



Adapting to turbulent waters: EU maritime security and implications for Norway

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RECOMMENDATIONS

- Maritime security has become a key priority for the European Union (EU), with an increased focus both on strengthening the maritime dimension of European core security and defense, and on strengthening EU resilience against military and hybrid threats.
- The 2023 update to the EU Maritime Security Strategy (EUMSS) and Action Plan reflect growing concerns over a more tense geopolitical context
- Maritime security is a core area of EU-NATO cooperation
- As a non-EU member, Norway needs bilateral agreements to join many of these initiatives, which are progressing at rapid speed and are of much importance to Norwegian security and defence interests

Search for influence in an increasingly strategic field

Maritime security has become a top priority for the EU, as evident in its Strategic Compass for security and defence (2022) where it was identified as a strategic domain. The intensification of geopolitical tensions has further extended strategic competition to the seas. At the same time, a proliferation of threats has emerged at sea, including the security of migration routes, human rights at sea, implications of climate change and global warming, and the pressing challenges posed by organised crime and marine terrorism. The attacks on the Nord Stream pipelines have heightened the urgency for safeguarding critical infrastructure at sea, for surveillance, and coastal and offshore patrolling. Governance of the high seas invites further challenges. They are considered part of the Global Commons that, as with outer space, the atmosphere and the poles, are largely beyond the jurisdiction of nation states.

Against the backdrop of escalating tensions and decline in international cooperation, enhancing the EU's maritime presence has been recognised not only as a paramount security imperative, but also as an economic interest of the Member States: The EU has the largest maritime territory in the world (counting exclusive economic zones), is home to 329 key seaports and most goods to and from Europe travel via the sea (90% of trade exports). In addition, up to 99% of global dataflows travel via subsea cables, and the EU's energy dependence on oil and gas, which largely travels to the EU via the sea, remains high. Maritime security is thus among the fastest-growing EU policy areas. In addition to the threats listed above, Russia and China's increasing assertiveness at sea has intensified longer term processes towards an increasingly robust and multifaceted EU maritime foreign and security policy.

Bipartite maritime foreign policy: embracing multilateralism, elevating resilience and defence

The EU has been described as a normative actor and a multilateralist who promotes the maintenance of international law and multilateral cooperation. But in a changing context with more geopolitical rivalry, including an emergence of threats at sea, the EU is transforming and focusing more on its own security interests. As a consequence, it now conducts a maritime security policy with three main dimensions. First, the EU has undertaken initiatives to bolster its maritime security and defence policy, moving towards a greater emphasis on reinforcing European defence and enhancing EU resilience against various military and hybrid threats, in particular in its near abroad. Increasingly, it combines tools across EU policy areas in order to obtain these goals. The EU focuses on strengthening areas such as maritime surveillance (including the integration of space-based solutions linked to IRIS 2), the protection of critical maritime infrastructure, cyber threats and surveillance along the coast and offshore. Second, the EU also has a clear focus on combating other challenges at sea, sometimes referred to as blue crime, such as human smuggling and various threats to free navigation, such as piracy. As part of this, the EU's maritime crisis operations increasingly aim at solving free movement bottlenecks. Third, in relation to the increasingly contested high seas areas, multilateralism remains the cornerstone of EU policies. The EU view, as expressed in its strategies and policy documents, is that interdependence, trade and common rules and cooperation through common institutions reduce conflict and serve its broader strategic and economic interests. This view has been reinforced in the Strategic Compass (2022) and the European Union Maritime Security Strategy (EUMSS) of 2023. The United Nations Convention on the Law of the Seas (UNCLOS) serves as the bedrock for key EU policies in the EU's broader foreign policies, and it works towards this goal in the UN setting and in regional settings such as ASEAN.

On the outside looking in? Implications for Norway

Through the EEA Agreement, Norway and the EU have a framework for cooperation, particularly pertaining to the environment and the safety of goods which travel by sea. But this agreement only covers limited aspects of EU maritime security policy and Norway risks missing out on initiatives that may be important to Norwegian interests. Also, while the EU's aim of preserving peace through international governance regimes grounded in UNCLOS is in line with Norwegian foreign policy, a deterioration of multilateral cooperation and increased antagonistic competition in the maritime space and high seas means that this common ambition is more difficult to realise than in the past.

The first EUMSS and accompanying Action Plan (2014) aimed to tackle threats at sea such as illicit activities, competition for natural resources and threats to freedom of navigation. The Strategy was updated in 2023, and structured around six key objectives, which chart the course for EU maritime action. Big steps are already taken, all with significant implications for Norway. These include 1) stepping up naval exercises and the fight against illegal and illicit activities at sea including piracy and armed robbery, organised crime, smuggling of migrants, trafficking and unregulated fishing, 2) strengthening cooperation with partners, likeminded countries and regional and international organisations, uphold UNCLOS and the rules based order, intensify cooperation with NATO in line with the third Joint Declaration of 2023, 3) lead on maritime domain awareness including information sharing (CISE) and maritime surveillance (MARSUR), integrating space-based solutions and reinforcing coastal and offshore patrol vessel surveillance, 4) Increase resilience and preparedness, including protection of critical maritime infrastructure as well as early warning on effects of climate change, 5) enhance civilian and military capabilities 6) educate and train, responding also to the need to tackle hybrid and cyber threats.

Norway often looks to NATO when it comes to traditional defence with international partners, however, developments in the EU are likely to impact Norwegian security and defence in the maritime sphere, both through increased EU-NATO maritime security cooperation, and due to the many steps the EU is taking to further develop its security and resilience in the domain. Across its security and defence structures, the EU is, for example, progressively undertaking measures to enhance interoperability in the EU and ease cooperation between Member States, also on conventional security. This reflects a growing ambition to harmonise defence structures across EU member states: through PESCO, the EU in 2017 committed to improving military mobility (where Norway also participates), which also has become an avenue of cooperation for the EU and NATO, for example ensuring smooth transfers of troops and materials. With many shared interests between Norway and the EU Member

States, Norway needs to ensure that it benefits from the complementarity and increased clarity in division of labour between NATO and the EU, which has become ever more evident during Russia's war on Ukraine and as expressed through consecutive EU-NATO Joint Declarations. Not being a fully integrated EU member, Norway also needs to ensure that it can be a part of the surge of initiatives rapidly emanating from the EU that may be important for Norwegian security and defence. Norway already participates in the European Defence Agency's Maritime Surveillance project (MARSUR) and the voluntary EU collaboration the Common Information-Sharing Environment (CISE), which aims to make EU and EEA states' surveillance systems interoperable and ensure access for relevant authorities to classified and unclassified information needed to conduct missions at sea: preventing ship pollution, border control and general law enforcement and defence, fisheries control and marine pollution preparedness. The EU now plans to integrate space-based solutions and reinforce coastal and offshore patrol vessel surveillance, aimed at boosting maritime situational awareness. This may prove challenging for Norway, which has struggled to become fully integrated into EU space initiatives such as IRIS 2. The updated EU Maritime Security Strategy (2023) and Action Plan also include plans for developing common requirements for surface and underwater defence technologies. This should facilitate smoother cooperation between EU Member States, potentially extending to Norway as an active participant in the European Defence Agency (EDA) and through its joint procurement agreements with the EU. However, while it participates in EDA discussions, as a non-member its ability to shape these common requirements are more restricted. Likewise, standing outside of EU cooperation, counter-terrorism initiatives at sea are based on bilateral agreements rather than full participation in EU policies. Although UN frameworks aim to tackle these challenges, UNCLOS is less clear on the powers states have to protect offshore installations, pipelines and submarine cables from terrorist attacks. Considering that the EU, for example, plans to build interoperable unmanned systems to monitor critical maritime infrastructure and to increase surveillance through a regional permanent surveillance plan for underwater and offshore infrastructure, Norway, with key infrastructures at sea, should make sure it is a part of these initiatives. The EU also plans to increase the resilience and protection of critical maritime infrastructure, including gas pipelines, undersea cables, offshore energy facilities, ports, LNG terminals in sea basins around the EU.

Conclusion

A multilateralist at its core, a main objective of EU maritime security policy is still to protect and enhance international cooperation and governance in the maritime space and the high seas. This is also a core interest of Norway in the maritime sphere, and it should seek to take advantage of

synergies. Norway would benefit from linking up to the EU as a reliable partner in protecting an international and peaceful order at sea. Simultaneously, in an increasingly tense geopolitical context - not least as a result of the signalling effect of Russia's military aggression against Ukraine - the EU has become more concerned with traditional defence and the need to increase its resilience and crisis management capacities against military and hybrid threats in its near abroad. Norway should pay close attention to the developments happening in the EU in this field, as it will not automatically benefit from closer cooperation with European partners when it comes to maritime security, including initiatives adopted through its Common Security and Defence Policy (CSDP) and PESCO. Indeed, according to its latest EUMSS update, the EU plans to step up its work on several PESCO-projects related to maritime security. Similarly, the EU is placing increased focus on protecting infrastructure and vessels at sea, but Norway is not automatically a part of this security architecture. Norway will also need bilateral agreements in other areas that are not linked to the EEA-agreement, which may be challenging given the speed in which these initiatives develop, the fact that they often cut across different EU policy areas, and the EU's tight agenda.

Maritime security will gain even more importance in the years to come. While the EU is still focused on international cooperation amidst rising competition and emerging threats, particularly following Russia's full-scale invasion of Ukraine, it is shifting to a three-pronged strategy: more focus on security close to home, reducing obstacles to international trade, while also maintaining close ties with partners for international cooperation in the high seas. The world's oceans are a contested space, where geopolitical powers compete, and the EU is responding with comprehensive plans for maritime security, including increased attention to critical infrastructures and military mobility. Many EU security challenges have a maritime dimension, and the findings here have implications beyond the maritime sphere: the EU is overall becoming a stronger foreign and security policy actor.

These developments are important to take note of for small nation-states like Norway that rely on NATO for core defence, but stand outside the core of EU cooperation on maritime security. With a decline in international peace and security and multilateral cooperation facing rocky waters, along with an increase in security threats and rapid environmental degradation, seeking alliances with likeminded partners to protect international governance frameworks has become a key security imperative.

Further reading

- Christian Bueger and Timothy P. Edmunds. 2023. “The European Union’s Quest to Become a Global Maritime Security Provider.” *Naval War College Review* 77 (1): 67–86.
- Elsa Gunnarsdottir & Marianne Riddervold (2024, *forthcoming*). ‘Maritime Security.’ In Lucarelli, S. and Sperling, J. (eds), *Handbook on Governance and the EU*, UK: Edward Elgar. Accepted for publication, forthcoming.
- Daniel Fiott (2021). ‘Naval Gazing? The Strategic Compass and the Eu’s Maritime Presence’ *EUISS Brief* (16) last 12 August 2023. https://www.iss.europa.eu/sites/default/files/EUISSFiles/Brief_16_2021.pdf
- Marianne Riddervold (2023). ‘The EU and the governance of the Maritime Global Space.’ *Journal of European Integration*, online first DOI: 10.1080/07036337.2023.2270615

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