A SEA CHANGE FOR THE TRANSATLANTIC SECURITY REGIME?
MARITIME SECURITY COOPERATION, COORDINATION, AND COMPETITION IN
THE HORN OF AFRICA REGION

Brendan J. Rowell

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Approved by:

Robert Jenkins

Milada Vachudova

Rahsaan Maxwell

ABSTRACT

Brendan J. Rowell: A Sea Change for the Transatlantic Security Regime? Maritime Security
Cooperation, Coordination and Competition in the Horn of Africa Region
(Under the direction of Robert Jenkins)

The end of Cold War-era bipolarity and the rise of global multipolarity have been

particularly consequential for the transatlantic security regime. This regime has seen the North

Atlantic Treaty Organization's expansion into out-of-area operations and the emergence of the

European Union as a security actor in its own right. Yet consistent formal cooperation between

those two actors has proven difficult, and the United States of America has increasingly sought

to achieve its security objectives through alternative multinational fora—seemingly

reconsidering the mantle of its historical hegemony within the regime. By exploring recent

interactions between these three actors at the political level and through the lens of their

overlapping counter-piracy operations in the Horn of Africa region, this thesis seeks to establish

whether such concurrent missions indicate increased security competition between historical

allies, or rather, the advent of more flexible modalities in transatlantic security cooperation.

To my family for their boundless love; to my parents for instilling the gift of curiosity and particularly to my father for bedtime stories on his naval service on the USS Davis (DD-937), which evidently imparted an enduring fascination for global sea-power; to Claire Archer for her encouragement and support; to Emmett Strickland for Saturday morning *solidarité* at the Sciences Po library; to my project director Bob Jenkins for his invaluable insights and guidance through this process; and finally to Sarah Hutchison, without whose enthusiasm the TransAtlantic Masters program experience is difficult to imagine.

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LIST OF ABBREVIATIONS

CGPCS   Contact Group on Piracy of the Coast of Somalia

CMF   Combined Maritime Forces

CTF   Combined Task Force

CSDP   (EU) Common Security and Defense Policy

EU   European Union

ESDP   European Security and Defense Policy

GoA   Gulf of Aden

HoA   Horn of Africa

HST   Hegemonic Stability Theory

IMO   International Maritime Organization

MMSC   Multilateral Maritime Security Cooperation

NATO   North Atlantic Treaty Organization

NAVFOR   (EU) Naval Force

SLOC   Sea Line of Communication

SHADE   Shared Awareness and Deconfliction

TSR   Transatlantic Security Regime

UNSC   United Nations Security Council

CHAPTER ONE: INTRODUCTION TO THE PROBLEM

The United States of America has dealt with piracy since its independence; its diplomatic

and military resolution to conflicts with Barbary pirates in today's Middle East and North Africa

region even involved an attempt to build a "coalition of the willing" among European naval

powers of the era.[1] However, the re-emergence of piracy in the Gulf of Aden, within the Horn of

Africa region, only began to receive global attention in the mid-2000s, at which point attacks

began to be perceived less as isolated events and more as concentrated threat to an important

global shipping corridor. However, formal multinational counter-piracy operations in the Horn

of Africa region only began subsequent to the United Nations Security Council's resolution 1851

in 2008, which called for "…those States and organizations able to do so to actively participate in

defeating piracy and armed robbery off Somalia's coast by deploying naval vessels and military

aircraft…".[2]

Although UN Security Council Resolution 1851 has often been justified as a means by

which to call on UN member countries to defend World Food Program aid shipments to

Somalia, the Horn of Africa and greater Indian Ocean regions are also of substantial importance

for world trade. The Gulf of Aden hosts the Bab el-Mandeb strait, a critical choke point for

international maritime commerce in general and for energy flows via oil tankers in particular.

The Bab el-Mandeb strait links the Mediterranean and the Indian Ocean; 95 percent of

European Union Member States' seaborne trade and 20 percent of the world's total seaborne

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[1] Gerald W. Gawalt, "America and the Barbary Pirates: An International Battle Against An Uncoventional Foe," Library of Congress, Washington, DC, http://memory.loc.gov/ammem/collections/jefferson_papers/mtjprece.html.

[2] United Nations Security Council, "Resolution 1851," United Nations Security Council, 2008, http://www.un.org/press/en/2008/sc9541.doc.htm.

trade (by volume) are transited through the Gulf of Aden alone.[3] The U.S. Energy Information Administration estimates that approximately 3.8 million barrels of crude and refined oil products per day flowed northward towards Europe and the United States in 2013.[4] While this only represented around 6.7 percent of all petroleum transported by sea in 2013, the closure of the Strait "...would have serious consequences, forcing a detour around the Cape of Good Hope..." and restricting tanker access to the Suez Canal.[5] Thus, the disrupted flow of a sea line of communication (SLOC) that has both strategic commercial and military value could logically entail negative impacts for world trade and regional and global stability.[6]

The threats posed by regional maritime piracy have engendered a considerable international response. The Horn of Africa region currently hosts several different naval counter-piracy operations, including the US-led Combined Task Force 151/Combined Maritime Forces, the European Union's Operation Atalanta, and NATO's Ocean Shield operation, as well as other regional and extra-regional actors.[7] The EU Naval Forces provides the following map to the public, which gives an idea of the geographical extent the extent of piracy attacks in the region:

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[3] EU External Action Service, "MSCHOA." *European External Action Service,* accessed April 12, 2015, http://eunavfor.eu/mschoa/European Union Naval Forces.

[4] United States Energy Information Administration, "World Oil Transit Chokepoints," *United States Energy Information Administration*, November 10, 2014, accessed April 12, 2015, http://www.eia.gov/countries/analysisbriefs/World_Oil_Transit_Chokepoints/wotc.pdf.

[5] Ibid.

[6] Jean-Paul Rodrigue and Theo Notteboom, "Strategic Maritime Passages: Global Maritime Routes and Chokepoints," *The Geography of Transport Systems*, 2013, accessed April 12, 2015, https://people.hofstra.edu/geotrans/eng/ch1en/appl1en/ch1a2en.html.

[7] For ease, the term Horn of Africa will be used forthwith to describe the maritime region that has been host to incidences of Somali piracy, extending from the Bab el-Mandeb Strait in the northwest, the coast of Mozambique in the southwest, the Persian gulf in the Northeast, and to the stretches of the Arabian sea where it meets Indian coast at its easternmost point. In reality this appellation covers several maritime sub-regions within the greater Indian Ocean region. A map is provided below for clarity.

Figure 1 – Map of Recorded Incidences of Piracy in the Horn of Africa Region[8]

Source: EUNAVFOR via The Atlantic Council of Canada.: http://natocouncil.ca/an-overview-of-somali-piracy/

This thesis is primarily concerned with interactions between the first three actors—the U.S., the EU, and NATO—in the context of the historical transatlantic security regime (TSR) and in this specific field of operations. Without a single unified command, collective pooling of military assets, or other common aspects of formal security cooperation, their simultaneous missions have presided over a sharp decline in incidences of regional piracy. Is this evidence of security competition between historical allies, or have the modalities of transatlantic security cooperation evolved? Elsewhere, the prospect of a common European defense is bleak, while EU –NATO security cooperation in other key regions has proven increasingly difficult. How can this be explained? This thesis seeks to answer these questions by examining the prevailing

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[8] Steven Chadwick, "An Overview of Somali Piracy," *The Atlantic Council of Canada,* June 6, 2014, accessed April 12, 2015, http://natocouncil.ca/an-overview-of-somali-piracy/.

political and institutional conditions of the transatlantic security regime and analyzing how these have impacted Western counter-piracy operations in the region.

      This thesis will examine the general recent evolution of the TSR and the implication of this evolution for the relationships between the United States of America, the European Union, and the North Atlantic Treaty Organization at both political and operational levels of interaction, as well as specific impacts regarding interactions between the respective actors' counter-piracy missions in the Horn of Africa region since 2008.

      This task will be accomplished over the course of six chapters, including this opening chapter. The second chapter will formally state the research question and its corresponding hypothesis, as well as the methodology and operational definitions used to address these. In the third chapter, a theoretical framework will be developed in order to conceptualize the evolution of the TSR by making use of regime and hegemonic stability theories. This conceptualization will be applied in the fourth chapter's treatment of how the TSR has evolved in practice, and how this has affected interactions between its primary actors, the U.S., the EU, and NATO. The fifth chapter features the thesis case study, which explores the concrete implications of these actors' relationships for their ongoing and simultaneous counter-piracy missions in the Horn of Africa region at the political and operational levels. The sixth and final chapter will summarize the thesis findings and present its conclusions.

CHAPTER TWO: RESEARCH QUESTION, HYPOTHESIS, AND METHODOLOGY

What can the presence of parallel Western naval operations in the Horn of Africa tell us about the evolution and current state of the transatlantic security regime (TSR): do interactions between simultaneous and similar missions indicate increased inter-actor competition or do they reflect cooperation and thus greater flexibility within the TSR?

This thesis holds that the simultaneous presence of three parallel Western naval operations to combat piracy in the Horn of Africa region reflects an evolving TSR which has grown to accommodate a new and increasingly independent security actor in the form of the European Union; while this overlap indeed indicates increased interorganizational competition within the TSR, the effects of such competition seem to be at least partially mitigated by informal cooperation and coordination in the case study's theater of operation.

2.1 Methodology and Operational Definitions

This thesis will examine the current state of the transatlantic security consensus by undertaking a case study of Western counter-piracy efforts in the Gulf of Aden. To that end, it will rely on both on secondary sources, via a thorough review of pertinent literature on and analysis of transatlantic security cooperation—including its evolution in general and the counter-piracy efforts in particular—as well as primary sources, including official governmental and organizational communiqués and information from interviews conducted by other researchers. The thesis will apply theoretical frameworks in order to interpret these sources and draw conclusions on the implications of informal coordination between parallel counter-piracy operations for the future of the transatlantic security consensus.

The particularities of the parallel naval operations undertaken by the EU, NATO, and the United States will essentially be examined at two levels: the macro or politico-institutional level of interactions between states and international organizations and the impact of these on the micro or operational level of counter-piracy efforts. In order to accurately ascertain the nature of multilateral maritime security cooperation (MMSC) between the aforementioned actors and the implications of such, it is important to define concepts central to this thesis: cooperation, coordination and competition (as well as the distinction between the former two); the concept of an international regime; and finally, establishing what constitutes success for such a policy undertaking, both at the political and operational levels.

2.2 Cooperation and Coordination

The Defense Security Cooperation Agency summarizes the U.S. perspective on security cooperation (SC) thusly:

> SC comprises all activities undertaken by the Department of Defense (DoD) to encourage and enable international partners to work with the United States to achieve strategic objectives. It includes all DoD interactions with foreign defense and security establishments, including all DoD-administered Security Assistance (SA) programs, that build defense and security relationships; promote specific U.S. security interests, including all international armaments cooperation activities and SA activities; develop allied and friendly military capabilities for self-defense and multinational operations; and provide U.S. forces with peacetime and contingency access to host nations. It is DoD policy that SC is an important tool of national security and foreign policy and is an integral element of the DoD mission. SC activities shall be planned, programmed, budgeted, and executed with the same high degree of attention and efficiency as other integral DoD activities. SC requirements shall be combined with other DoD requirements and implemented through standard DoD systems, facilities, and procedures.[9]

We can thus see that the U.S. Department of Defense places great importance on security cooperation both as a strategic and practical concept, by affirming the importance of maintaining relationships with "foreign defense and security establishments" and in ensuring

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[9] Defense Security Cooperation Agency, "Chapter 1: Security Cooperation Overview and Relationships," *Defense Security Cooperation Agency Security Assistance Management Manual*, http://www.samm.dsca.mil/chapter/chapter-1.

that efforts to do so are adequately resourced. In 2010, NATO's new Strategic Concept declared that "cooperative security" would become a third core task along with collective defense and crisis management. Without providing a single definition, NATO observes that cooperative security should "provide frameworks for political dialogue and regional cooperation and increase military interoperability" and lead to "*increased collaboration between different actors resulting in information sharing and the harmonization of resources and capabilities*."[10] While it is harder to pin down a precise definition reflecting the EU's perspective on what amounts to security cooperation, its 2003 European Security Strategy document declares that "international cooperation is a necessity," and that the EU must engage in multilateral cooperation with international organizations and develop or maintain "partnerships with key actors."[11] The document also makes specific reference to what we can logically regard as security cooperation: "EU-NATO permanent arrangements, in particular Berlin Plus" which provides "the framework for the strategic partnership between the two organisations in crisis management."[12] This last precision on the Berlin Plus framework will be of particular importance for the subject of this thesis, as Berlin Plus is in fact central to certain obstacles to EU-NATO security cooperation generally and specifically for the thesis' maritime security case study.

It would seem that all three security actors share some overlapping concept of security cooperation involving the development and/or maintenance of relationships between each other and other security actors in the pursuit of common objectives, and that such cooperative relationship can include exchange and/or use of information, resources, and capabilities as well

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[10] North Atlantic Treaty Organization, "Cooperative Security as NATO's Core Task - Building Security through Military Cooperation across the Globe," *North Atlantic Treaty Organization*, September 7, 2011, accessed April 11, 2015, http://www.nato.int/cps/en/natolive/topics_77718.htm.; emphasis added.

[11] European Council, *A Secure Europe in a Better World - European Security Strategy* (Brussels: European Council, December 12, 2003), 13, http://www.consilium.europa.eu/uedocs/cmsUpload/78367.pdf.

[12] European Council, *A Secure Europe in a Better World*, 12.

as the possibility of integrated planning and command structures to support those pursuits. This comprehensive definition will serve as the thesis' general conception of what may constitute security cooperation generally and specifically between its main actors. For reasons related to the aforementioned Berlin Plus arrangement, it will be particularly attentive to the willful exchange of information related to respective operational actions by the actors involved.

While such cooperation would be expected to be routine among members of the TSR, political realities to be discussed in greater depth later in this thesis have made it such that comprehensive cooperation has become rare between certain actors, notably between the EU and NATO since the EU's 2004 enlargement. In light of all of these actors' formal statements on the nature of cooperation, it would seem logical that political cooperation is the necessary pre-condition for other components of security cooperation; however, the evidence presented in the case study indicates that such political cooperation is not always formal. In any event, political cooperation, either formal or informal, is a pre-condition for our working definition of coordination. We can identify coordination in situations where actors partially or wholly adapt/adjust their security and defense resources and efforts, including respective operations, as a result of prior cooperation in an effort to maximize synergies and minimize duplication of effort in pursuing common security and defense objectives.

If cooperation is a pre-condition for coordination between diverse actors at the micro/operational level, it would seem logical to infer that political cooperation and coordination are both essential preconditions for any sort of either taking place at the operational level. Thus:

> Political Cooperation→ Political Coordination→ Operational Cooperation→ Operational Coordination

Such a flow seems to be the logical progression for any sort of collaboration between discrete political actors, be they states or otherwise. It would seem consistent with this logic to assume that such collaboration should take place via formally established channels when such channels

exist. However, as this thesis will demonstrate in its subsequent case study and analysis of findings, prevailing political realities within the TSR has made the use of such formal channels (Berlin Plus) increasingly difficult and rare. While informal political cooperation is apparent in our case study, the second step of political coordination is obstructed. MMSC as described by the case study is thus better represented by:

Informal Political Cooperation→ Informal Operational Cooperation→ Informal Operational Coordination. [13]

2.3 Inter-actor Competition within the TSR

The evolution of inter-actor relationships within the TSR, particularly recent developments in the EU-NATO relationship, will be discussed in greater depth in the following section. However, the concept of inter-organizational competition relates to the fact that the TSR, long presided over by a single regional security provider in the form of NATO, has seen the emergence of the EU as a discrete security actor within the regime. If this emergence reflects recognition among EU member states of the world's increasing multipolarity, it does not change the fact that where there was one actor tasked with regional security, now there are two. Working in careful consultation with the U.S., the EU's initial iteration of its security and defense organization, the ESDP was conceived of precisely to avoid what then U.S. Secretary of State Madeline Albright termed the 'the 'three Ds'': no decoupling, no discrimination of non-EU allies and no duplication of NATO.[14] This thesis argues that the latter two clauses implicitly express what the U.S. and NATO perspective on what would constitute inter-organizational "competition" within the TSR. The 2003 Berlin Plus arrangement was intended to further reinforce the specific modalities through which the EU and NATO could cooperate, thereby precluding the possibility of such competition. However, as discussed in subsequent sections,

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[13] In which informal refers to cooperation and coordination outside of formally established frameworks such as that intended by the 2003 Berlin Plus arrangement on EU-NATO interaction.

[14] Marcin Zaborowski, "How to Renew Transatlantic Relations in the 21st Century", *The International Spectator,* 46, no. 1 (2011), 106.

the Berlin Plus framework has not always led to the clearly delineated cooperation it was designed to facilitate.

In this sense, it is perhaps best to conceive of security competition within the TSR by using an ecological definition of the word, which states that competition is any "interaction between animal or plant species, or individual organisms that are attempting to gain a share of a limited environmental resource" NATO and the EU represent organisms within the TSR ecosystem; the finite environmental resources can represent actual resources including military assets, but also more intangible resources like legitimacy and primacy. [15] In this case, an actor's legitimacy would play a major role in maintaining and/or garnering the necessary political support of and preferred status among its member states, especially when 21 of those member states overlap as with the EU and NATO. The question of legitimacy plays an additional role as the two actors' scope of activities increases. Primacy also plays a distinct role as a resource as NATO's "lead role" within the TSR initially informed the development of the EU's ESDP, while the latter's role was circumscribed by the former's—to the chagrin of certain EU member states, as described in section three. Thus security competition within the TSR reflects a struggle to establish the distribution its various resources, including military assets, political legitimacy and primacy, while practical examples of such competition would reflect duplication of efforts or discrimination between actors. The case study on MMSC is germane to the general discussion of security competition within the TSR because it potentially exhibits a duplication of effort by the EU and NATO, which in turn directly relates to "discrimination" or tensions between members of the respective organizations.

In the case study on regional counter-piracy efforts in the Horn of Africa, the main actors' success in reducing incidents piracy and the general "success" of various related efforts are sporadically asserted but more often seem to be taken as a given. This lack of a clear

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[15] Oxford English Dictionary, "Competition," accessed April 8, 2015, http://www.oxforddictionaries.com/definition/english/competition.

definition is a problem with the literature because it requires the trust of readers who may have little or no prior knowledge of the topic, which devalues the otherwise generally high quality of the papers discussed. This thesis will address this problem here by clearly presenting the numerical and statistical evolution of regional incidents of piracy in order to clarify and operationalize definitions of success.

At this point, it is germane to discuss a brief timeline on the evolution of the piracy situation in the Horn of Africa region, beginning in May of 2008 with UN Security Council (UNSC) resolution 1814. Resolution 1814 authorized member states cooperating with Somalia's transitional government to enter Somali waters in pursuit of pirates and authorized "all necessary means to repress acts of piracy and armed robbery"; in June of 2008, this was followed by resolution 1816 which granted permission to naval forces to enter Somali territorial waters to do the same.[16]Additional UNSC resolutions including 1846 and 1851, called on both member states and regional organizations to combat piracy in Somali territorial waters and on land; the authorization for these actions was renewed as recently November 2013.[17] These resolutions elicited responses from all three of this thesis' main actors. NATO was the first to respond with the short-term operation Allied Provider in October 2008; this operation would transition to NATO's ongoing counter-piracy operation Ocean Shield in March 2009.[18] The EU launched its own naval forces in the region through its ongoing Operation Atalanta in December 2008; finally, the U.S. Combined Task Force (CTF) 151 was detached from the extant CTF 150, whose naval forces were already present in the region in support of U.S. counter-terrorism

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[16] Oceans Beyond Piracy, "United Nations Security Council," *Oceans Beyond Piracy*, 2013, accessed April 12, 2015, http://oceansbeyondpiracy.org/matrix/united-nations-security-council-unsc.

[17] Security Council Report, "UN Documents for Piracy – Security Council Resolutions," *Security Council Report*, 2015, accessed April 12, 2015, http://www.securitycouncilreport.org/un-documents/piracy/

[18] Carmen Gebhard and Simon J. Smith, "The Two Faces of EU – NATO Cooperation: Counter-Piracy Operations off the Somali Coast," *Cooperation and Conflict* (2014): 6.

operations.[19] The exact nature of the interactions between these actors' regional counter-piracy operations will be explored in greater detail in chapter five of this thesis, but the evolution of incidences of piracy during this time frame, from 2008 to the end of 2014, will be discussed below.

From a merely numerical perspective, regional anti-piracy efforts appear to have been indisputably successful in that their presence has presided over a total, and for the moment, sustained reduction in incidents of piracy. EU NAVFOR's regional piracy statistics begin in 2008, when 24 piracy attacks[20] took place in the Horn of Africa; attacks spiked in the three following years, rising to 163 in 2009, 174 in 2010, and 176 in 2011. But attacks fell precipitously to 35 in 2012 and continued to fall to seven attacks in 2013 and two attacks in 2014. The total number of "successful" piracy attacks in the Horn of Africa—those that resulted in ship hijacking and/or hostage taking—have fallen from a 2010 peak of 47 to zero successful events in 2014. Regional pirates currently hold 26 hostages in captivity, but no longer hold any hijacked vessels.[21]

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[19] Gebhard and Smith, "The Two Faces of EU-NATO Cooperation," 6.

[20] EU NAVFOR's total attacks statistic combines all piracy events including attacks that were repelled/aborted as well as those that led to the hijacking of ships and the taking hostage of crew members.

[21] EU External Action Service, "Key Facts and Figures: EU Naval Force Somalia - Operation Atalanta," *European Union External Action Service*, March 27, 2015, accessed April 8, 2015, http://eunavfor.eu/key-facts-and-figures/.
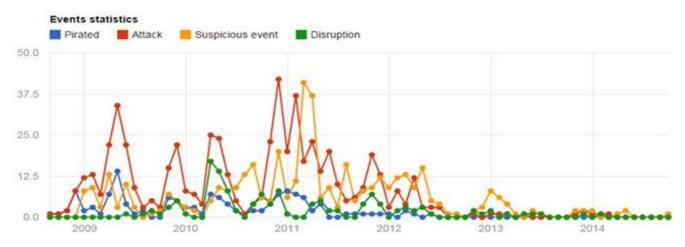
Figure 2 – Evolution of Piracy Incidents in the Horn of Africa Region from 2009-2014[22]

Source: European External Action Service, http://eunavfor.eu/key-facts-and-figures/.

Dutch ambassador and former chairman of the Contact Group on Piracy off the Coast of Somalia (CGPCS) Henk Swarttouw supports this definition of success, stating that "it is hard to argue with results. At the time of writing, no commercial ship has been captured since 10 May 2012; pirates are holding no merchant ship for ransom; and fewer than 50 hostages remain in captivity, all of whom were taken by pirates on or before 26 March 2012."[23]

But what are the actual activities that have led to this substantial reduction in incidences of regional piracy? Are cooperation and coordination of these activities among the actors on which this thesis focuses the cause for the numerical success? And if so, can we deduce that the successful reduction in piracy attacks equates to successful cooperation and coordination among our concerned actors? While acknowledging the distinction between correlative and causal relationships and the possibility of unaccounted for variables, the case study presented in the fifth chapter will attempt to isolate possible answers to the questions posed above. To that end, the case study will argue that the concerted efforts of the main actors in the thesis (combined

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[22] EU External Action Service, "Key Facts and Figures."

[23] Jon Huggins and Jens Vestergaard Madsen, "The CGPCS: The Evolution of Multilateralism to Multi-Stakeholder Collaboration," in *Fighting Piracy off the Coast of Somalia: Lessons Learned from the Contact Group*, ISSUE Report 20, ed. Thierry Tardy (Paris: EU Institute for Security Studies, 2014), 20.

with others' efforts), particularly the establishment of the Internationally Recommended Transit Corridor (IRTC) and its management via the SHADE mechanism are at least partially responsible for the sharp decline in regional incidences of piracy.

CHAPTER THREE: THEORETICAL FRAMEWORK

In chapter five, the thesis case study of counter-piracy operations in the Horn of Africa will isolate three key actors in the TSR: the European Union, the North Atlantic Treaty Organization, and the United States of America. The disparate nature of these three actors—the fact that the first is a *sui generis* supranational regional organization, that the second is a regional collective security organization, and that the third is a unitary state actor—presents conceptual difficulties, as each type of actor traditionally occupies distinct roles within theories of international relations. After examining the evolving relationship between these actors, this thesis will examine their respective counter-piracy operations on two levels: first, at the macro or politico-institutional level relationships between them and second, the ways in which this level impacts the micro or operational level, including the need to develop informal cooperative and coordinative channels.

3.1 Theories: International Regimes, Hegemony, Offshore Balancing

In order to tackle the subject matter at the politico-institutional level, this thesis will rely primarily upon neo-realist and occasionally neo-liberal conceptions of international relations (IR), thereby encompassing both the possibility of relative and absolute gains and the importance both of state actors and international organizations and institutions. The concept of international regimes, defined by Stephen Krasner as the "explicit principles, norms, rules and decision-making procedures around which actors' expectations converge in a given area of international relations," will be central to the attempt to understand EU, NATO, and U.S. roles in the Horn of Africa and to explain the interactions between them within this theatre of

operations.[24]. Complementary IR theories and concepts include hegemonic stability theory and "offshore balancing"; these will allow us to conceptualize and identify the presence of a hegemon within the sphere of transatlantic security, to determine whether hegemonic behavior is apparent in the Horn of Africa, and analyze the motivations behind and consequences of such behavior.

The combination of these theoretical tools and heuristics should provide the thesis with the necessary firepower to gain a more complete understanding of how the TSR has evolved to its current iteration, as well as how individual nation states, supranational entities, and international security organizations might contrive to cooperate in the absence a shared, uniform security mandate at the politico-institutional and operational levels.

3.2 International Regime Theory (IRT)

Formally, a regime is the "implicit or explicit principles, norms, rules and decision-making procedures around which actors' expectations converge."[25] Krasner further clarifies these constituent parts as follows: "Principles are beliefs of fact, causation, and rectitude. Norms are standards of behavior defined in terms of rights and obligations. Rules are specific prescriptions or proscriptions for action. Decision-making procedures are prevailing practices for making and implementing collective choice."[26]

In reality, a regime exists wherever discrete agents or actors cooperate; they can be both formal and informal, and can include institutions as well as organizations. This thesis asserts the continued existence of a transatlantic security regime at both informal and formal levels. The informal aspect of this regime will be referred to as the "transatlantic security consensus,"

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[24] Stephen D. Krasner, "Structural Causes and Regime Consequences: Regimes as Intervening Variables," *International Organization* 36, no. 2 (1982).

[25] Krasner, "Structural Causes and Regime Consequences."

[26] Ibid., 186.

through which the United States and its partners across the Atlantic Ocean (and the Mediterranean Sea) shared the common vision of Western style democracy and the liberty to choose some form of mixed market capitalism. This informal aspect of the TSR is perhaps best captured by regime theory's preoccupation with the convergence of principles among the main actors in this thesis. These actors formalized their determination to uphold this vision through the creation of the North Atlantic Treaty Organization, which assured regional collective security throughout the Cold War. The formalized aspects of the regime, through the creation of NATO, cover Krasner's other three prescriptions for what constitute regimes: norm-derived rights and obligations, rules prescribing actions, and decision-making procedures were all codified in the North Atlantic Treaty signed in Washington, D.C. in April 1949.[27] Implicit in the informal and formal aspects of this TSR was the role of the United States of America as the ultimate guarantor of Western European security and liberty, as well at its primacy within the arrangement.[28]

The regime was not without its discontents on the European continent; France's dedication to its own defensive autonomy under President Charles De Gaulle led to its exit from NATO's integrated command. However, for the duration of the Cold War and up to the end of the 20th century, the TSR was remarkably stable. According to Krasner's conception of regimes, this stability can be attributed to the capacity of the agreed-upon principles, rules, norms, and procedures to facilitate further agreement on long-term cooperation as opposed to the constant competitive balancing and zero-sum power maximization behavior that states are predicted to exhibit in a context of pure international anarchy.[29]

Andreas Hasenclever, whose work seeks to synthesize different grand theory approaches to international regimes, posits that they are:

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[27] North Atlantic Treaty Organization, *The North Atlantic Treaty* (Washington, D.C.: NATO, April 4, 1949), http://www.nato.int/cps/en/natolive/official_texts_17120.htm.

[28] Zaborowski, "How to Renew Transatlantic Relations in the 21st Century."

[29] Krasner, "Structural Causes and Regime Consequences."

a major type of international institution... deliberately constructed, partial international orders on either a regional or a global scale, which are intended to remove specific issue-areas of international politics from the sphere of self-help behavior. By creating shared expectations about appropriate behaviour and by upgrading the level of transparency in the issue-area, regimes help states (and other actors) to cooperate with a view to reaping joint gains in the form of additional welfare or security.[30]

These characteristics seem to fit the behavior of NATO and its constituent members through to the end of the Cold War. But in addition to fulfilling what could be considered the surface level requirements necessary to consider to some sort of ideal type international regime, Hasenclever notes that the literature has come to scrutinize the concept more closely, leading scholars to ask not only whether regimes are in existence, but if they are effective predictors of the pertinent actors' behavior, and furthermore, how robust such regimes are to "exogenous shocks or challenges in the issue area or beyond." The end of the Cold War is the quintessential example of an exogenous shock to the TSR and an existential challenge to the purpose of NATO within the TSR.

This thesis posits the continual existence of a TSR since the formal establishment of NATO subsequent to the final ratification of the North Atlantic Treaty in August 1949.[31] However, it is clear that the regime has evolved over time; in addition to welcoming a variety of new members and the exit and re-entry of France from integrated command, NATO has expanded to "out-of-area" operations beyond its traditional mandate of direct collective transatlantic security.[32] But even as NATO has welcomed new members, so has the TSR expanded to accommodate a new institutional actor in the form of the European Union and its nascent security and defense capacities. According to Krasner, regimes can sustain changes

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[30] Andreas Hasenclever, Peter Mayer, and Volker Rittberger, "Integrating Theories of International Regimes," *Review of International Studies* 26, no. 1 (2000).

[31] North Atlantic Treaty Organization, *The North Atlantic Treaty*.

[32] Julio Miranda-Calha, *NATO's Out of Area Operations*, Committee Report (NATO Parliamentary Assembly, 2005), http://www.nato-pa.int/default.asp?SHORTCUT=670.

provided the principles and norms, which are the "basic defining characteristic of a regime."[33] Furthermore, he argues that a change of rules or decision-making procedures would not in itself bring about an end to the regime provided the change did not contravene the said principles and norms.[34] If one accepts the conceit that the fundamental principle of the TSR's formal manifestation in NATO is that of collective defense, as enshrined by article five of the North Atlantic Treaty, then it would seem that the regime remains intact despite internal and external evolutions.[35] However, the European Union's Treaty of Lisbon also established a principle of mutual defense for its Member States; while this was done without prejudice to NATO and Member States with concomitant membership, this change does introduce the possibility of a shifting balance within the TSR that is not provided for by the theoretical conceptions of Krasner and others.[36]

This evolution begs the question: which actors have been the primary drivers of the EU's and of NATO's development, and what has sustained the latter's existence following the end of the Cold War? The section below will discuss complementary theories that allow us to conceptualize the role of key actors, or hegemons, within international regimes.

3.3 Hegemonic Stability Theory

One textbook definition of Hegemonic Stability Theory (HST) states that: "hegemony provides some order similar to a central government in the international system: reducing anarchy, deterring aggression, promoting free trade... When one state's power dominates the world, that state can enforce rules and norms unilaterally, avoiding the collective goods

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[33] Krasner, "Structural Causes and Regime Consequences."

[34] Ibid.

[35] North Atlantic Treaty Organization, "Collective Defence," *North Atlantic Treaty Organization*, November 11, 2014, accessed April 12, 2015, http://www.nato.int/cps/en/natohq/topics_110496.htm.

[36] Europa Glossary, "Mutual defence clause," *European Union*, accessed April 12, 2015, http://europa.eu/legislation_summaries/glossary/mutual_defence_en.htm.

problem."[37] Hasenclever positions hegemonic stability theory within the neo-realist approach to understanding international regimes, and states that neo-realist scholars like Stephen Krasner interpret "…regimes as international public goods that are in short supply unless a dominant actor (or hegemon) takes the lead in their provision and enforcement."[38] This thesis will rely on HST to conceptualize the anchoring role the U.S. has played in maintaining and sustaining the TSR following the end of the Cold War and the gradual rise of the EU ESDP/CSDP as potential rival to NATO, which this thesis considers has historically been the primary vector of U.S. regional security hegemony. However, it will also argue that while seeking to maintain NATO's and its own primacy, the U.S. foreign policy-making sphere has gradually grown to recognize the need to increasingly share or shift burdens to other actors within the TSR.

While both neo-realist and neo-liberal theorists accept a world beset by anarchy, the former school has been reproached for its single-minded focus on the importance of unitary states' behavior, while the latter stresses the importance of international organizations (IOs) and institutions as actors capable of influencing global power dynamics independently of state power. However, hegemony as a means by which to structure and shape behavior between states nevertheless requires a mechanism or mechanisms by which to do so, and neo-realism does encompass states' use of institutions to further their own interests. Theorists Kenneth Abbott and Duncan Snidal thus observe that: "The United States, at the peak of its hegemony, sponsored numerous IOs, including GATT, IMF, and NATO; these organizations have provided 'continuing utility… for regime rule and creation."[39] In the context of Cold War bipolarity, the United States was the sole actor in the transatlantic sphere capable of providing the "public good" of regional security; by bearing the tangible and intangible costs of establishing and

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[37] Joshua S. Goldstein and Jon C. Pevehouse, *International Relations*, 10th ed. (Boston: Pearson, 2012), 488.

[38] Hasenclever et al., "Integrating Theories of International Regimes," 9.

[39] Kenneth Abbott and Duncan Snidal, "Why States Act Through Formal International Organizations," *The Journal of Conflict Resolution* 42, no. 1 (1998).

maintaining the TSR, it also gained the right to impose its rules and structures via NATO. In the abstract, the imposition of hegemony within a regime along the lines of the security-economic interdependence nexus as described by Layne could free willing participants—such as NATO members—to focus on absolute or long term gains as opposed to the relative or short term gains predicted by the neo-realist conception of anarchy in international relations.[40] NATO allowed European member states to focus on long term goals and absolute gains, which for many entailed the construction of the project that would become the EU, it also served as a vector for US primacy as it consolidated and projected military power to attain its security goals—namely containment of the U.S.S.R. But the disappearance of this threat has fundamentally changed the calculus for all actors implicated in the TSR, especially concerning their perspectives on U.S. hegemony. With the absence of the threat removed, the EU has become a more assertive security actor in its own right, while the U.S. position on European security, the primacy of NATO, and its role as the most militarily capable guarantor of both of these has also evolved. The implications of these evolutions will be discussed here below and in the following chapter.

3.4 Offshore Balancing

Many notable contemporary IR theorists, among them Stephen Walt, describe such purposeful attempts to encourage U.S. allies to take greater responsibility for their own security interests as "offshore balancing." Christopher Layne developed the concept in the late 1990s as an "alternative grand strategy" by which the United States of America could increase its own security and relative power in the international system by backing away from its role grounded in a "preponderance" of power (hegemony) and encouraging favored partners to take on

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[40] Military and economic resources; the Berlin Blockade and the Marshall plan, for example ; Self-designated target for all those opposing such hegemony, the self-imposed mantle of regional and/or global "sheriff," etc…

increasing burdens.[41] Thus, offshore balancing provides a sort of coda to HST and to the U.S. hegemonic role.

As previously described, hegemony entails benefits and costs both for the hegemon itself but also for those that exist within the order it has established. The TSR's European participants were reasonably content to free ride on U.S.-guaranteed collective security against the Soviet threat for the duration of the Cold War while paying the price of constrained autonomy— particularly in the historically sovereign realms of security and defense. If the Cold War's end amounted to Hasenclever's exogenous shock to the regime's intended purpose, then what impact should this have on the TSR and its hegemonic dynamic? In the neo-realist paradigm, the removal of the threat that made the hegemonically-moderated TSR viable and logically entails a re-evaluation of the regime's power dynamic. Layne writes that, "simply put, the response to hegemony is the emergence of countervailing power…. when too much power is concentrated in the hands of one state, others invariably fear for their own security."[42] He offers numerous instances of hegemonic moments—and their respective ends—from European history, from the Habsburg Empire to Napoleon through to Hitler's defeat in World War II. The implication is clear: absent an external threat, states tend to balance against the hegemon. In the absence of the Soviet threat, European members of the TSR should at the very least reconsider the constraints they had previously tolerated as well as the inordinate concentration of military capacity in the hands of the U.S. and in the U.S. vector of European influence, NATO.

Layne argues that through hubris or a sense of exceptionalism as a "benign hegemon," the U.S. ignored the lessons of history and continued to pursue its Cold War-era strategy of a preponderance of power through the end of the 1990s.[43] Furthermore, its dedication to retaining

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[41] Christopher Layne, "From Preponderance to Offshore Balancing: America's Future Grand Strategy," *International Security* 22, No. 1 (1997).

[42] Christopher Layne, "Offshore Balancing Revisited," *The Washington Quarterly* 25, no. 2 (2002): 237.

[43] Layne, "Offshore Balancing Revisited," 239.

"the pre-eminent responsibility for selectively addressing those wrongs which threaten not only our interests but those of our allies or friends, which could seriously unsettle international relations"—without necessarily consulting those allies or friends—led it to strategically overextend its power. [44] Layne's example of U.S. strategic overreach most pertinent to this thesis is the Clinton administration's decision to intervene in Bosnia, which he argues was as much if not more directed at re-establishing "NATO's credibility" than addressing humanitarian concerns. Layne cites fellow theorist Robert Art's argument that, "…Absent continued U.S. involvement in European security matters… NATO would be unable to perform its post-Cold War tasks of maintaining a benign security order conducive to Western Europe's continuing politico-economic integration, containing resurgent German power, and preventing the West European states from renationalizing their policies."[45] For Layne, continued U.S. insistence on addressing peripheral security threats to reassure core members of the TSR could only beget further and further strategic overextension.[46]

Layne insists that strategic overextension is not inevitable, arguing "…offshore balancing will become the obvious successor to primacy because it is a grand strategic escape hatch by which the United States can avoid the fate that has befallen previous hegemons in history."[47] The strategy prioritizes burden shifting over burden sharing by encouraging other states to take full responsibility for their own security and for regional stability.[48] Fellow neo-realist Stephen Walt summarizes the concept thusly: "It [offshore balancing] husbands the power on which U.S. primacy depends and minimizes the fear that U.S. power provokes. By setting clear priorities and emphasizing reliance on regional allies, it reduces the danger of being drawn into

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[44] Layne, "From Preponderance to Offshore Balancing," 98.

[45] Ibid., 101.

[46] Ibid., 112.

[47] Layne, "Offshore Balancing Revisited," 247.

[48] Ibid., 245 - 246.

unnecessary conflicts and encourages other states to do more to help us... But it is not a passive strategy, and does not preclude using the full range of U.S. power to advance core American interests."[49]

As with many theories—and as critics have not hesitated to point out the concept of offshore balancing works much better in a vacuum then in the reality of international relations.[50] However, this thesis will argue that several aspects of the U.S. foreign policy evolution from the late 1990s onward, and particularly its eventual acceptance of the EU as security actor in its own right, reflect several tenets of offshore balancing as it has been described by Christopher Layne and other of its proponents. In addition to accepting and eventually supporting the EU's Common Security and Defense Policy (ESDP/CSDP), these include the tacit recognition multipolarity and thus of regional powers, material support for regional actors in resolving situations that are not of core interest. The following quote by President Barack Obama reflects a shifting U.S. foreign policy attitude towards European defense in this regard: "We're looking to be partners with Europe. And the more capable they are defensively, the more we can act in concert on the shared challenges that we face."[51]

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[49] Stephen M. Walt, "A bandwagon for offshore balancing?"*Foreign Policy*, December 1, 2011, accessed April 12, 2015, http://foreignpolicy.com/2011/12/01/a-bandwagon-for-offshore-balancing/

[50] Peter Feaver, "Not even one cheer for offshore balancing?," *Foreign Policy,* April 30, 2013, accessed April 11, 2015, http://foreignpolicy.com/2013/04/30/not-even-one-cheer-for-offshore-balancing/.

[51] Barack Obama, President of the United States, quoted during the joint press conference with the President of the Republic of France during the NATO Summit in Strasbourg on April 3, 2009. France in the United States - Embassy of France in Washington, D.C., "Joint Press Conference in Strasbourg: Transcript of the Joint Press Conference in by the President of the Republic Nicolas Sarkozy and the President of the United States Barack Obama [Press Release]," April 3, 2009, http://ambafrance-us.org/spip.php?article1294.

CHAPTER FOUR: FRAMING THE TRANSATLANTIC SECURITY REGIME'S EVOLUTION IN THE SHADOW OF U.S. HEGEMONY

4.1 The Role of the U.S.: Transition from the Unipolar Moment to Multipolarity and Multilateralism

If the end of the Cold War brought a swift end to the bipolar world that it had wrought in Europe and elsewhere, the disappearance of the Soviet threat that spurred the establishment of the TSR curiously did not lead to NATO's dissolution. But the change did create a vacuum that fundamentally, if temporarily, transformed the global balance of power; Christopher Layne argues that "the Soviet Union's collapse elevated the United States to a historically unprecedented position of primacy in international politics."[52] The U.S. consolidation of power was swift and, at least in the TSR itself, largely unquestioned and unchallenged— leading to what has been referred to as its "unipolar" moment.[53] But if ever such unipolarity truly existed, it was not long for the world at large. The emergence of regional players the likes of China, India, Brazil and even an independent Russia, along with increasing global instability caused by failed, rogue, and non-state actors augured the rise of a new era of multipolarity in which U.S. global hegemony would be challenged. By the end of the 1990s, it seemed that the unipolar moment had passed even in Europe: NATO, as vector of U.S. regional security hegemony, would be affected by the inception of an EU military competence. Although certain EU member states, namely France, had long (and unsuccessfully) sought the development of a European military capacity outside the NATO framework, dissatisfaction with the West's handling of the Balkan conflicts seems to have crystallized consensus on the need for some form of European defense

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[52] Layne, "Offshore Balancing Revisited," 236.

[53] Ibid., 237.

among the major EU member states.[54] Although the concept of an eventual European defense was mooted in 1990, the substantive evolution of the EU's security and defense competence via its European Security and Defence Policy (ESDP, now CSDP) began in 1999.[55]

In keeping with its hegemonic prerogative in shaping the institutional contours of the TSR, U.S. foreign policy under the second Clinton administration drew lines limiting the ESDP's purview within the regime, making clear the EU's junior partner status vis-à-vis NATO. Secretary of State Madeleine Albright articulated the U.S. position around "…the doctrine of the 'three Ds' – no decoupling, no discrimination of non-EU allies and no duplication of NATO."[56] But despite its insistence on a constrained role, the U.S. ultimately accepted the principle that the TSR would have room for a new security actor. EU security researcher Catherine Gegout underlines the U.S. supervision of the process, stating that "…it clearly played a role in the making of ESDP institutional structures and in the creation of ESDP missions and could hardly have done otherwise; since the debate on the future of ESDP is so closely linked to the role of NATO in the world."[57] Using Layne's frame of offshore balancing, U.S. involvement and qualified support for the ESDP can be interpreted as a strategic decision to shape allied capacity building in view of medium and long term burden sharing or shifting. This interpretation seems confirmed by other scholars' observations that the U.S. position on the ESDP/CSDP has evolved considerably from cautious ambiguity; for example, Marcin Zaborowski from the Polish Institute of International Affairs writes that "The US also welcomed a stronger CSDP… it is now expected that, if presented with a unified EU position, the US would drop its opposition of an

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[54] Catherine Gegout, *European Foreign and Security Policy: States, Power, Institutions and American Hegemony* (Toronto: University of Toronto Press, 2010), 123.

[55] Jolyon Howorth, "The EU and NATO After Libya and Afghanistan: The Future of Euro-U.S. Security Cooperation," *Yale Journal of International Affairs* (2013): 31.

[56] Zaborowski, "How to Renew Transatlantic Relations in the 21st Century," 106.

[57] Gegout, *European Foreign and Security Policy*, 139.

EU civilian-military HQ, which it objected to in the past."[58] And despite the ESDP/CSDP's often halting progression, it has indisputably grown beyond its initial scope. Its evolution will be examined from a more Euro-centric perspective below.

4.2 Interorganizational Relations and Competition between the EU and NATO

4.2.1 Rise of EU as Security Actor

While the 1992 Treaty on European Union made allusion to the development of European defense within its Common Foreign and Security Policy (CFSP) via the Western European Union (WEU), this complementary organization was understood to be "'a means to strengthen the European pillar of the Atlantic Alliance...'" and thus firmly within the NATO framework.[59] However, the 1998 St. Malo agreement saw the first major step towards a substantive collectivization of security and defense preferences at the European level; these have since become enshrined in its European Security and Defence Policy (ESDP, but now called the Common Security and Defense Policy or CSDP). Gegout presents this moment as a shift during which EU Member states either "...accepted or refused certain links with NATO and succeeded in reaching EU common policies..."[60] She also identifies Germany, the UK, and France as the primary actors within the CFSP/CSDP, but in keeping with information from an interview, suggests that France and the United Kingdom are "the motor of the negotiation" and presumably thus the main setters of EU's security and defense agenda because of their significant disagreements and respective statures as major security players beyond the European sphere, as nuclear powers and members of the UN Security Council.[61] Both actors

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[58] Zaborowski, "How to Renew Transatlantic Relations in the 21st Century," 107.

[59] Gegout, *European Foreign and Security Policy*, 120.

[60] Ibid., 119.

[61] Ibid.

made concessions towards each other's preferences, with a "French rapprochement" with (and eventual re-integration into) NATO and a British reversal on its previous opposition to European defensive capacities external to NATO. Their aggregation of preferences culminated in 1998's St. Malo declaration, which proclaimed: "The European Union will also need to have recourse to suitable military means (European capabilities pre-designated within NATO's European pillar or national or multinational European means outside the NATO framework)."[62] However, the establishment of such 'means outside the NATO framework' nevertheless hinged on their use being secondary to NATO. According to Gegout, "…there would be no duplication, and NATO would remain the essential security and defence structure…"; most importantly, NATO was granted first right of refusal for any undertaking that might fall within its purview, as the "EU would intervene only where NATO as a whole was not engaged."[63]

4.2.2 Evolution to Berlin Plus → Framework for EU-NATO Cooperation

Gegout references the Europeanists' (and France in particular) initial strident resistance to this NATO-centric orientation of EU defense, but it appears that this resistance at least briefly softened following the St. Malo Declaration; meanwhile, the U.S. made no overt move to oppose the ESDP's continued development.[64] The member states of NATO had already pledged their à priori support for the European Security Identity at the 1996 NATO ministerial meeting in Berlin; they also agreed in principle to eventual ESDI access to and use of certain NATO resources.[65] This initial Berlin arrangement was followed by the Berlin Plus agreement signed in

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[62]. "The St.-Malo Declaration at the British-French Summit St.-Malo, 3-4 December 1998," in *Security and Defence Policy in the European Union*, 2nd ed., Jolyon Howorth (Basingstoke: Palgrave Macmillan, 2014), 8–9.

[63] Gegout, *European Foreign and Security Policy*, 122.

[64] Ibid., 133.

[65] Al Belsky, "European Defense Timeline," *The European Institute*, November 14, 2009, accessed April 11, 2015, http://www.europeaninstitute.org/index.php/eu-facts/897-european-defence-timeline.

2003, which spelled out the grand axes of EU-NATO interaction. According to Natalia

Touzovskaia, these 2003 Berlin Plus agreements were very similar to the original in the way they

articulate EU access to NATO assets, planning, command structures, consulting and other

capabilities. However, one significant advance established official, formal channels by which the

EU could access NATO intelligence via a classified information exchange.[66]

The 2003 Berlin Plus agreement facilitated inter-organizational cooperation between the

EU and NATO in two operations: Concordia (EU takeover of NATO stabilization mission in

FYROM 2003) and Althea (taking over NATO's stabilization mission in Bosnia and Herzegovina

by EUFOR). Both missions were relatively successful, allowing the EU to develop capacity in a

low-risk zone due to ongoing NATO presence, but freeing NATO/US resources for use in Iraq

and Afghanistan.[67] While the Berlin Plus arrangements provide a framework through which the

EU was able to take on the mantle of NATO's peacekeeping operations in the Balkans, a seeming

lack of foresight on the part of its architects has made this framework politically unworkable due

to tensions between EU and NATO member states. This situation will be referred to as the

Participation Problem, and is seen as a substantial lever by which certain member states of the

respective organizations block the very channels that were designed to facilitate their

cooperation, particularly via the essential mechanism of informational exchange. The

implications of the Participation Problem will be discussed in greater detail in the subsequent

section on EU-NATO relations and addressed again for its implications in maritime security

cooperation between these actors.

Regardless of the obstacles to Berlin Plus, Gegout points out that France continued to

push for missions that, unlike Concordia and Althea, could be undertaken entirely

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[66] Natalia Touzovskaia, "EU-NATO Relations: How Close to 'Strategic Partnership'?" *European Security* 15, no. 3 (2006): 241.

[67] European Union Center of the University of North Carolina at Chapel Hill, *EU-NATO Relations*, EU Briefings (Chapel Hill: European Union Center of North Carolina, May 2007), http://europe.unc.edu/wp-content/uploads/2013/08/Brief0705-nato.pdf.

independently of NATO in order to assert the EU's identity as an independent security actor and

shore up this ambition with actual capacity building.[68] But despite the fact that 10 of its 11

ongoing or completed military missions have been conducted without direct NATO assistance

(excepting NATO air transport for EU troops supporting the African Union's mission in Darfur),

Gegout references doubts about the actual scope and potential for ESDP/CSDP efforts for

operations of consequence absent U.S. and/or NATO support.[69] She specifically highlights the

skepticism of high-level British and French officials vis-à-vis the ESDP on its theoretical and

proven capacities. She quotes UK Defence Secretary Geoff Hoon's observation that UK

involvement in "large-scale combat operations without the United States" was "highly unlikely"

before noting French General Neveux's speculation that the EU's uniform position on its first

non-Berlin Plus military mission (Artemis) would have been significantly less so "if the risks had

been greater, the stakes more sensitive, the contributions more numerous, and the engagement

on the ground more important".[70] The allusions to the breakdown of Berlin Plus will be revisited

below, but if such feelings are held at the highest levels of French and British defense—the two

major drivers of EU defense–this sentiment may explain ESDP/CSDP's perceived lack of

ambition. Meanwhile, NATO's concomitant evolution has been controversial and arguably far

from unambitious.

4.2.3 NATO's post-Cold War Transformation: Security beyond the TSR's Horizon?

As previously discussed, neorealist theory predicts that alliances form and cohere around

the presence of threats; the disappearance of such threats should logically usher in the

dissolution or degradation of the alliance developed to defend against it. But while many realist

theories foresaw "...the imminent demise of NATO following the end of the Cold War...",

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[68] Gegout, *European Foreign and Security Policy*, 135.

[69] Ibid., 137.

[70] Ibid.

scholars Menon and Welsh present the counterbalancing Institutionalist theories of organizational persistence such as path dependence, wherein the sunk costs associated with the creation of NATO or like institutions, as well as NATO's own institutional character prevent its disappearance. [71] However, the authors dispute both accounts in part or in whole, arguing that NATO has undergone substantive and substantial organizational transformations since those early predictions of impending obsolescence: "In operational terms, the alliance has evolved from the defense of particular states and values, to a range of risk management and transformation tasks that include counterterrorism, the promotion of good governance, and the direct provision of aid to civilian populations."[72] If such changes indicate NATO's ability to adapt rather than wither away as a relic of a previous era, they do not necessarily mean that all its member states are pleased with the organization's chosen path of evolution.

While NATO's embrace of tasks beyond its historical remit may well be indicative of institutional change, these tasks relate to its most radical transformation: the extension of its mandate to out of area operations. Its first major out of area operation, the recently completed International Security Assistance Force (ISAF) mission in Afghanistan, has been recognized within and without NATO as a "critical test for the Alliance" that "demonstrates a broad recognition that threats to the Euro-Atlantic area must at times be confronted well outside of our region."[73] But if undertaking such out-of-area operations gives new life to NATO's reasons for existence—primarily by making it a global security actor— many scholars have underlined that this direction belies the divergent interests of NATO's member states. Menon and Welsh suggest that internal divisions among member states may ultimately undermine its ability to fulfill its evolving role:

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[71] Anand Menon and Jennifer Welsh, "Understanding NATO's Sustainability: The Limits of Institutionalist Theory," *Global Governance* 17, no. 1 (2011): 83.

[72] Menon and Welsh, "Understanding NATO's Sustainability," 83.

[73] Pierre Lellouche, *Operations in Afghanistan and the Expanding NATO Role*, Committee Report (NATO Parliamentary Assembly, 2004), http://www.nato-pa.int/default.asp?SHORTCUT=504.

> Consensus on institutional roles and functions ultimately depends on agreement among member states; the effort to adopt new roles—while hailed by many as evidence of NATO's vitality— may not engender universal support. The resulting distributional conflict can undermine institutional performance, and ultimately the future prospect for collective action, via the incentives it provides member states to free ride. In the current context, conflict within NATO could significantly reduce the likelihood that alliance members would agree to expansive out of operations in the future.[74]

The removal of the common Soviet threat and the perceptions of the world's increasing multipolarity among the citizenry in NATO's member states seem to have reinforced these diverging interests on NATO's use of force via the pressure of public opinion.[75] The ensuing 'distributional conflict' on NATO's proper role has spilled over into its operational realities and highlighted historical and current imbalances between the material commitments of various member states.

Concerns about imbalances in burden sharing among NATO member states are not new; U.S. Army Colonel Patrick Warren points out that the U.S. provided "over 50 percent of NATO's military capabilities" during its first six decades.[76] Such an inequitable distribution was perhaps not surprising in the context of U.S. regional security hegemony within the TSR and during the bipolar Cold War. But consistent with the predictions of offshore balancing, the U.S. has made clear its desire for other members to more equitably shoulder the burdens of a globalized NATO in a multipolar world.[77] Warren notes that unequal burden sharing was particularly poignant during NATO's first major out-of-area operations in Afghanistan, observing that 68 percent of NATO member states did not meet their troop commitment obligations for ISAF, leaving the other 28 percent to shoulder the burden unequally; the UK, U.S., Netherlands and Canada

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[74]Menon and Welsh, "Understanding NATO's Sustainability," 82.

[75] Ibid., 87, 89.

[76] Patrick T. Warren, *Alliance History and the Future NATO: What the Last 500 Years of Alliance Behavior Tells Us about NATO's Path Forward* (Washington, D.C.: Brookings Institution, June 30, 2010), 34, http://www.brookings.edu/research/papers/2010/06/30-nato-alliance-warren.

[77] Ted Galen Carpenter, "Hagel's Futile Quest for NATO Burden Sharing," *The National Interest*, March 4, 2014, http://nationalinterest.org/commentary/hagel%E2%80%99s-futile-quest-nato-burden-sharing-9991.

accounted for over 80 percent of deaths.[78] Such losses are understandably difficult to explain to

domestic constituencies in NATO member states, but they also indicate that the historical trend

of members' free-riding on major players like the U.S. and the UK will continue and possibly

grow even more exaggerated.

In light of Gegout's earlier observations on the disparity between the ESDP/CSDP's

ambitions and capacities, it seems that even an autonomous EU defense mechanism must rely

on NATO's superior capabilities, thereby continuing the trend of free riding at the

interorganizational level within the TSR. However, Colonel Warren presents the EU's emergence

within the TSR in adversarial terms, declaring that "...today, there is perhaps no more vivid

manifestation of the challenges caused by 'diverging interests' than the ascendency of the

European Union as a competing *collective security* alliance."[79] We will now examine how the

relationship between the two actors has evolved in practice.

4.2.4 EU-NATO Relations

Although NATO's persistence, albeit challenged, may be more nuanced than the

explanations that Menon and Welsh critique, others have noted its organizational resistance to

the EU's growing role in the TSR via the ESDP/CSDP and the difficult adjustment period that

has characterized relations between these two institutional actors. Marcin Zaborowski describes

NATO's feelings towards the EU's security role as unwelcoming:

> Ever since the emergence of the EU's European Security and Defence Policy (ESDP) in
> 1999, the EU-NATO relationships has been problematic... The creation of ESDP was
> never welcomed by NATO, which perceived it as competition and argued that it could
> lead to an unnecessary duplication of the member states' resources. Those NATO
> members that are not EU Members (non-EU NATO allies) were worried that they might
> suffer discrimination.[80]

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[78] Warren, *Alliance History and the Future of NATO*, 34.

[79] Ibid., 27.

[80] Zaborowski, "How to Renew Transatlantic Relations in the 21st Century," 106.

Gegout reinforces the ambiguous dynamic, noting that:

> ESDP changes the balance in the EU-NATO relation. NATO is no longer the only organization in which the future of the defence and security of Europe is discussed. However, NATO capabilities are much more substantial than EU capabilities. This can make the EU dependent on NATO for missions, which require effective strategic lift capabilities, intelligence, and strategic command.[81]

The dissonance between the ESDP/CSDP's stated ambitions and actual capacities indicates its potential need to rely on NATO, an organization that has been described as less than thrilled by the emergence of an upstart actor whose mandate logically overlaps with its own. Zaborowski supports this description, presenting NATO's institutional feelings towards the ESDP as reticent at best. Gegout underscores the reasons for NATO's hesitation by acknowledging that the EU's emergence as a security actor—albeit one with a great potential reliance on NATO—within the TSR inevitably reduces NATO's primacy as its previous sole organizational actor.

Given the initial ambiguity of this co-habitation, it should not be surprising that apparent inter-organizational tensions could be construed as competition between the two actors. Chapter two framed security competition within the TSR as efforts by the EU and NATO to maximize their respective shares of finite resources within the regime, including military assets, political legitimacy and primacy; it also suggested that practical examples of such competition could manifest themselves through duplication of effort or discrimination between the member states of the respective organizations. In the sense of actors seeking to maximize their share of legitimacy (and primacy) within the TSR, the seeds of EU – NATO competition could be traced to NATO's first consequential missions in post-Cold War Europe, namely its interventions in the Balkan conflicts. Although instability in the Balkans can be considered a threat to the security of the European members of the Alliance, the interventions themselves represent an extension of the logic of collective defense vis-à-vis a common threat like the U.S.S.R. towards the provision of security and stability.

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[81] Gegout, *European Foreign and Security Policy*, 122.

Gegout, among others, point to European dissatisfaction with NATO's response as the tipping point for consolidating EU-level consensus on the creation of the ESDP.[82] As discussed, initially the U.S. and NATO only consented to attributing specific tasks (Petersberg) to the ESDP, and in very specific circumstances at that (when NATO was as a whole was not engaged).[83] With NATO's continued primacy taken as a given, potential competition over the legitimacy of the respective actors should have been precluded by such a clear delineation of tasks. Logically, this meant that NATO, while remaining the original collective defense organization, could expand its role as an out-of-area "exporter" of security. The EU, in turn, could build specific capacities, namely in humanitarian and peacekeeping missions, to serve as a secondary regional security actor in theaters where all NATO members were not interested in intervening. The question of competition over resources was also settled, in theory, by the 2003 Berlin Plus framework by which the EU would have access to NATO assets and planning structures in such cases. In 2003, it must have seemed that despite uncertain feelings between the EU and NATO, the institutional framework that had just been signed should prevent competition between the two actors. However, it would seem little provision was made for eventuality that Berlin Plus may exhibit certain flaws in design. These flaws and their ability to generate competition within the TSR will be discussed below.

4.2.5 Communications Breakdown: The Participation Problem

Although 2003's Berlin Plus agreement seemed to pave the way to clear channels of interorganizational cooperation that would overcome potential tensions, these channels only resulted in two EU-NATO cooperative missions. Fears surrounding the EU and NATO's potential inability to work well together—developments that could undermine Madeleine

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[82] Gegout, *European Foreign and Security Policy*, 123.

[83] Petersberg refer to the tasks initially attributed to the ESDP and include the deployment of combat forces in undertaking humanitarian, peacekeeping, crisis management and peacemaking duties; NATO's first right of refusal has been discussed earlier in this chapter.

Albright's "3 D's" doctrine of no decoupling, no duplication and no discrimination—seem to have been at least partially confirmed by the advent of the "Participation Problem." The Participation Problem refers to the imposition of obstacles to the sort of streamlined inter-organizational cooperation between the EU and NATO that was intended by the Berlin Plus agreement. According to Zaborowski, these obstacles were engendered by Cyprus' 2004 accession to the EU and the fact that it has "normal relations with NATO... and is involved in a bitter dispute with Ankara..."; the lack of dialogue between Cyprus and Turkey has in effect jammed the formal cooperative channels "...in the existing NATO-EU frameworks as long as Cyprus is present...".[84] While NATO does maintain relationships with non-member states, Simon Smith points out that there is no formal provision for cooperation with countries that are not part of the "Partnership for Peace" (PfP), of which Cyprus is not a member.[85] According to Smith, Turkey, as a NATO member, has blocked Cyprus' accession to the PfP; in turn, EU member state Cyprus exercises its prerogative "to ensure that no matters outside of Berlin Plus are discussed at the NAC-PSC level," which is to say NATO's North Atlantic Council and the EU's Political and Security Council.[86] These two organisms host the highest level of member state political representation involved in cooperative decision-making in their respective organizations, and met regularly until Cyprus' accession to the EU in 2004—since which time "no formal ministerial meetings have taken place."[87]

In Smith's view, the Participation Problem has "resulted in Berlin Plus becoming effectively a straitjacket for EU-NATO cooperation"; practically speaking, this has created situations in which the "EU and NATO have personnel in common mission areas (Afghanistan &

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[84] Zaborowski, "How to Renew Transatlantic Relations in the 21st Century," 108.

[85] Simon J. Smith, "EU - NATO Cooperation: A Case of institutional fatigue?" *European Security* 20, no. 2 (2011): 247.

[86] Smith, "EU-NATO Cooperation," 247.

[87] Ibid., 249.

Kosovo) without the formal tools to discuss cooperation in what are, especially with regard to Afghanistan, volatile areas."[88] Indeed, the Participation Problem has wide ranging effects on relationships within the TSR, specifically limiting the nature of EU and NATO security cooperation. Its general impact on EU – NATO cooperation will be discussed in the case study below before examining how this status quo conditioned the specific modalities of inter-organizational relations in the Horn of Africa region. The implications of the Participation Problem for EU-NATO cooperation in addressing piracy in the Horn of Africa have been negative and consequential for both the high politics of security cooperation and the crux of operational modalities between allied actors incapable of directly exchanging information via established channels. However, attempts by various actors within the TSR, notably the U.S., have attempted to address the Participation Problem through the establishment and use of informal channels.

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[88] Smith, "EU-NATO Cooperation," 247.

CHAPTER FIVE: MARITIME SECURITY CASE STUDY

It would seem that the EU's ESDP/CSDP has experienced some growing pains and a lack of self-assuredness concerning its identity, complicated in turn by a complex cohabitation with NATO. None of the above complications have prevented the EU from increasing attempts to assert itself as a comprehensive regional and extraregional security actor (through civil support and police missions in Afghanistan and both civil and military missions in Africa), even if aforementioned politico-institutional obstacles, namely the Participation Problem, have hampered the EU-NATO interorganizational cooperation intended by the Berlin Plus arrangements. This section will examine how these arrangements and blockages have played out in the specific case of regional piracy in the Horn of Africa region. What spurred the EU's decision to develop the ESDP's naval capacity, how did NATO and the U.S. react respectively to the same problem, and how have the three operations interacted in light of blockages to formal cooperation?

Before examining the particularities of the operations themselves, it is important to note various elements of the context in which they are taking place. Due to several unique characteristics relating to counter-piracy efforts in the Horn of Africa region, addressing piracy off the coast of Somalia can be considered as a "low-risk" security situation: Somali piracy often involves poorly organized, poorly equipped independent groups of non-state actors who receive no support from the internationally recognized Federal Government of Somalia. Furthermore, Somalia's embattled stability and the fact that UN Security Council resolutions "have authorized force in the country's waters and on land" legitimize Western efforts considerably diminish the

threat of any potential diplomatic blowback from it or other countries.[89] Indeed, Western

security actors have been joined by other extraregional actors, China and India among them.

Finally, the EU's contribution to these efforts via its Operation Atalanta represent the CSDP's

first naval mission, and thus an important move towards developing this capacity within the

scope of the military missions it is willing and able to undertake.

5.1 Cooperation, Coordination, and Competition at the Politico-institutional Level

In his study of the evolution of EU-NATO cooperation, Simon Smith develops a typology

of missions that have involved or could involve cooperation, and what form that cooperation

takes. According to Smith, there are essentially three types of possible interaction between EU

and NATO missions/forces. These include official, formalized cooperation via the Berlin Plus

framework; missions outside that framework with overlap in the same geographical area but

different purposes or functions; and missions outside of the framework that overlap in terms of

geographical area and/or function. [90] The EU and NATO's activities in the Horn of Africa fall

within the category of "…non-agreed framework missions where they are performing similar

duties in the same operational theatre, but without formal arrangements for cooperation."[91]

The politico-institutional obstacles can essentially be attributed to diplomatic tensions

and disagreements between different state actors within the TSR. For the time being, these

tensions have led to "'red lines… relating to the transfer of classified information" around which

forces in the separate EU and NATO operations must adapt themselves in order to achieve some

level of cooperation and/or coordination at the operational level.[92] But while Smith

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[89] UN Security Council Resolutions 1816, 1838, 1846, 1851; "The Ungoverned Seas," *The Economist*,
November 29th, 2014, http://www.economist.com/news/middle-east-and-africa/21635049-waters-
around-somalia-are-calmer-piracy-west-africa-rising.

[90] . Smith, "EU - NATO Cooperation," 245.

[91] Ibid.

[92] Ibid., 257.

acknowledges that the simultaneous operations in the Horn of Africa have led "to a certain amount of competition," he also suggests that the international diversity of anti-piracy missions there have made "EU-NATO cooperation… more hidden, and therefore, more effective." [93]

In any event, and despite not having access to the formal information sharing channels built-in to Berlin Plus framework missions, Smith presents a situation of casual interdependence, in which both the EU and NATO personnel work in close proximity directing their respective operations from a base in Northwood, England. Both actors, along with the US, are equally present at the main operational headquarters in Bahrain.[94] Smith describes a situation in which "intelligence (provided mainly by the US) is collected and passed on from NATO to the EU," and in which "…the UK seems to have the ability to ensure that all the various forces work together."[95] He also discusses the speculation that "some" have put forward concerning NATO's desire to collapse its own Ocean Shield Operation; these same individuals seem to suggest that despite the fact that the EU's Operation Atalanta is "better resourced," the EU is "seemingly dependent on NATO and unwilling to see this operation go."[96] This interpretation confirms earlier observations on the EU's hesitation to undertake ambitious missions without the presence of NATO, regardless of whether the Berlin Plus framework is in place.

Smith and Carmen Gebhard's recent revisitation of the subject provides greater depth in elucidating the nature of cooperation between the actors concerned in this thesis. Gebhard and Smith stridently reaffirm that "…although the EU's operation NAVOR 'Atalanta' and NATO's 'Ocean Shield' operate in the same theatre and with similar mandates, there *is no formal link*

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[93] Smith, "EU - NATO Cooperation," 257.

[94] Which is incidentally the main headquarters of the US-led Combined Task Force 151.

[95] Smith, "EU - NATO Cooperation," 257.

[96] Ibid.

between them[97]. No joint planning has been envisaged, and no *official* task-sharing takes place."[98] As in Smith's earlier publication, Gebhard and Smith again trace the origin of these obstacles to the political and institutional levels, noting that the EU and NATO member states:

> have been unable to agree on the political relationship... in a way that would allow for joint operational effort and sound strategic cooperation, let alone for a unity of command... No joint planning has been envisaged, neither before nor after any of the operations were deployed... Although both organizations have operations in the same mission space, no official task-sharing takes place between NATO... and there is no intended or formal functional and strategic complementarity of actions.[99]

Readers are presented with a dichotomy in which institutional and political blockages contrast with an operational reality in which diverse maritime security actors, and primarily the EU, NATO, and the US, overcome such blockages through purposely informal mechanisms (to be discussed subsequently):

> The notion of inter-organizational cooperation... is heavily dominated, if not determined, by state interests and national agendas, particularly when it comes to formal institutional developments. Pragmatic and informal arrangements in turn seem to override the dominating role of state interests, which leads to more flexibility and functionality, but does not, in the long run, compensate for the lack of formal arrangements nor likely trigger any changes.[100]

5.1.1 MS Exploitation of Politico-institutional Obstacles to Promote Interests via Organizations

At the level of high politics, the Turkey-Cyprus dispute and resultant Participation Problem have blocked the cooperative channels established by the Berlin Plus agreement on EU-NATO cooperation, effectively preventing any efforts coordinated by that framework since 2004. These obstacles are reflected by the "lack of formal links" between the two actors' respective operations in the Horn of Africa, but their impact is even more salient at the operational level.

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[97] Emphasis added.

[98] Carmen Gebhard and Simon J. Smith, "The Two Faces of EU – NATO Cooperation: Counter-Piracy Operations off the Somali Coast," *Cooperation and Conflict* (2014): 1.

[99] Gebhard and Smith, "The Two Faces of EU-NATO Cooperation," 3.

[100] Ibid., 5.

However, it would appear that at the political level, there is more to the story than the Turkey-Cyprus dispute. Even as those two countries pursue their national claims against each other by inflicting collateral damage to the (often overlapping) member states of the respective organizations, it would seem that certain other EU member states have exploited the situation to advance their own preferences for a more capable and competent ESDP/CSDP.

Basil Germond and Michael Smith's analysis of EU's Operation Atalanta presents France, under the leadership of President Nicolas Sarkozy, as a the driving force for advancing the ESDP generally and the EU's non-NATO naval capacities specifically and quote Hervé Morin, French Minister of Defence at the time, as saying "that the EU naval operation is a 'marvelous symbol of moves towards a Euro-military and defence policy."[101] Germond and Smith suggest this position was reinforced by Germany as one of the three major EU decision-makers for security and defense matters: "the German government clearly felt a domestic political preference for an EU option rather than yet another controversial NATO or US-led operation."[102] But the UK, the third identified EU security power broker, appears to have exhibited its traditional reticence towards enlarging the ESDP/CSDP's scope, where "… a new ESDP competence in naval matters would automatically undermine NATO's capacities."[103] Germond and Smith indicate that the UK ultimately relented because it recognized that "NATO was already becoming too overstretched elsewhere (notably in Afghanistan, and in naval terms too, in monitoring potential terrorist activities at sea)…"; having recognized this, the UK had to embrace an ESDP naval competence or risk letting France set its terms by taking the lead.[104]

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[101] 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, no. 3 (2009): 584.

[102] Gegout establishes France, Germany, and UK as key EU Member States on security issues in Section 4.2 above; .Germond and Smith, "Re-Thinking European Security Interests and the ESDP," 584.

[103] Ibid., 585.

[104] Germond and Smith, "Re-Thinking European Security Interests and the ESDP," 585.

Germond and Smith also remark upon the presence of a plurality of state and other

actors involved in regional counter piracy efforts, including our two other subjects of interest,

the United States navy, via its Combined Task Force 151, and NATO's own Operation Ocean

Shield. Unfortunately, they do not address the fact that the presence of these actors, specifically

NATO, is inconsistent with their earlier assertion that the UK conceded the advancement of an

ESDP naval competence via Operation Atalanta because NATO was spread too thin. Nor do they

substantively address the possibility of competition and/or duplication of effort between the EU,

NATO, and the US— remarking only that "…the current multilateral naval structure, bringing

together a network of national naval forces, naval coalitions, and institutional actors, is still very

complicated, and active leadership must be exercised to gradually increase the efficiency of the

operational activities…".

Excepting that lacuna, Germond and Smith generally provide a thorough tableau of the

context surrounding the decision-making process by which Operation Atalanta answered the

EU's major security actors:

> desire to respond to a common security threat and enhance the EU's global role…; the
> process and the outcomes are of institutional and political interest because the operation
> represents… a combination of interest definition, threat perception, and military power
> projection that has been lacking in every single ESDP operation until Atalanta.[105]

Colonel Warren's analysis corroborates this interpretation, albeit from a clear Atlanticist

perspective:

> The EU's recently acquired responsibility… competes with NATO's role as the
> preeminent security provider involves the ongoing counter-piracy operations off the
> coast of Somalia and in the Gulf of Aden… In this instance, both the EU and NATO have
> concurrent and separate operations supporting the counter-piracy task when a joint
> operation would prove more efficient… The EU rebuffed requests from NATO for
> cooperation, presumably to bolster its image as a capable security organization distinct
> from NATO.[106]

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[105] Germond and Smith, "Re-Thinking European Security Interests and the ESDP,"587- 588.

[106] Warren, *Alliance History and the Future NATO*, 27-28.

Regardless of the perspective, it is clear that such jockeying at the intergovernmental level has

an effect on the ability of these two organizations to formally cooperate in achieving what, at

least in this case, are the same objectives: the reduction of piracy in the Horn of Africa region.

But evidence presented in the coming paragraphs suggests that other actors within the TSR,

including NATO and EU member states, have contrived to develop informal channels at both the

political and operational levels, through which NATO and the EU can collaborate more

effectively due to the depoliticized and multilateral aspects of these channels.

5.1.2 Informal Channels: U.S. Policy Entrepreneurship and the Contact Group

The paragraphs below detail the informal channels that have been developed specifically

to facilitate multilateral maritime security cooperation (MMSC) between our actors in the Horn

of Africa. In fact, several articles on the EU-NATO relationship suggest a longstanding use of

informal links, pointing to the evolution of an interorganizational culture that adapts to achieve

operational results even when political cooperation is more complicated. Simon Smith suggests

that, barring Berlin Plus cooperation (which is the most efficient but the least possible in the

current politico-institutional context), EU – NATO cooperation is more apparent the further

away one gets from Brussels; he finds that "commanders in the field of non-Berlin Plus

operations do work together despite the lack of official agreements to do so… but purely at the

informal level."[107]

Two analyses suggest that U.S. diplomatic efforts have proactively sought to assist the

EU and NATO in overcoming the obstacles imposed by the current inoperability of the Berlin

Plus framework.[108] In the first instance, Smith recounts the then U.S. Secretary of State

Condoleezza Rice's 2005 implementation of informal meetings known as "Transatlantic

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[107] Smith, "EU - NATO Cooperation," 246.

[108] Huggins and Vestergaard Madsen, "The CGPCS"; Gebhard and Smith, "The Two Faces of EU – NATO Cooperation,".

Events"; the goal of these events was to provide foreign ministers from all EU and NATO member states to gather unofficially in order to find solution to general 'EU-NATO' deadlock.[109] The second attempt also originated with Secretary Rice, but in this case pertains to the case study, as it led directly to the establishment of an informal and multilateral mechanism through which the counter-piracy efforts undertaken by the EU, NATO, the US and other actors have apparently been coordinated.[110] This mechanism, the Contact Group on Piracy off the Coast of Somalia (CGPCS), appears to be the locus of cooperation and coordination of the parallel operations in the Horn of Africa.

Although the U.S. and its partners (essentially the EU-3) established the CGPCS pursuant to the UN Security Council resolutions (1851 among others) encouraging the international community to respond to the threat of Somali piracy, the EU Institute for Security Studies Report on the CGPCS repeatedly asserts that the U.S. and its partners purposely did so outside of traditional or formal venues (like the UN itself). [111] Instead, they opted for an arrangement "…without a formal process of membership, without a formal strategy, without a secretariat, and without a formal decision-making process."[112] The CGPCS nevertheless includes "key international organisations (UN, IMO, INTERPOL, the European Union and NATO)" and now numbers "over 60 countries and 20 organizations."[113] According to former CGPCS Chairman Henk Swarttouw, the group's model was developed "approximately along the lines of the 2008 [U.S.] National Security Council's 'Countering Piracy Action Plan—Horn of Africa,'"

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[109] Smith, "EU - NATO Cooperation," 247.

[110] Huggins and Vestergaard Madsen, "The CGPCS," 20.

[111] Henk Swarttouw and Donna L. Hopkins, "The Contact Group on Piracy off the Coast of Somalia: Genesis, Rationale, and Objectives," in *Fighting Piracy off the Coast of Somalia: Lessons Learned from the Contact Group*, ISSUE Report 20, ed. Thierry Tardy (Paris: EU Institute for Security Studies, 2014), 12.

[112] Huggins and Vestergaard Madsen, "The CGPCS," 21.

[113] Swarttouw and Hopkins, "The Contact Group on Piracy off the Coast of Somalia," 13.

providing direct corroboration for U.S. policy entrepreneurship in addressing the problem of regional piracy.[114]

The CGPCS's model also allowed it to overcome the very essence of the EU-NATO, Cyprus-Turkey Participation Problem. By designing an informal venue based on consensus-based decision-making (essentially the "silence procedure" employed by NATO), and by changing the term for stakeholder engagement from "membership" to "participation," Cyprus was allowed to take part in the CGPCS' activities—including information exchange.[115] While the CGPCS' complete separation from the formal venues of the TSR has allowed it to overcome the Participation Problem, it has itself become further depoliticized thanks to extraregional actors who "have preferred to pretend that it is, because of political disinclination to be seen following the lead of what would otherwise look very much like a Western-led coalition; a good example of constructive ambiguity."[116]

In sum, the U.S. embrace of informal multilateralism allowed it to build a dynamic structure around which to build an international "coalition" by which to aggressively tackle Somali piracy. However, the plurality of actors did not fully mitigate the fact that the "primary burden of counter-piracy operations at sea was being carried by international organisations such as the European Union and NATO."[117] This quote reveals that the CGPCS' greatest diplomatic success has been its ability to provide a mechanism wherein two organizations that have previously come to an agreement to cooperate and coordinate their efforts but rarely do have actually managed to overcome the political and institutional blockages that habitually hamstring them. The concrete implications of the CGPCS for cooperation and coordination between the EU

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[114] Swarttouw and Hopkins, "The Contact Group on Piracy off the Coast of Somalia," 13.

[115] Ibid.; Consensus-based decision-making procedure wherein a lack of dissent indicates agreement.

[116] Swarttouw and Hopkins, "The Contact Group on Piracy off the Coast of Somalia," 13.

[117] Huggins and Vestergaard Madsen, "The CGPCS," 21.

NAVFOR, NATO, and U.S.-led Combined Task Force 151's respective operations will be discussed below.

5.2 Overcoming Obstacles to Cooperation and Coordination at the Operational Level

The purpose of this section is to understand the concrete implications of the breakdown of the Berlin Plus framework and how the resulting need to interact outside the established channels of formal EU-NATO security cooperation has impacted the operational level for the EU, NATO, and U.S. counter-piracy missions in the Horn of Africa. It will argue that the inability to exchange information could have severely impacted the ability of these actors' efficiently realize their objective of reducing regional piracy, and that overcoming such hurdles were central to their ability to coordinate their deployed resources via the Shared Awareness and Deconfliction mechanism (SHADE). Indeed, SHADE's ability to coordinate such efforts in turn appears directly related to the informational exchange systems that were developed by the different actors specifically for this theater of operations. The combination of the SHADE mechanism and information systems facilitated the creation and implementation of the Internationally Recognized Transit Corridor (ITRC), which has reduced and continues to reduce regional incidences of piracy while minimizing duplication of effort and maximize the impact of deployed forces.

5.2.1 Impact of Politico-institutional Obstacles on Operational Cooperation/Coordination

Information Sharing

Given that the EU's access to NATO's command and planning structures and military assets are clearly off the table outside of the Berlin Plus framework, it is logical that information has in many ways become the most critical resource and currency of exchange between the two

organizations when interacting outside of the framework. And indeed, even once formal asset

sharing and shared planning are no longer possible, the ability to exchange information between

cooperating actors in any theater of operations remains fundamental to their ability to

coordinate their efforts. Gebhard and Smith support this claim, asserting that "the passing of

sensitive information and the exchange of relevant intelligence across organization boundaries

is in fact the most challenging problem that the EU and NATO have to surmount when

cooperating in a non-Berlin Plus setting."[118] Smith notes the EU and NATO's inability to

formally share classified information has manifested itself in the organizations' respective

missions in Bosnia and Herzegovina and Afghanistan, although he notes that the small size of

the EU's Policing Mission in the latter has allowed commanders in the field "to cooperate in the

open due to states turning a blind eye…"[119] Concretely, the inability to share information results

from NATO's policy on not sharing classified information with countries with whom it has not

signed a security agreement; given that NATO assumes that any information it shares with EU

members will be shared with non-PfP signatory Cyprus, it simply does not share the

information.[120] However, such formal obstacles to information exchange have not always

prevailed at the operational level, where "the existing rules are often stretched… out of

operational necessity."[121]

This loose application of the rules would seem to have become the rule itself for counter-

piracy operations in the Horn of Africa. Smith observes that given that inter-organizational

cooperation there is "more hidden, red lines concerning the transfer of classified material do not

necessarily apply… this allows sensitive intelligence to be passed from ship to ship and over the

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[118] Gebhard and Smith, "The Two Faces of EU – NATO Cooperation," 8.

[119] Smith, "EU - NATO Cooperation," 255.

[120] Gebhard and Smith, "The Two Faces of EU – NATO Cooperation," 9.

[121] Ibid.

table."[122] Indeed, this sidestepping of formal obstacles to information exchange appears to have become semi-institutionalized in this theater of operations. In this case, the EU took the lead in developing an ad hoc policy permitting the unilateral exchange of information—a move followed by NATO, which subsequently adopted a similar policy.[123] Gebhard and Smith suggest that EU decision-makers recognized the critical need for overcoming information exchange obstacles if its first naval operation was to prove successful:

> Crucially, this agreement was given consent by the PSC, based on the consideration that the absence of such an arrangement would be 'binding what "Atalanta" could do and could not do'. This EU document has later been mirrored by a NATO agreement on the sharing of information.[124]

But Gebhard and Smith also recall that despite such ad hoc efforts, the overarching formal obstruction remains, observing that "the problem remains that there is no inter-organizational arrangement in place for communication, cooperation or command and control" and that "forces mandated to support one operation and not the other have difficulty sharing intelligence between operations" [125]

Deployment Issues

It has already been established that the absence of a Berlin Plus-moderated mission precludes EU access to NATO assets; as such member states of the respective organizations may find it difficult to decide how best to deploy their resources in a situation of overlapping operations such as that in the Horn of Africa region. According to Smith, the main difficulty for EU and NATO member states is in choosing through which organization and corresponding counter-piracy operation to channel their resources. He points out that this issue is especially

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[122] Smith, "EU - NATO Cooperation," 257.

[123] Gebhard and Smith, "The Two Faces of EU – NATO Cooperation," 9.

[124] Ibid.

[125] Ibid., 8.

salient for non-EU countries like Canada and Turkey, who "have chosen to insert ships into NATO's Ocean Shield because they will retain full command and control, unlike if they were to deploy in Atalanta."[126] However, the difficulty in deciding is perhaps more poignant still for countries with overlapping memberships in both organization.

A Potential Context for Operational Competition

Gebhard and Smith thus describe a situation in which a "model case for EU-NATO task-sharing and complementarity" risked turning into what is arguably a "prime example of strategic overlap and, potentially, duplication."[127] Despite the apparent sequencing in which NATO's initial regional counter-piracy operation Allied Protector (the first Western operation launched pursuant to the UN Security Council resolutions) was followed by the EU NAVFOR launch of Operation Atalanta in December 2008, such sequencing ultimately appears to have been unintended, as evidenced by NATO's launch of its follow-up operation Ocean Shield in early 2009. In terms of the two operations' attractiveness to their respective member states, Gebhard and Smith find that "EU NAVOFR 'Atalanta' is the more resourced operation" and "while NATO's mandate is broader on paper, the EU has a more evolved portfolio as a comprehensive security provider."[128]

5.2.2 Informal Channels: SHADE, Information Exchange Systems and Their Results

Despite these seemingly inauspicious beginnings to operational cooperation and coordination recent literature from Gebhard, Smith, and the EU Institute on Security Studies indicates that this initial risk of competition via duplication of effort in an overlapping EU and

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126 Smith, "EU - NATO Cooperation," 257.

127 Gebhard and Smith, "The Two Faces of EU – NATO Cooperation," 6.

128 Ibid.

NATO out-of-area missions has largely been avoided by the embrace of informal mechanisms—

similar to the theater-specific informal political cooperation discussed above.

Precedents for Multinational Presence and Informal Channels

In 2007 and 2008 the UN Security Council passed a number of resolutions calling for an

international response to a sharp spike in incidences of piracy in the Horn of Africa region.

While these resolutions were indeed followed by a large and diverse response from naval actors

including the thesis' main actors, the region already hosted the presence of various independent

deployers including unitary state actors like Canada, Denmark, France and the Netherlands

along with the U.S.-coordinated multilateral coalition, the Combined Maritime Forces (CMF).[129]

Indeed, the U.S. Combined Task Force (CTF) 150 was established via U.S. Naval Central

Command to pursue general maritime security and counter-terrorism objectives following the

attacks of September 11, 2001.[130] In addition to a precedent for the presence of extraregional

naval actors in the Horn of Africa region, Gebhard and Smith present a precedent for inter-actor

coordinating mechanisms in the form of the EU Naval Coordination Cell, or NAVCO. Beginning

in September 2008 and prior to becoming part of EU's Operation Atalanta, NAVCO served to

"enhance coordination and cooperation for a shared objective based on the scope of United

Nations Security Council resolution 1816."[131]

Hence there were precedents both for a multinational presence and mechanisms for

MMSC in the Horn of Africa region in the period leading up to the international community's

more concentrated response to regional piracy beginning in 2008. However, the concentration

and plurality of the response from 2008 has seen the development of multiple highly developed

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[129] Gebhard and Smith, "The Two Faces of EU – NATO Cooperation," 11.

[130] U.S. Naval Forces Central Command, "Our History," *U.S. Naval Forces Central Command U.S. Fifth Fleet Combined Maritime Forces*, accessed April 11, 2015, http://www.cusnc.navy.mil/command/history.html.

[131] Gebhard and Smith, "The Two Faces of EU – NATO Cooperation," 11.

mechanisms for maritime security cooperation and coordination. As discussed above, the

CGPCS is one such venue that managed to overcome political obstacles to cooperation by its

informal practices. The literature on regional MMSC suggests that informal practices

underpinned by a strong multinational and multilateral character have also been integral in

developing and supporting mechanisms for cooperation and coordination at the operational

level of counter-piracy missions. Gebhard and Smith contend that the informal and multilateral

character of the operations has been crucial to overcoming Berlin Plus-related roadblocks,

contending that:

> International context conditions EU-NATO cooperation in an important way: any EU-NATO issue can be framed as part of the multinational maritime efforts in the region, which not only depoliticizes many aspects of cooperation but also facilitates the exchange of information and opens up opportunities for coordination, which would be hard to attain in the formal EU-NATO context.[132]

As illustrated above, the importance of facilitated information exchange-based cooperation as

an enabler inter-actor coordination of operations is not to be underestimated and will be

demonstrated in the discussion of SHADE and its related operational mechanisms below.

SHADE: Origins, Functions and Results

In the literature examined within this thesis, the Shared Awareness and Deconfliction

mechanism (SHADE) has emerged as the principal vector of informal cooperation and

coordination of regional counter-piracy operations. Its role as a forum for these activities is

prominently described in the EU Institute for Security Studies 2014 report on the CGPCS, as

well as in Gebhard and Smith's work from the same year. Interestingly, Smith's previous work

from 2011 makes no explicit mention of SHADE; his 2014 co-publication nevertheless traces its

development to late 2008.[133] The EU-ISS report corroborates this chronology and indicates that

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[132] Gebhard and Smith, "The Two Faces of EU – NATO Cooperation," 7.

[133] Ibid., 11.

it is an outgrowth of the CGPCS's Working Group One, and thus a further result of ad hoc U.S. policy entrepreneurship within this theater of operations.[134]

According to Marcus Houben, the explicit reason for SHADE's creation is "to facilitate operational, i.e. naval, coordination."[135] SHADE's functioning revolves around an "open architecture" in which all those actors involved in naval operations in the Horn of Africa and the greater Indian Ocean region are welcome to participate, although meetings exhibit "hardly any formal rules... no formal conclusions" and as a result "no decision is taken."[136] As echoed by other report contributors, Houben asserts that such persistent informality was intended and designed by SHADE's creators—for which he designates the U.S.-led CMF and EU NAVFOR, although Gebhard and Smith suggest that the CMF took the lead and that the EU and NATO followed.[137], [138] Regardless of whom should be credited for SHADE's creation and in one of the few explicit derogations from its informal design, its meetings are exclusively organized by these three actors on a semi-rotating basis with "a permanent CMF chair and a rotational EU or NATO chair."[139] While the EU-ISS report establishes that the CGPCS receives financial support from a United Nations-managed trust fund, it is unclear whether SHADE receives any of these resources.[140] However, given that the CMF hosts the meetings as a permanent co-chair at its Headquarters in Bahrain, it seems likely that U.S.-led coalition bears a significant portion of the organizational costs, possibly with the support its rotating EU and NATO co-chairs.

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[134] Marcus Houben, "Operational Coordination of Naval Operations and Capacity Building," in *Fighting Piracy off the Coast of Somalia: Lessons Learned from the Contact Group*, ISSUE Report 20, ed. Thierry Tardy (Paris: EU Institute for Security Studies, 2014), 28.

[135] Houben, "Operational Coordination," 28.

[136] Ibid., 29.

[137] Ibid., 28.

[138] Gebhard and Smith, "The Two Faces of EU – NATO Cooperation," 11.

[139] Ibid.

[140] Swarttouw and Hopkins, "The Contact Group on Piracy off the Coast of Somalia," 16.

In terms of SHADE's ability to overcome Berlin Plus-related obstacles to security cooperation, Smith and Gebhard find that "EU-NATO cooperation at the operational and tactical levels profits greatly from the involvement in multinational coordination mechanisms that have a pragmatic focus on joint operational efforts rather than on political sensitivities within or between any of the coalitions involved."[141]

Having established SHADE's origins and multinational, informal design, it is time to examine how it functions. Oceans Beyond Piracy, a Colorado-based non-profit organization and observer of international counter-piracy efforts notes that SHADE meetings place a strong emphasis on "information sharing and the exchange of views between stakeholders from force-providing nations" and "are also used as a forum to coordinate and de-conflict ongoing military counter-piracy operations in the Gulf of Aden and the western Indian Ocean." In addition to regrouping present fleets, meetings have grown to include representatives from the maritime industry, international organizations and non-governmental organizations and take place every eight weeks.[142] According to Gebhard and Smith, the actual chairs from the respective Western naval missions never hold ranks higher than Colonel or Commander, which "helps keep politics out" in order to better enable operational coordination and best practices among deployed forces and merchant vessels.[143]

All of the sources pertinent to SHADE consulted in this case study seem to concur that its primary accomplishment in reducing regional incidences of piracy has been the creation of the International Recommended Transit Corridor (IRTC).[144] According to Houben, the IRTC serves to facilitate "the secure transit of civilian shipping through pirate-infested waters... the

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[141] Swarttouw and Hopkins, "The Contact Group on Piracy off the Coast of Somalia," 16.

[142] Gebhard and Smith, "The Two Faces of EU – NATO Cooperation," 11.

[143] Ibid.

[144] Oceans Beyond Piracy, "Shared Awareness and Deconfliction (SHADE)," last modified 2013, accessed April 11, 2015, http://oceansbeyondpiracy.org/matrix/shared-awareness-and-deconfliction-shade.

coordination of naval escorts of vulnerable civilian shipping in the IRTC and the Gulf of Aden…
and the protection of shipments from the World Food Programme to Somalia" principally by
designating specific operational time slots and geographic zones to force-deploying nations.[145]
Noting the very large area to be patrolled and the concentration of actors, Gebhard and Smith
find that the IRTC "not only reduces the area of operations, but also allows for more concerted-
task sharing between the three multinational deployments."[146] The authors also clarify that, as
with SHADE itself, the IRTC coordinator role is rotated among CMF, EU and NATO leadership
"to ensure tactical coordination." Such tactical coordination is apparently based on "the IRTC
Coordination Guide, a gentlemen's agreement to keep the number of ships per area within the
IRTC minimum: ten to eight vessels at a time to ensure good coverage."[147] It is important to note
that while the U.S.-led CMF, EU and NATO forces are presented as the most implicated in
SHADE's creation and implementation, other extraregional actors are also taking part in such
efforts. Oceans Beyond Piracy indicates that through SHADE

> China, India and Japan in early 2012 agreed to coordinate their merchant vessel escort
> convoys through the Internationally Recognized Transit Corridor (IRTC) with one
> country being 'reference nation' for a period of three months on a rotational basis. In
> June 2012 it was announced that South Korea would join these three countries to further
> enhance the naval operations against pirates. [148]

But if SHADE has provided a general forum for tactical informational exchange, operational
coordination, and the management of its IRTC offshoot, six-month rotations and bi-monthly
meetings surely cannot account for real-time tactical coordination such as that necessary to
coordinate ships' movements in the IRTC and greater Horn of Africa region. Indeed, such efforts
are supported by the existence of complementary information and communication systems,

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[145] Houben, "Operational Coordination," 29.

[146] Gebhard and Smith, "The Two Faces of EU – NATO Cooperation," 12.

[147] Ibid.

[148] Oceans Beyond Piracy, "Shared Awareness and Deconfliction (SHADE)."

which allow for real time cooperation and coordination via information exchange. Two such systems, MERCURY and the Maritime Security Centre – Horn of Africa (MSC – HOA) have been described as essential to the efforts undertaken by SHADE participants and actors who manage and make use of the ITRC.

Gebhard and Smith and Houben describe MERCURY (or Mercury net) as a "crucial" instrument in facilitating inter-organizational and multinational cooperation in the region. MERCURY is presented as a dedicated and secured internet-based network through which unclassified information is exchanged in a "neutral communications channel" that "allows all SHADE participants to coordinate in real time."[149] Gebhard and Smith identify the British naval forces as the initiators of the system prior to its adoption by SHADE; according to one of their sources, MERCURY is an "innovative" solution that overcomes communications-blockages between EU – NATO as well as with other participating nations with whom neither organization necessarily has a formal framework for communication exchange.[150] All three of the above authors also reference MSC – HOA as an important contribution to the interface between security actors and industry representatives. As an element of EU Operation Atalanta, MSC – HOA "provides 24-hour monitoring of vessels transitioning through the Gulf of Aden" and allows shipping operators to register their vessels' movements in a shared database while providing "the latest anti-piracy guidance."[151]

The sources consulted in this case study have presented substantial evidence of the development of informal channels, both at the political and operational levels, that have allowed participants in the international response to piracy in the Horn of Africa region to cooperate and coordinate their maritime security efforts despite existing political or institutional obstacles. The

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[149] Gebhard and Smith, "The Two Faces of EU – NATO Cooperation," 12. ; Houben, "Operational Coordination," 29.

[150] Gebhard and Smith, "The Two Faces of EU – NATO Cooperation," 12.

[151] Houben, "Operational Coordination," 32. ; Gebhard and Smith, "The Two Faces of EU – NATO Cooperation," 12.

EU-ISS report makes allusions to such obstacles, including Cyprus' role in the Participation

Problem as it affected its potential CGPCS 'membership,' but otherwise tended to focus on the

possible hesitations of non-Western security actors to 'follow the lead' of a NATO-based

coalition. While not impugning the organization's objectivity, it is important to note that it is the

EU's official analytical body concerning the CFSP and CSDP and is entirely funded by EU

Member States; this may explain the hesitation to discuss the sensitive and complex relationship

between the EU and NATO.[152] In contrast, Gebhard and Smith explicitly grapple with the

possible issues of inter-organizational competition between the two actors and their impacts on

political and operational cooperation and coordination; they also make sure to underline that

they have received no specific grant or funding for their work.[153] Regardless, both sources

strongly support the assertions that informal maritime security coordination and cooperation

have been instrumental in reducing regional incidences of piracy from a peak of 176 attacks in

2010 to just two in 2014, of which neither resulted in a successful hijacking.

The scope of this case study has been to focus explicitly on the realities of piracy *at sea* in

the Horn of Africa region. However, many of the actors present in naval operations have also

undertaken extensive comprehensive efforts relating to the stabilization of Somalia, as well as

the legal pursuit of captured pirates wherever and whenever possible. It seems likely that these

two examples alone could have also helped to reduce incidences of piracy by stemming their

very inception on land by supporting Somali state-building and raising awareness among those

potentially drawn to piracy of the very real legal ramifications of such activity.

Thus, while observers can note that the international naval response to piracy in the

Horn of Africa region has indeed presided over such a considerable decline, it is impossible to

wholly attribute this success to their efforts. If approached from the perspective of politico-

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[152] ISS - EU Institute for Security Studies, "About Us," *ISS - EU Institute for Security Studies*, accessed April 11, 2015, http://www.iss.europa.eu/about-us/.

[153] Gebhard and Smith, "The Two Faces of EU – NATO Cooperation," 16.

institutional obstacles within the TSR and the potential for inter-organizational competition that these create, the story can be interpreted more clearly. Despite the initial lack of coordination in the Western naval response to regional piracy, as evidenced by the mere presence of three overlapping missions with near-identical tasks, it would appear that the U.S., NATO and EU ultimately succeeded in cooperating on and coordinating at the operational level of their maritime security missions. Making concerted efforts to depoliticize their interactions by exploiting a strongly multinational context, the CMF and more importantly, the EU and NATO, effectively exchanged information and adapted their tactical approaches to maximize their resources and minimize the tensions of potential overlap via fora and mechanisms like the CGPCS, SHADE, IRTC, MERCURY, and MSC – HOA. The implications of this successful, informal security cooperation for the general health of the TSR will be addressed in the conclusions in the following chapter.

CHAPTER SIX: CONCLUSIONS

6.1 Transatlantic Security Regime: Cooperation, Competition or Both?

In examining recent developments in the TSR and the interactions of its primary actors while combatting piracy in the Horn of Africa region, this thesis has sought to provide a better understanding of what transatlantic security means in theory and in practice in the 21st century's increasingly multipolar world. Has the regime emerged intact despite the rise of external regional powers and the internal emergence of another regional security organization? Most critically and in reference to the original research question, does the presence of simultaneous missions from the TSR's main actors indicate increased inter-actor competition, or rather, a more flexible conception of security cooperation within the regime?

At the highest levels of the TSR's politico-institutional relationships, there are no clear answers to these questions. Although the ESDP/CSDP's inception and design were informed by the preferences of the U.S. as regional hegemon and without prejudice to NATO's primacy as the foremost regional security organization within the TSR, complex political disagreements have changed what appeared to be the course of European security in Berlin in 2003. As a result, EU – NATO cooperation as provided for by the 2003 Berlin Plus framework has only brought to fruition two of the EU's total 34 civilian and military missions to date. Ongoing political disputes between Turkey and Cyprus led to and have sustained the breakdown of Berlin Plus and thus of most formally planned aspects of EU – NATO cooperation. However, this thesis has highlighted the fact that this breakdown has been exploited by certain EU Member States, notably but not solely France, in order to advance national preferences for a stronger and more autonomous European defense and security policy. Furthermore, NATO's transformation into an out-of-area actor and exporter of security has not always met with public approval in European member

states like Germany, thereby reinforcing the impression of diverging interests within the TSR. The U.S. response to this divergence has been mixed: although it has attempted to overcome such obstacles by creating informal channels for inter-organizational communication, it seems to prefer achieving its security and defense objectives by developing coalitions of the willing, whether through NATO or other multinational coalitions, over using its resources to engineer the political rapprochements necessary to mend the EU – NATO cooperation breakdown. To most casual observers, all of these factors present an inherent context of competition in which the latter two actors seek to maximize their own legitimacy as actors within the regime. The possibility that the EU – NATO cooperation breakdown deprives the CSDP of access to NATO military assets could in fact be a positive development for the defense industries of certain EU member states has not been discussed, but could eventually be examined in an in-depth exploration of what form resource competition between the regional security actors takes or would take.

Researchers like Michael Kluth and Jess Pilegaard have made interesting observations about the build-up of naval capacity in certain EU member states that could inform such a debate on resource competition.[154] Ultimately, if one accepts the conceit of internecine TSR competition based on the Clinton-era NATO doctrine of the "3 D's" with special attention to duplication and discrimination, then isolating such instances of competition becomes easier.

The Horn of Africa naval operations case study, whose conclusions are presented below, clearly represents a situation in which the EU and NATO have launched and maintain very similar missions (if we stick to the actual naval missions themselves) and in which, at least formally, the organizations cannot engage in information- or resource-based cooperation due to the Participation Problem of mutual discrimination between respective members Cyprus and Turkey. The fact that the EU has replicated NATO's out-of-area evolution by rapidly engaging in

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[154] Michael Frederich Kluth and Jess Pilegaard, "Balancing beyond the horizon? Explaining aggregate EU naval military capability changes in a neo-realist perspective," *European Security* (2011), 20: 1.

out-of-area operations following the breakdown of Berlin Plus seems to further corroborate competition. However, if competition is apparent in the missions' duplication of tasks, the conclusions on the maritime case study below also find that operational realities do not always reflect what seems apparent at the macro-political level.

6.2 MMSC Case Study Conclusion

The presence of simultaneous missions is indicative of the breakdown of the formal channels of political cooperation between two of the three key actors within the TSR, the EU and NATO. The fact that Turkey has used its NATO membership to block Cyprus from signing of a bilateral security agreement with NATO has allowed other EU member states, notably France, to push for augmenting the CSDP both in autonomy and capacity for diverse civilian *and* military missions. The expansion of CSDP missions into out-of-area operations where formal cooperation with NATO is not possible due to these political crosscurrents has created a reality in which EU and NATO missions may at best duplicate efforts, and at worst compete directly in the same mission space. The political drive for such competition is evident in the overlapping Western counter-piracy operations in the Horn of Africa. In an evolved TSR in which the CSDP seeks to take up the mantle of provider for European security and defense interests and NATO legitimizes its continued existence as a provider of global security and defense interests through out-of-area operations, the presence of an EU military operation that serves the same purpose as NATO missions—in this case, Atalanta and Ocean Shield—amounts to competition as it threatens to undermine NATO's continued legitimacy as a security actor.

The breakdown of formal political cooperation between the two actors has directly hampered their ability to cooperate and coordinate their operational efforts in terms of joint planning/command as well as information and resource exchange/pooling as intended by the Berlin Plus agreement. But this political breakdown of cooperation and coordination can obfuscate the very real cooperation and coordination that has taken place on the ground, sea

and air in our case study on counter-piracy operations in the Horn of Africa. Although the literature discussed in chapter five points to the strong impact of the multinational and multilateral context that has conditioned this operational coordination and cooperation, it nevertheless appears that with the support of the U.S. (as a unitary actor) the EU and NATO have overcome obstacles to informational exchange and the coordination of their deployed forces while combating regional piracy.

By developing and exploiting informal and depoliticized channels with a strong multinational and multilateral character, the U.S., the EU and NATO have created two mechanisms by which they can cooperate and coordinate their counter-piracy missions while sidestepping the blockage of formal channels caused by the Participation Problem and the resultant breakdown of the Berlin Plus framework for EU-NATO interaction. By inviting other extraregional actors, institutions, and industry representatives, the CGPCS creates a depoliticized forum for informal political interaction, in a sense replicating the way in which PSC-NAC should allow for high-level political interaction between the EU and NATO. Meanwhile and as an outgrowth of the CGPCS, SHADE has evolved as an equally informal mechanism wherein the U.S., EU and NATO are nevertheless able to actively coordinate their deployed forces along with other actors—yet it is always chaired by a commander from one of these three actors. Finally, the development and use of MSCHOA and Mercury information systems within these two fora helps to overcome the aforementioned obstacles to information exchange and thus support the informal cooperation and coordination in this theater of operations.

6.3 General Conclusions and Openings

The breakdown of Berlin Plus and formal EU-NATO security cooperation have indeed led to the possibility for competition and even the appearance of competition between the two organizations—primarily concerning the scope each other's roles and their corresponding,

respective legitimacy for these roles within the TSR. This competition is evidenced by the mere presence of the two actors' out-of-area counter-piracy missions in the Horn of Africa region. However, this appearance of political competition belies a different reality at the operational level of these specific missions in which EU and NATO complement each other "in the spirit" of what Berlin Plus intended. Thus in this case, informal cooperation and coordination would seem to reflect a more flexible TSR in which both the EU and NATO can play important roles as security actors. However, as Gebhard and Smith have pointed out, such ad-hoc, informal and non-Berlin Plus security cooperation is not a long-term solution and will resolve neither the participation problem nor the breakdown in formal cooperation that has now endured for longer than a decade. Maintaining the status quo by failing to resolve the Participation Problem will likely continue to permit certain member states from respective organizations to exploit the breakdown to advance national priorities, security and otherwise; in so doing, they create further opportunities in which EU and NATO interactions exhibit competition or the potential for competition. Without substantive revision of the Berlin Plus framework, the resolution of Cypriot – Turkish relations or the introduction of an innovative formal solution to the problems occasioned by these issues, prospects for a TSR in which the EU and NATO routinely realize formal cooperation seem unlikely. While the semi-institutionalization of informal cooperation mechanisms such as those developed to combat piracy in the Horn of Africa serve to mitigate the challenges encountered by the staff of these organizations as they interact, ad hoc and operation-specific solutions do not address the continuing existence of macro-level problems.

Meanwhile, the United States' continues to call for burden-sharing at the highest levels: President Obama has beseeched European allies to materially demonstrate their continued engagement to the TSR as recently as the summer of 2014.[155] In the eyes of the present U.S. administration and those that follow, a European failure to demonstrate such commitment to

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[155] Obama, Barack, "We Can't Do it Alone," The Atlantic Council, June 3, 2014, http://www.atlanticcouncil.org/blogs/natosource/obama-warns-nato-allies-to-share-defense-burden-we-can-t-do-it-alone

the TSR could reinforce U.S. ambivalence towards it. Although undoubtedly reinforced by bipolarity and the presence of the perceived Soviet threat, the U.S. presided over a largely cohesive regional security regime for half of a century. If this regime and its organizational actors the EU and NATO cease to deliver results, the U.S. arguably has little incentive to remain tied to the principles and the spirit of collective defense. A combination of budgetary concerns and war weariness may lead it to embrace the principles of offshore balancing—a cautious, strategic retreat from hegemony reminiscent of the U.S.' pre-World War I penchant for isolationism but with a post-World War II nuclear arsenal—or, as it has recently done, to increasingly seek out European and non-European partners with which to build coalitions of the willing. This thesis case study has featured just such a coalition in the form of the Combined Maritime Forces, which features members from over 25 nations from various regions of the world.

Viewed through the lens of this thesis' theoretical framework of international regime and hegemonic stability theories, the recent changes in the TSR should not necessarily lead to its demise. The principle of collective defense among its members still holds and is now enshrined both in the regime's original formal multinational organization NATO and the EU through its growth as a security actor. The same is true for the reduction in U.S. hegemonic status vis-à-vis increasingly global multipolarity, as this does not diminish the sunk costs it has invested in the regime's establishment and does not call into question its dedication to the principle of collective defense. Nor does the fact that the EU has added security decision-making procedures and capacities call into question the principles and norms on which the initial TSR was established. However, persisting political and institutional obstacles between the EU and NATO will continue to create the potential for inter-organizational competition and duplication of effort and diminish the regime's value as a facilitator of agreement and collective action. This last risk could undermine the regime's continued existence if its participants, like in the U.S. example above, prefer to seek such facilitated agreement and action elsewhere.

Regime theory, as discussed above, has been valuable in providing the flexibility necessary to frame to the transatlantic security regime based on common principles, norms, rules and procedures. Conceptions of hegemonic stability proved most valuable in establishing the historical context in which the regime was first established and maintained through to the end of the Cold War. However, the fact that many realist perspectives predict the demise of regimes or alliances once a prevailing threat is removed seems to be disproven by the fact that, despite obstacles to formal cooperation, the transatlantic security regime continues to be inhabited by like-minded actors who often identity and address threats in similar ways—like in the Horn of Africa—even when such formal cooperation proves difficult or impossible. This thesis has raised other puzzles that call for future exploration. Such puzzles include the curious sequencing between the initial NATO Allied Provider mission, the EU NAVFOR Operation Atalanta and NATO's follow-up Ocean Shield operation, and the political economy of security competition and cooperation within the transatlantic security regime among others. Closer examination of unitary state actors apart from the United States was infeasible given the scale of this current project; the same was true for closer examination of EU and NATO decision-making procedures and other institutional dynamics. Thus, future exploration could likely benefit from both liberal intergovernmentalist and institutionalist perspectives to the transatlantic security regime generally and to motivations of its numerous actors in launching their respective counter-piracy operations in the Horn of Africa region.

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