assets/ activities, throughout EU Comprehensive engagements in the field of maritime security.
20. On the other hand, by participating in any other CSDP operation<sup>5</sup>, EU Maritime Forces will still contribute to maritime security, in a complementary manner, by merely conducting specific activities at sea.

### IV. CSDP MSO Tasks

21. In order to actively contribute to the EU-led efforts in improving maritime security, EU Maritime Forces, following a Council Decision, should be ready to carry out, inter alia, the following specific MSO tasks:
  - a. **Surveillance in the Global Maritime Domain.** Acquire and share surveillance information with other military and civilian agencies and relevant actors in order to improve situational awareness of the global maritime domain, ensure early warning and a proactive response. Information sharing is a fundamental task enabling all maritime forces roles and tasks, and is a key factor for success in operations in support of maritime security.<sup>6</sup>

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<sup>4</sup> See Chiefs of European Navies (CHENS) documents (MSO Guidelines, Interagency Strategy for MSO, Maritime Operational Concept)

<sup>5</sup> Aiming at peacekeeping, conflict prevention and strengthening international security (Ref. A, art 42.1).

<sup>6</sup> See additional information with regard to information and intelligence sharing arrangements in Annex B.

- b. **Maritime Protection.** Protect sea lines of communication, choke points, merchant traffic, fisheries, maritime critical infrastructure (energy exploitation and transport, research and strategic communications sites) and ports<sup>7</sup>, by conducting specific maritime operations (i.e. Counter Piracy, Escort, Patrolling, Mine Counter Measures, Special Operations).
- c. **Maritime Interdiction/ Control.** Conduct specific operations such as ensuring sea control and/ or sea denial within a given area, boarding and inspection of suspicious ships and imposing maritime embargos as required.
- d. **Maritime Counter-Terrorism and Counter-Proliferation of WMD.** Prevent, deter, detect and disrupt terrorist activities and proliferation of WMD, including CBRN, and protect EU citizens and interests against these criminal activities at sea, by means of specific capabilities and close collaboration with other EU actors.
- e. **Maritime Law Enforcement (MLE).** The conduct of maritime operations in international waters or in other areas<sup>8</sup>, in support of law enforcement activities such as the fight against piracy and organized crime, as referred to in the ESS (Ref. B).

22. In addition, EU Maritime Forces might be required to perform **MSO - related tasks** such as:

- a. **Maritime Presence.** Perform maritime diplomacy, demonstration of political will, and demonstration of force through exploitation of the freedom of navigation on the High Seas, hence enabling early deployment and forward presence.
- b. **Maritime Security Sector Reform.** Contribute and support the building or strengthening of the maritime security capacity of a fragile state or/and of regional actors through the provision of advise and training in a wide spectrum of maritime activities such as regulatory, operational, institutional, policy and human resource, as part of an EU or international comprehensive effort.
- c. **Contribution to operations ashore.** Provide support and facilitate a variety of EU or international comprehensive activities ashore i.e. environmental protection, humanitarian assistance and disaster relief operations, using sea-based capabilities.

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<sup>7</sup> Assisting, inter alia, national authorities upon request

<sup>8</sup> In particular on the basis of a UNSC mandate or specific Agreements with Coastal States

23. A combination of the above tasks can be applied in support of any EU mandate seeking the improvement of security of the global maritime domain.
24. As part of a EU Comprehensive engagement, EU Maritime Forces should be ready to perform these tasks, as decided by the Council in both supporting and supported postures<sup>9</sup>. In addition, during the development of a CSDP MSO, EU Maritime Forces need to be able to coordinate, as appropriate, with different Host Nations (Ref. S) and a range of International Organisations and civilian actors in a variety of roles and conditions.
25. Taking into consideration the variety of these tasks, civilian actors<sup>10</sup> may bring to the attention of the Council, through appropriate channels, their assessment of a need for military support to existing or planned civilian-led maritime security activities. Equally, they may be invited to identify and assess their own contribution to CSDP military maritime security operations.
26. Finally, the above tasks are in line with and in support of the CSDP tasks laid down in the TEU (Ref. A, art. 43.1), hence facilitating the EU Maritime Forces contribution, as a CSDP military instrument, to strengthening the international security environment.

## V. CSDP MSO Principles

27. The contribution of EU Maritime Forces to maritime security, as well as their participation in the wide range of CSDP operations is based upon a number of principles. They also provide appropriate adequacy and legitimacy of the CSDP Maritime Security Operations:
  - a. **Prevention.** The EU policy of prevention and stabilisation, addressing the root causes of threats and challenges, aims to better secure EU interests.
  - b. **Comprehensive Approach.** The EU security, economic, diplomatic, political and social dimensions are inextricably linked. Therefore, every EU action needs to employ in an integrated way all available and relevant instruments, in order to ensure complementary effects, unity of effort and lasting results.

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<sup>9</sup> Based upon the relative contribution/ importance of the different components of a EU Comprehensive Action the Council might decide the nature of relationship between a CSDP MSO and other EU maritime security activities, in full respect of the respective objectives, chains of command and responsibilities.

<sup>10</sup> National and EU bodies and agencies as well as MS flag maritime administrations.

- c. **Multilateralism.** EU objectives might be pursued both through multilateral cooperation with international organisations and through partnerships with key actors.
- d. **Unity of Political Guidance.** The will of all EU MS expressed through a Council Decision allows for a unity of political direction depicted in the Crisis Management Concept. This is further enabled by PSC exercising its political control and strategic direction role.
- e. **Legal Authority.** The TEU, as implemented by a Council decision, relevant international agreements concluded by the Union, the UN Charter, UNCLOS (Ref. AA), and other applicable treaties and customary international law, as well as any applicable UN Security Council Resolutions, allow for a comprehensive legal framework of any CSDP maritime operation. These should enable effective law enforcement capacity for an EU-led maritime operation in support of maritime security.
- f. **Public Information and Credibility.** EU-led maritime actions in support of maritime security, backed by political will, benefit from positive public understanding. This can be further enhanced by an effective and transparent public information policy as part of the EU comprehensive communication strategy.
- g. **Supported and Supporting.** The coordinated employment of EU civilian and military capabilities is necessary and it might be enabled by deciding the supporting and supported postures of each of them in performing the missions assigned. This decision should be based on the EU main effort and on their respective expertise, capacity and areas of responsibility.<sup>11</sup>
- h. **Global Presence.** Generation of maritime forces from EU MS ports is not necessarily required as the mobility of maritime forces allows early deployment. Additionally, maritime forces could also be drawn from forces already deployed, thereby increasing the speed of response, achieving early presence in the respective operational area and enabling a proactive employment.

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<sup>11</sup> The term support as used here does not imply any kind of subordination.

- i. Enhanced information and Intelligence sharing.** Maritime surveillance, early warning and appropriate Intelligence support will remain key enablers for successful maritime operations, especially for improving maritime security.

## **E. EU COORDINATING ROLE IN IMPROVING MARITIME SECURITY**

28. For the efficient development of a CSDP operation in support of maritime security, the optimal employment of both military and civil capabilities should be enabled at the Brussels level (Ref. A, art 43.2), by coordination of the relevant EU actors dealing with maritime security.
29. To that end, each CSDP engagement should be part of the EU's comprehensive engagement harnessing and focusing the EU's organisational capacity (structures, consultations, use of national and common experiences, unanimous agreements etc.) and available instruments (diplomatic, economic, legal, employed through specialized agencies/ departments).
30. By means of this coordination, the political-strategic crisis management (CM) documents (i.e. CMC, MSOs, IMD) should provide for appropriate mechanisms for civil-military cooperation, the necessary legal framework, appropriate political guidance and clear end-states.
31. In order to facilitate the development of a CSDP maritime operation a number of essential operating requirements<sup>12</sup> need to be considered during the EU political – military strategic planning phase (Ref T). The process of enabling these requirements is described in different EU military documents (Ref. G, H, I, M, N, Q, R , S, T).

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<sup>12</sup> Force Generation, C2, CIS, ISTAR, Intel, logistics, etc. For more details see the Annex B.



## MARITIME FORCES ATTRIBUTES

The actions of maritime forces at and from the sea rely on the following characteristics:

- a. **Access and Mobility.** Maritime forces are able to use the high seas and oceans, without specific diplomatic clearance, as a strategic medium for deployment to areas of interest and threat. This enables maritime forces to respond from over the horizon and become selectively visible, at a time and place of choosing.
- b. **Strategic Intelligence collection and Communications.** Maritime Forces have the capabilities and capacity to collect information in remote areas and enable strategic communication, hence contributing to the EU global Intel picture and strategic decision making.
- c. **Interoperability.** Maritime Forces can provide a high level of interoperability based on common understanding, standard operating procedures and on compatible technology, facilitating efficient cooperation and coordination between the various civil and military actors.
- d. **Strategic Lift** (Ref. K). In support of the overall maritime operation Strategic Sealift provides a flexible and independent means to deploy, re-supply, withdraw, or re-deploy military and civilian capabilities other than naval units who normally self deploy.
- e. **Logistic Support** (Ref. M & X). Maritime forces have a considerable potential for integrated logistic support, including medical facilities, allowing military and civilian task forces to operate at sea independently for extended periods without requiring shore support. In addition, seaborne logistics support has a great potential to sustain operations ashore.
- f. **Strategic Flexibility.** Maritime forces can easily undertake several tasks concurrently, be available for rapid re-tasking, or change and adapt their military role to a civil one.
- g. **Poise and Sustainability.** Maritime forces can remain on station for prolonged periods, either covertly or overtly, thus enhancing political freedom of action. This could be an useful asset in EU-led operations.
- h. **Leverage.** The above attributes of maritime forces combine to provide leverage to influence events at political, strategic and operational level.

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