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Somalia versus Captain ‘Hook’: assessing the EU’s security actorness in countering piracy off the Horn of Africa

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Abstract *An internal security problem of Somalia—state failure from internal conflict resulting in increased piracy—has increasingly become an external security problem for the European Union (EU). This article contributes to analysing the role of the EU as a security actor in countering piracy off the Horn of Africa, by examining three different dimensions of the EU response to this problem: (a) the immediate EU response (the EU military mission EUNAVFOR Atalanta); (b) the medium-term EU response (the Critical Maritime Routes (CMR) programme launched by the European Commission); and (c) the long-term EU response (development and security assistance). This article concludes that the EU has been very active in addressing piracy through its naval task-force to protect maritime transport in the western Indian Ocean and the Gulf of Aden, as well as its efforts to enhance regional counter-piracy capacities and thematic and geographical financial instruments. The EU thus has taken up the fight against ‘Captain Hook’.*

Introduction

You can’t ignore the pirates anymore. They’re gaining more and more muscle. They used to invest their money in just boats and going out to sea, but now they’re building up their military side. (Mohamed Aden, a clan leader in central Somalia, quoted in Gettleman 2010)

Maritime pirates have often been romanticized in popular culture. Steven Spielberg’s *Hook*, based on an early twentieth-century play by J.M. Barrie, features Peter Pan and his main antagonist, pirate Captain Hook, who is the widely feared lord of the pirate village in Neverland. He wears a big iron hook where his right hand would have been. Unfortunately, it was cut off by Peter Pan, and subsequently eaten by a saltwater crocodile. Portrayed as a dangerous character, Hook is also frustrated and tragic, at some point even contemplating suicide. In the end, however, good wins against evil when Peter Pan defeats Hook during the final battle. In the movie *Pirates of the Caribbean*, pirate Captain Jack Sparrow is a romantic and intelligent pirate, who prefers to achieve his goals using wit and intellect, rather than resorting to violence. In contrast, the seventeenth-century

book *The Buccaneers of America*, by the French writer Alexandre Exquemelin, offers an eyewitness story filled with violence, torture and murder. While entertaining, the piratical fictional characters played by Dustin Hoffman and Johnny Depp, respectively, do not represent an accurate image of modern-day maritime pirates. Instead of wearing colourful clothes and travelling on three-mast vessels, the modern organized crime groups use skiffs and can be more accurately portrayed as ‘carrying rocket launchers, demanding multimillion dollar ransoms and hijacking 1,080-foot oil tankers’ (msnbc.com 2008). In recent years, the Horn of Africa has witnessed an outburst of violence at sea, with most piratical attacks and almost all cases of hijacking occurring in this region.

A distinctive characteristic of Somali pirates is that they do not merely steal commercial vessels or their cargo. Instead, they exploit the lack of law enforcement in their home country by kidnapping crewmembers in exchange for ransom—a strategy that is much more profitable (Blanchard et al 2009). On average, one pirate can earn between US\$6000 and US\$10,000 for a US\$1 million ransom (International Expert Group on Piracy off the Somali Coast 2008). This constitutes the equivalent of two to three years’ salary earned from legal activities (International Expert Group on Piracy off the Somali Coast 2008). However, it must also be noted that those recruited tend to be uneducated. Thus, they only have a minimal chance of finding a legitimate source of income at this level. Although US\$10,000 constitutes a substantial gain for a Somali pirate, it is only a fraction of a typical ransom. Where does the rest of money go? In order to secure their activities on land, pirates need the support of local political forces—the warlords. Therefore, a large proportion of the money often goes to those individuals, who have their own illegal ventures, such as human-trafficking and mining (Murphy 2009). Significant resources are also ‘reinvested’. Fathi Osman Kahir, a piracy ‘treasurer’ from an offshore town Hobyo, explains:

When we get more money, we recruit more ... There’s up to 500 people working with us in Hobyo, that’s 10 percent of the population and I’m just talking about the people on the ground ... We have a hierarchy. What do you think we do? We pay wages too. (Quoted in Agence France-Presse 2010)

According to Lehr and Lehmann,

The magnitude of Somalia’s pirate problem now seems to be comparable with that in South-East Asian waters: in both regions, we are basically confronted by a flourishing organized crime or a veritable ‘piracy industry’, as compared with mere ‘maritime mugging’ elsewhere. (Lehr and Lehmann 2007, 3)

Whilst this observation was accurate before 2008, in recent years Somali piracy has become an even more serious problem than piracy in Southeast Asia. The outburst of piracy off the coast of Somalia must be seen as one of many forms of organized violence linked to the fact that Somalia remains a thoroughly failed state. The country is torn by violence on a daily basis. It has no central government possessing control over the territory of the country, or even Somalia’s capital, Mogadishu. This condition of permanent insecurity contributes to Somalia’s disastrous humanitarian situation. Currently, the main source of instability in Somalia is the ongoing struggle of Islamist insurgent groups—some of which are linked to al-Qaeda—to capture Mogadishu and to take over the rest of the country. Al-Shabaab is the most prominent among those groups, claiming responsibility

for the July 2010 bomb attacks in Kampala, the capital of Uganda, in which at least 76 people were killed. Consequently, what used to be an internal security problem has, in recent years, moved outside Somalia's international boundaries, and, thus, has become an international security problem.

In response to this, the United Nations Security Council (UNSC) urged states and regional organizations to take action. Amongst the actors responding to this request is the European Union (EU), launching its first-ever naval mission EUNAVFOR *Atalanta*, a Common Security and Defence Policy (CSDP) mission. This article contributes to discussions on the EU as a security actor in the external dimension of internal security (of Somalia), by analysing different dimensions of the EU's response to this problem. The EU has become an international policeman through its naval capabilities when military forces turn into internal security missions and adopt certain policing and judicial functions. The argument here is developed as follows. The first section outlines a comprehensive approach to analysing the EU as an international security actor, in order to create a framework for assessing its role in countering piracy off the coast of Somalia. The framework provides the foundation for three types of EU policy: (a) a military operation deployed to protect maritime transit as short-term measure, (b) efforts enhancing anti-piracy capacities in the region as a medium-term response, and (c) the long-term involvement of the EU in addressing some of the major root causes of violence and organized crime in Somalia and off its coast.

The EU as a comprehensive security actor in countering maritime piracy

Scholars have long been trying to conceptualize the role of the European Community, and later the EU, as an actor in international relations (Cosgrove and Twitchett 1970; Sjöstedt 1977; Hill 1993; Jupille and Caporaso 1998; Ginsberg 1999; Bretherton and Vogler 2006). One way to better understand the EU's 'actorness' has been to compare it to the idea of Europe's presence in world affairs. The concept of presence with respect to Western Europe was developed and later revised by Allen and Smith (1990; 1998), in order to reflect the fact that Western Europe is neither a fully fledged state-like actor nor a purely dependent phenomenon. Focusing specifically on the EU, Bretherton and Vogler (2006) define presence as shaping the perceptions, expectations and behaviour of others. Most importantly, presence does not indicate purposive external action; instead, it is a consequence of being. By contrast, as Larsen notes, '[t]o be an actor in a particular area must be the same as having a policy in this field' (Larsen 2003, 12). This article analyses the policies that the EU has deployed to counter piracy off the coast of Somalia and considers how these seek to address the root causes of this and other insecurities in the region.

It is suggested that scholars need to look beyond the immediate actorness of the Council of the European Union within its Common Foreign and Security Policy (CFSP) and Common Security and Defence Policy (CSDP) institutional framework in order to be able to assess the EU's security actorness comprehensively (Zwolski 2012a; 2012b). The EU's strategic discourse supports this broadening. Notably, the European Security Strategy (ESS) provides for a holistic understanding of security (European Council 2003). It identifies more traditional security threats such as weapons of mass destruction (WMD), but also points to global warming and poverty

as the possible causes of conflict (Biscop 2008, 8–13). This holistic approach is reinforced in the Report on the Implementation of the ESS in 2008 (European Council 2008). In this document, energy security and climate change are identified as global challenges and key threats, alongside the proliferation of WMDs, organized crime and terrorism (European Council 2008, 3–6).

These and other empirical developments have not gone unnoticed in the scholarly debate on the EU as an international security actor. In fact, there is a growing body of scholarship that incorporates this broadened approach. Notably, Kirchner argues that states have lost their monopoly on providing security and have emerged as one type of participant in a cooperative system (Kirchner 2006, 962–963). In this cooperative system, according to Marsh and Mackenstein, the European Community emerged as an international security actor by contributing to the Western European zone of peace and by establishing a dense network of economic and humanitarian agreements with the rest of the world (Marsh and Mackenstein 2005, 15). Indeed, Sebesta points out that the EU may be well equipped to become a truly revolutionary security actor, considering its 'economic might, its political stability, and rich tradition in ideas linking peace to justice' (Sebesta 2009, 590).

The comprehensive approach to analysing the EU's role in international security is also consistent with developments in security studies more broadly. It reflects the widening (new security threats) and deepening (new referent objects of security) of the international security agenda (Williams 2008, 7–9). Problems previously overshadowed by a nuclear rivalry between major powers and labelled as 'low politics' have become recognized for their impact on the security of millions beyond the Western world (Annan 2005, 65). This process has been facilitated by the shift away from an exclusive focus on 'present' existential threats towards a more probabilistic approach, focusing on diffuse risks (McInnes 2008, 276). Thus, security studies experts are not dismissing more traditional security threats; rather they are also incorporating the analysis of the nexus between security and health (Elbe 2007; McInnes 2008), security and poverty (Thomas 2008) and security and climate change (Barnett 2003; De Wilde 2008; Dalby 2009; Zwolski and Kaunert 2011).

Based on the strategic discourse within the EU, as well as the growing body of literature on the EU as a security actor adopting a comprehensive approach—which has been further reinforced by developments in security studies—this article suggests a comprehensive approach to analysing the EU as a security actor against maritime piracy. In this argument, the framework suggested by Hintermeier (2008) will be adopted. He notes that the EU's approach to security is based on two liberal institutionalist principles: (a) political integration, economic interdependence and multilateral cooperation, which together weaken the anarchical system of states, and (b) the principle of democratic peace (Hintermeier 2008, 667). More specifically, the EU pursues its security objectives through integration and enlargement, promotion of liberal values, promotion of sustainable development, effective multilateralism and strengthening international law. According to this view, the EU pursues these objectives through a combination of three types of instruments: (a) military; (b) political (for example, civilian crisis management instruments); and (c) economic (for example, positive and negative incentives, development aid).

These policy instruments, reflecting the comprehensive approach to studying the role of the EU as a security actor, correspond to three categories of recommendations on how to best address the problem of Somali maritime piracy. These recommendations fall into the following categories: (a) protecting maritime transit; (b) enhancing regional capacity; and (c) addressing root causes (Figure 1). With regard to measures aimed at protecting maritime transit (military instruments), the most radical recommendations include ashore operations against Somali leaders, bases and supporting structures. Vego suggests that a 'major counter-piracy operation should be planned, prepared, and conducted by a joint/combined task force commander' (Vego 2009, 176–177). Similarly, Commander Nakamura (Nakamura 2009) argues that pirate bases have to be attacked directly by special-operations forces and these attacks must be followed by conventional-forces operations on land. Less radical, but still within the category of military policies, are recommendations calling for 'more of the same', which entails the expansion of counter-piracy military operations in the region in order to cover areas further away from the Somali coast (Sterio 2010).

With regard to measures designed to enhance regional capacity, experts point to enhancing coastal monitoring and interdiction capabilities through training, technical support and deploying appropriate surveillance assets (Chalk 2008). For example, in Southeast Asia, the Regional Cooperation Agreement on Combating Piracy and Armed Robbery (ReCAAP) created an Information Sharing Centre, aiming to enhance the capacities of states in the region to tackle piracy of their coasts (Ho 2009). A similar instrument is currently being developed for countries around the Gulf of Aden, under the auspices of the International Maritime Organization (IMO). Also, the shipping industry must continuously work to improve the capacities of merchant vessels to defend themselves. To this end,

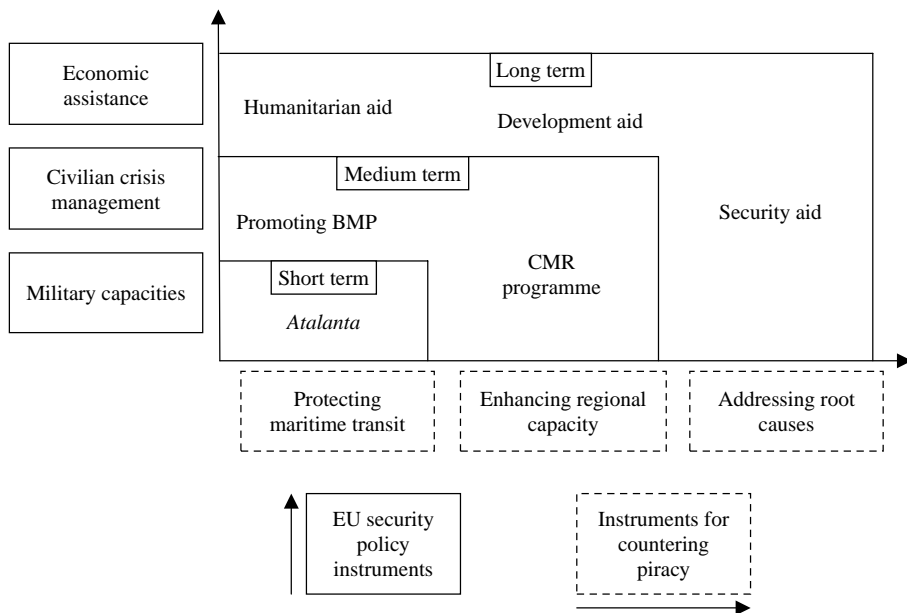


Figure 1. The EU as an international security actor in the case of maritime piracy: three categories of instruments

EUNAVFOR *Atalanta* has been publicizing the 'Best Management Practices to Deter Piracy off the Coast of Somalia and in the Arabian Sea Area' (BMP). The BMP is a set of rules developed by the shipping industry in cooperation with EU and North Atlantic Treaty Organization (NATO) task forces operating in the Gulf of Aden, to raise awareness among ship crews about how to avoid piratical attacks and what to do should an attack occur.

With regard to economic and financial measures, experts almost unanimously point to addressing the problem of the failed state of Somalia. For example, Vego observes that the causes of Somali piracy are political, economic and social; thus the response must be comprehensive, addressing these very issues (Vego 2009, 178). In this context, participants in the workshop sponsored by Research AND Development (RAND) on combating modern piracy underlined the importance of offering Somali coastal communities alternative sources of income, such as the development of small-scale industry and cooperative businesses (Chalk et al 2009). Regardless of the specific measures, at the core of the recommended preventive solutions is the message that '[i]f the states had invested the time and resources they now devote to combating piracy in reconstructing the Somali society and economy, they would probably not now have to cope with these problems' (Archibugi and Chiarugi 2009). Figure 1 illustrates how the comprehensive approach to analysing the EU's role in international security, suggested by Hintermeier (2008), corresponds with specific recommendations for tackling Somali piracy.

All these measures, ranging from short-term military missions to long-term developmental efforts, reflect the complexity of the challenge at hand. Somali piracy, as one of the many outcomes of the failed state of Somalia, underscores problems such as the lack of law enforcement, extreme poverty and the lack of effective political governance. Scholars have recognized the complexity of maritime piracy in the Horn of Africa, and have tried to identify the main causes of piracy in this region. According to Murphy (2009), the following enabling factors are particularly relevant for understanding the outburst of piracy in the Horn of Africa:

- a. First, conflict and disorder create enabling conditions for piracy to thrive. This is at the root of piracy in the western Indian Ocean and the Gulf of Aden, conflict and disorder having ravaged Somalia for almost two decades.
- b. Second, the promise of receiving significant financial rewards, underpinned by extreme poverty, is also a crucial factor. Yet, Burnett notes that '[p]overty is the driving force behind the increase in piracy, not just off the coast of Africa, but in the Caribbean, South America, India, Bangladesh, and Southeast Asia' (Burnett 2002, 117).
- c. Third, underfunded law enforcement and inadequate security characterize the Horn of Africa more generally, not only Somalia. Other states in the region, notably Kenya, Djibouti, Tanzania and Yemen, do not either, as yet, have capacities to tackle piracy effectively.

Furthermore, maritime piracy expert Peter Chalk (2008) suggests that the massive increase in commercial maritime traffic and the global proliferation of small arms are additional significant factors enabling piracy. According to him, ready access to munitions such as pistols, light and heavy machine guns, and rocket-propelled grenades (RPG), among others, 'is one of the main factors contributing to the

growing level of violence that has come to typify piracy in recent years' (Chalk 2008, 14). Other reasons for piracy, according to Chalk, include: the use by maritime traffic of narrow and congested maritime chokepoints; the Asian financial crisis; external pressure after the September 11 attacks on states to invest in expensive homeland security systems, which had a negative impact on securing territorial waters; the low level of security in ports, leading to harbour thefts (particularly in the Horn of Africa and Southeast Asia); and, finally, corrupt and dysfunctional national criminal justice systems.

The complex and multifaceted causes of Somali piracy necessitate a comprehensive, three-pronged response, as outlined above. The EU participates in all three types of recommended responses to piracy, which include: (a) protecting maritime transit, (b) enhancing regional capacity and (c) addressing root causes. Table 1 summarizes the policies and instruments that the EU has deployed up to date. They include measures that directly aim to counter the problem piracy, but also those with broader objectives of improving economic and security conditions in the failed state of Somalia. The next section will analyse each of the three responses to piracy undertaken by the EU.

Counter-piracy efforts: analysing the empirical instruments

In this section, this article will analyse the three types of EU policy that aim to address the problem of Somali piracy—directly (over the short and medium term) and indirectly (over the long term). The section first outlines the scope of the first-ever EU naval mission, EUNAVFOR *Atalanta*, which aims to provide protection for maritime transit by directly engaging suspected pirates. The mission was launched in December 2008, and its mandate was extended until December 2012. Subsequently, this section analyses the EU's efforts aiming to enhance regional capacities, which can be considered a medium-term response. Finally, this section also examines long-term EU policy on Somalia, which aims to address some of the root causes of piracy and other security problems in this country, such as the lack of effective law enforcement.¹

Protecting maritime transit

EUNAVFOR *Atalanta* is the flagship EU response to the problem of piracy off the coast of Somalia.² It is also the first EU naval mission. It was launched by the EU

¹ The EU's competence to develop these policies rests in the provisions of the treaties. EUNAVFOR *Atalanta* is grounded in the provisions of Treaty of the European Union, in particular Article 14, the third subparagraph of Article 25 and Article 28(3). Regional capacities are mainly enhanced through the Instrument for Stability, and particularly the Critical Maritime Routes Programme. The Instrument for Stability, as well as development financial assistance, is legally grounded in the provisions of the treaty establishing the European Community.

² It must be noted that other international actors are also active in the region. In October 2008, NATO deployed its Operation *Allied Provider* in the Horn of Africa to protect World Food Programme and other vulnerable vessels in the region. *Allied Provider* terminated in December 2008, but in 2009 NATO deployed another mission: *Allied Protector*. After its mandate expired in August 2009, a new mission followed: Operation *Ocean Shield*, which has a mandate until the end of 2012. Although both the EU and NATO make an effort to

Table 1. The EU short-to-long-term resources

Protecting maritime transit	<ul style="list-style-type: none"> • EUNAVFOR <i>Atalanta</i> military operation • Web-based platform Maritime Security Centre: Horn of Africa
Enhancing regional capacities	<ul style="list-style-type: none"> • CMR programme • BMP
Addressing root causes	<ul style="list-style-type: none"> • Humanitarian assistance • Development assistance • Security-oriented assistance • EUTM training mission in Uganda

Council of Ministers in November 2008. The Council Joint Action from 10 November 2008 provides the legal basis for this CSDP operation, stating that '[t]he European Union (EU) shall conduct a military operation in support of Resolutions 1814 (2008), 1816 (2008) and 1838 (2008)' (Council of the European Union 2008, 35). The purpose of this unprecedented EU operation was defined as twofold: to protect the vessels of the World Food Program delivering aid to Somalia and to protect vulnerable vessels cruising off the coast of Somalia.

EUNAVFOR *Atalanta* consists of two major components. The first component includes warships, surveillance planes and other military capabilities of EU member states, commanded by the Operational Commander in Northwood and the Force Commander in Djibouti. The second component includes a web-based platform called the Maritime Security Centre (Horn of Africa).³ This platform, established by the EU in cooperation with the shipping industry, contributes to the security of maritime transport in the Gulf of Aden through the constant monitoring of registered vessels. In addition, it also allows actors involved in fighting piracy off the Somali coast to coordinate their efforts in real time.

The total number of EU military units involved in EUNAVFOR *Atalanta* has changed over the course of the operation. Table 2 indicates some of the capabilities deployed by EU member states.⁴

The EU also offers vulnerable vessels, upon their request, the protection of the so-called 'independent vessels protection detachments'. In June 2009, six such vessels were available in the region. The EU budget for the operation within the first year (December 2008 to December 2009) was established as €8.3 million. This sum covered expenses related to the functioning of the Operational Headquarters (OHQ) in Northwood and the Force Headquarters (FHQ) in Djibouti. It was collected from EU member states, proportionally to their gross domestic product (GDP). The actual costs of deployments are covered by individual member states taking part in the operation.⁵

Footnote 2 continued

underline close cooperation between their deployments, some criticism has been raised that two separate missions duplicate already expensive resources and are 'no more than a maritime beauty contest' (Seibert 2009). The US has been channelling its capabilities either through NATO or through the multinational Combined Task Force (CTF) 151. Other states active in the region include China, Russia, Japan, India, Iran and Malaysia.

³ < www.mschoa.org >.

⁴ < www.consilium.europa.eu/uedocs/cmsUpload/naviresOCTOBRE.pdf >.

⁵ < www.consilium.europa.eu/uedocs/cms_data/docs/missionPress/files/

Table 2. EUNAVFOR *Atalanta* military capabilities

Surveillance airplanes	Number: 3	P3-A (Spanish), P3-C (German), Atlantique 2 (French)
Naval ships	Number: 11	<i>Canarias</i> (Spanish), <i>Bremen</i> and <i>Karlsruhe</i> (German), <i>La Fayette</i> , <i>Améthyste</i> , <i>Germinal</i> and <i>Floreal</i> (French), <i>Evertsen</i> (Dutch), <i>HS Adrias</i> (Greek), <i>Louise Marie</i> (Belgian), <i>Fridtjof Nansen</i> (Norwegian)

The military capabilities provided by EU member states constitute just one, albeit the most visible, dimension of EUNAVFOR *Atalanta*. Another important resource allowing the EU to develop its actorness in the area of organized crime off the coast of Somalia is a web-based platform called 'Maritime Security Centre: Horn of Africa' (MSCHOA). An EU Military Staff official explained that the rationale for creating this website was to convince ship-owners and insurers that the Gulf of Aden was safe for transport. Otherwise, he pointed out, maritime transit in this region would become too expensive.⁶ He also admitted that MSCHOA is 'unprecedented for any military operation in history'.⁷ The website has three sections:

- An unprotected section, providing general information about EUNAVFOR *Atalanta*, including yachting guidelines.
- A password-protected section, explaining how those cruising through the Gulf of Aden can protect themselves, that is, what to do if an attack occurs. To this end, the website offers ship-owners 'the facility to register their details securely with MSCHOA, update positions of their vessels and receive information and guidance designed to reduce the risk of pirate attacks'.⁸ In 2009, there were over 4500 registered users.
- An additional-security section, allowing live communication among states and organizations involved in fighting piracy in the region of the western Indian Ocean and the Gulf of Aden. Some of the international actors that have been using the chat room include: EUNAVFOR OHQ and FHQ, Combined Task Force (CTF) 151, China, NATO, Japan, Russia, South Korea, Malaysia and the Seychelles. An official from the EU Military Staff admitted that 'it is remarkable that our partners really use it'.⁹

The popularity of this platform is indeed an indication of the EU's recognition as a facilitator of the exchange of information among actors fighting piracy off the coast of Somalia. Assistant Chief of Staff (Operations) for the Combined Maritime Forces, Commander Alistair Clark, envisaged in June 2009 that MERCURY (the technical name of the chat room) was about to become 'the main means of disseminating unclassified information' (Clark 2009, 7). Both aspects of EUNAVFOR *Atalanta*, the

Footnote 5 continued

091207%20Factsheet%20EU%20NAVFOR%20Somalia%20-%20version%2013_EN02.pdf >.

⁶ So far, most shipping companies have continued to calculate the odds in terms of transiting the Gulf of Aden, reasoning that the cost of diverting to alternative routes far exceeds the risk of attack.

⁷ Interview in the EU Military Staff, 9 June 2009.

⁸ <www.mschoa.eu/About.aspx>.

⁹ Ibid.

military and electronic, constitute an important step for the EU to develop a military dimension of its international security actorness in the area of organized crime. The military operation adds a naval component to the EU experience of working within the framework of the CSDP. Rear Admiral Philip Jones of the UK Ministry of Defence, when examined by the House of Lords, underlined the novelty of *Atalanta*:

It is the first ever EU maritime operation conducted under ESDP. I am the first ever UK commander of an EU operation under ESDP, so there are two very significant firsts there, and I think that the range of other navies that we are dealing with in the area has been an absolute first. (House of Lords 2010, 1)

The MSCHOA, on the other hand, demonstrates how internet technologies can be utilized when responding to contemporary security challenges, such as organized crime. Admiral Jones notes that the website ‘has been one of the unexpected and very significant successes of the operation, where almost all of the shipping companies that transit through the Gulf of Aden register’ (House of Lords 2010, 3).

Enhancing the regional capacity

In order to investigate the EU as a counter-piracy security actor in a comprehensive manner, analysis must go beyond the military operation and also include longer-term activities. This implies and demands moving beyond the CSDP, in order to look at all the instruments available to the EU, most notably through the European Commission (and currently the European External Action Service (EEAS)). While the Commission, traditionally, has not been regarded as important for EU security, over time this view has begun to be questioned (Kirchner 2006; Keukeleire and MacNaughtan 2008; Kaunert 2005; 2007; 2010a; 2010b; 2010c; Kaunert and Della Giovanna 2010; Kaunert and Léonard 2011). In fact, empirically, it has been playing an increasingly significant role in EU security policy, both within and outside EU borders.

To perform such a role, the Commission has had a number of financial instruments at its disposal, the most important of which is the Instrument for Stability (IfS) (Gänzle 2009; see also Zwolski 2011a; 2011b). Following the Lisbon Treaty reforms, the IfS will now be partially developed by the EEAS and implemented by the European Commission. This instrument, according to former member of the European Parliament (MEP) Angelika Beer, constitutes the first attempt to:

define the Grey Zone between the Council’s CFSP, ESDP and the Commission’s development policy, a step that might complete existing programs and might encourage active conflict prevention. (Beer 2006)

The IfS is designed for the EU to participate in projects aimed at strengthening law enforcement, as well as strengthening the capacities of judicial and civil authorities in such areas as combating terrorism and organized crime (European Parliament and the Council 2006).

One of the areas where the EU can get involved, through the IfS, is in combating ‘threats to international transport, energy operations and critical infrastructure, including passenger and freight traffic and energy distribution’ (European

Parliament and the Council 2006). This competence enables the EU to utilize the IfS, which in principle is a non-CFSP instrument, to address the security problem of maritime piracy off the coast of Somalia. The Critical Maritime Routes (CMR) programme has been developed for this purpose, aiming to finance transnational initiatives enhancing the security of maritime transit, such as the sharing of information among states in vulnerable regions. The European Commission, in its IfS Multi-Annual Indicative Program 2009–2011, defined the CMR as follows:

This program will seek to address a number of risks and threats posed by piracy and armed robbery at sea in a comprehensive and integrated way by bringing together the appropriate legal frameworks, institutional arrangements and operational measures, including capacity building to improve the exchange of information. (European Commission 2009a)

Although the main geographical focus of the CMR programme is the Horn of Africa, limited support is also envisaged for combating piracy in Southeast Asia. Thus, in order to learn more about desirable responses to piracy in Southeast Asia, the Commission arranged a series of high-level expert missions to Singapore, Malaysia and Indonesia. The purpose of these missions was 'to identify, select and recruit experts from EU member states who would help us to prepare the specific projects in the regions'.¹⁰ In spring 2008, as a result of the sharp increase of piracy in the western Indian Ocean, the Commission decided that it was also necessary to deploy a similar fact-finding mission to countries around Somalia. A set of visits were organized to Djibouti, Saudi Arabia and Yemen. Somalia was not included, at the time, due to its lack of institutional capacities to actively engage in the fight against piracy.

Commission-sponsored projects are developed multilaterally under the auspices of the IMO. Of notable importance, in this regard, was the IMO meeting in Djibouti, in January 2009, in which the Commission participated as an observer. One major outcome of this meeting was the so-called Code of Conduct (Code of Conduct Concerning the Repression of Piracy and Armed Robbery against Ships in the Western Indian Ocean and the Gulf of Aden), together with the Resolution on Enhancing Training in the Region (IMO 2009). One of the priorities identified in the Code of Conduct was to enhance the sharing of information among the states in the region. To this end, the establishment of 'information exchange centres' was envisaged in Kenya, Tanzania and Yemen (IMO 2009). The European Commission decided to contribute to setting up the centre in Yemen. The centres do not seem to have become operational at the time of writing.

An official from DG EuropeAid Co-operation Office of the European Commission explained that, at the very minimum, the information-sharing centres in the Horn of Africa and the Gulf of Aden should mirror those already in place in Southeast Asia, established by the ReCAAP (Ho 2009). The Resolution on Enhancing Training in the Region, another important outcome of the Djibouti meeting in 2009, requests the Secretary-General of the IMO to establish a training centre in Djibouti, which will allow a uniform implementation of the Code of Conduct. The European Commission subsequently decided to support this project financially. For the

¹⁰ Interview at the European Commission, 10 June 2009.

period 2009–2011 the Commission assigned between €14 and €18 million for the implementation of the CMR programme (European Commission 2009a).

Addressing the root causes

Given our focus here on the EU as an actor in the external dimension of internal security (of Somalia), most notably piracy and organized crime, this article needs also to include longer-term EU activities. From talking to EU officials, it appears that addressing the root causes of piracy off the coast of Somalia is very important for the EU. In this context, some observers point to illegal fishing and toxic waste dumping as important reasons for piracy to emerge (Hari 2009; Tharoor 2009). These factors were also identified as root causes of piracy by a Somali government official during a May 2010 informal United Nations (UN) General Assembly meeting on piracy (UN 2010).

However, regardless of the degree to which illegal fishing and toxic waste dumping contributed to piracy off the Somali coast, almost all experts and EU officials agree that the failed state of Somalia constitutes the main root cause of piracy in the western Indian Ocean and the Gulf of Aden. Extreme poverty, the lack of law enforcement, and corrupt officials (warlords) make any anti-piracy task force only a partial solution. In order to address the problem over the long term, structural conditions in Somalia need to improve. Yet, this is easier said than done; indeed this task seems next to impossible in the post-2006 climate of constant violence and humanitarian disaster. Nonetheless, the EU remains the largest donor of official development assistance to Somalia, committed to improving political, economic and security conditions in this country. With regard to the political situation in Somalia, the EU, together with other international actors, continues to support the Transitional Federal Government (TFG) as the only authority in Somalia considered legitimate by the international community. In order to enhance security in Somalia, the EU contributes financially to the peacekeeping mission of the African Union (AU), and to the Rule of Law Program of the United Nations Development Programme (UNDP), and recently it also started its own training programme in Uganda for Somali security forces.

European Union development aid to Somalia is guided by the framework prepared jointly by the UN Development Group and the World Bank, upon the request of the TFG. Their work on the Joint Needs Assessment (JNA) for Somalia began in 2005, and resulted in the five-volume document called the 'Reconstruction and Development Program for Somalia' (RDP). The RDP identifies a number of priority needs for Somalia, which were grouped into three broad pillars: (a) deepening peace, improving security and establishing good governance; (b) investing in people through improved social services; and (c) creating enabling environment for private-sector-led growth to expand employment and reduce poverty (UN and World Bank 2008). The EU incorporated these pillars into its own development strategy for Somalia for the years 2008–2013 (EU 2008). Overall, the EU's long-term engagement in Somalia can be grouped into five categories: (a) EU humanitarian aid, (b) EU development aid, (c) EU support for the Rule of Law programme, derived from the UNDP, (d) EU support for AMISOM, the AU peacekeeping mission in Somalia, and (e) EU training missions in Uganda.

European Union humanitarian aid to Somalia is managed by the Humanitarian Aid department of the European Commission (ECHO). In Somalia, conditions for

delivering humanitarian aid are extremely difficult, with 37 aid workers killed in 2008; this was 66 per cent of all aid workers killed worldwide (Sullivan 2009). At the same time, Somalia is in a state of a constant humanitarian disaster, 225 out of 1000 children not reaching the age of five (EU 2008). The European Commission increased its humanitarian assistance from €12 million in 2007 to €45.8 million in 2008 (Council of the European Union 2010a). In 2010, the Commission allocated €35 million for the victims of conflict and natural disasters in Somalia (European Commission 2010a), but also €15 million for Somalis in Kenya, the location of the world's biggest refugee camp (European Commission 2010b).

European Union development aid, as opposed to humanitarian assistance, contributes to long-term development projects aimed at changing the structural conditions in the country. It is constructed around three main focal sectors, reflecting the three pillars identified in the RDP. The focal sectors, identified in EU's Somalia Joint Strategy Paper for the Period 2008–2013 (European Union 2008), include:

- a. Governance: promoting security, supporting reconciliation, strengthening governance, supporting Somali non-state actors.
- b. Education: strengthening and expanding the capacity of administration at all levels, the teaching force, access to education, the participation of disadvantaged adults.
- c. Economic development and food security: developing the framework for private-sector-led growth, supporting the main productive sectors, supporting sustainable management of natural resources, supporting food security and livelihood recovery.

The total budget for the long-term EU's development assistance to Somalia for the years 2008–2013 is €215 million.

However, the EU is also involved in providing more security-focused assistance. First, the EU contributes to the Rule of Law and Security Program of the UNDP. This initiative aims to improve the security situation in Somalia through projects such as:

- a. Judiciary/access to justice: building mobile courts, training professionals, establishing the Women Lawyers' Association in Somalia.
- b. Law enforcement: providing training for the police, increasing access for women and children to justice.
- c. Community safety: building on the experience of similar projects in Haiti, Colombia and El Salvador, this project supports local communities in organizing local safety committees and in developing community safety plans. The EU has been focusing on supporting the development of the police force in Somalia, committing in total €43 million over the last few years (Council of the European Union 2010a).

In addition, the EU supports AMISOM, the AU peacekeeping mission in Somalia, launched by the AU Peace and Security Council in January 2007 and authorized by the UN Security Council (UNSC 2007). This mission, supported by the EU, the United States (US) and other international donors right from the beginning, aims to fill the vacuum created by the withdrawal of Ethiopian forces after they removed the Islamic Courts Union (ICU) from power in December 2006. Considering that many defeated Islamist fighters were involved in initiating the

guerrilla war in Somalia, the AU ministers decided that the existence of the TFG could only be secured by an external peacekeeping mission. AMISOM, although critical for the security of the Somali government, has limited resources. At the same time, al-Shabaab has increased its pressure, trying to capture, for example, the Presidential Palace in May 2010. African Union ministers, as a result of Kampala attacks in July 2010, attempted to broaden the mandate of the mission, to include peace enforcement, but this move was blocked by the UN (Kasasira and Muyita 2010). Since 2007, the EU has committed over €100 million to the support of AMISOM. Most notably, the EU pledged €60 million at the International Donor Conference on Somalia, hosted by the European Commission in April 2009, and co-organized by the UN and the AU (European Commission 2009b).

Moreover, in addition to supporting security in Somalia through other international frameworks, the EU launched its own mission in April 2010, aiming to train 2000 Somali forces in Uganda. EU Training Mission (EUTM) Somalia intends to contribute to the security situation in Somalia as part of a wider international effort and encompassing inter alia the vetting of trainees, the monitoring and mentoring of the forces once back in Mogadishu and the funding and payment of the salaries of the soldiers (Council of the European Union 2010b)

The success of this mission, which has the potential to significantly enhance the quality of the Somali army, will depend on the stability of wages being paid to those who are being trained. In April 2010, media outlets revealed that many Somali soldiers, trained with the support of US funding in Djibouti, deserted (Associated Press and Smith 2010). While some of them returned to their families, others joined al-Shabaab and are now involved in fighting the TFG and AMISOM forces.

Ultimately, the only long-term solution to piracy off the coast of Somalia is a more stable and lawful state of Somalia. This section demonstrated that the EU remains very active in providing long-term assistance. Yet, it remains difficult to assess the effectiveness of the EU's involvement. This is due to the fact that Somalia remains a thoroughly failed state, torn by permanent fights between various clans, as well as between Islamist insurgents and the forces supporting the TFG. As a result, it remains almost impossible to assess any progress. As a vivid example, one can note the fact that Somalia has been unable to even deliver data for the UNDP in order to rank the country in the Human Development Index. Over the long term, security and development in Somalia will depend on the ability of the parties to the conflict to reach some sort of agreement, as happened in 2004, when the Transitional Federal Institutions were created. Until then, the EU, through a variety of instruments at its disposal, needs to remain a leading international actor facilitating progress towards this goal.

Conclusion

In recent years, the internal security problem of Somalia has become an external security problem for the entire international community, the UNSC urging its member states and regional organizations to combat piracy. This article demonstrated how the EU has managed to construct an important role for itself in emerging security areas, such as the external dimension of Somalia's internal security problem. To this end, the article has analysed three types of EU policy, aiming to respond to this problem directly and indirectly. These policies include:

(1) policies aiming to protect maritime transport, primarily EUNAVFOR *Atalanta*; (2) policies aiming to enhance regional capacities, such as the CMR programme and the promotion of the BMP; and (3) efforts to address the root causes of insecurities in Somalia and off its coast, through a variety of assistance and training programmes. Figure 2 indicates that, whilst the EU's efforts to address the problem of maritime piracy are important and can be considered to some degree successful, longer-term policies aiming to improve the structural conditions in Somalia, albeit important, have not yet achieved visible positive outcomes.

The empirical evidence at hand seems to suggest that international anti-piracy measures deployed in the Gulf of Aden and the western Indian Ocean have achieved a degree of success. In the first three-quarters of 2010, the relative number of attacks worldwide and off the coast of Somalia decreased compared with 2009. In the Gulf of Aden, 44 attacks were reported as compared with 100 for the same period in 2009 (ICC-CCS 2010a). The report of the International Chamber of Commerce (ICC) Commercial Crime Services (CCS) points to the role of international actors: 'This marked reduction can be attributed to the continued presence and success of the navies in the Gulf of Aden along with the robust anti piracy measures adopted by the merchant navy fleet' (ICC-CCS 2010b). Further, International Maritime Bureau director Pottengal Mukunda points to the BMP as another important factor that helped to achieve this reduction in the number of piratical attacks (ICC-CCS 2010a). The fact that piracy in the Gulf of Aden declined in 2010 indicates a degree of success of the EU and other international actors.

However, at the same time, Somali pirates have moved further away from the Somali coast, with attacks reported for example in the Red Sea. Even more importantly, military protection of maritime transit cannot be considered a long-term solution to preventing Somali piracy from occurring. As the Deputy Operation Commander for EUNAVFOR *Atalanta* points out, pirates have

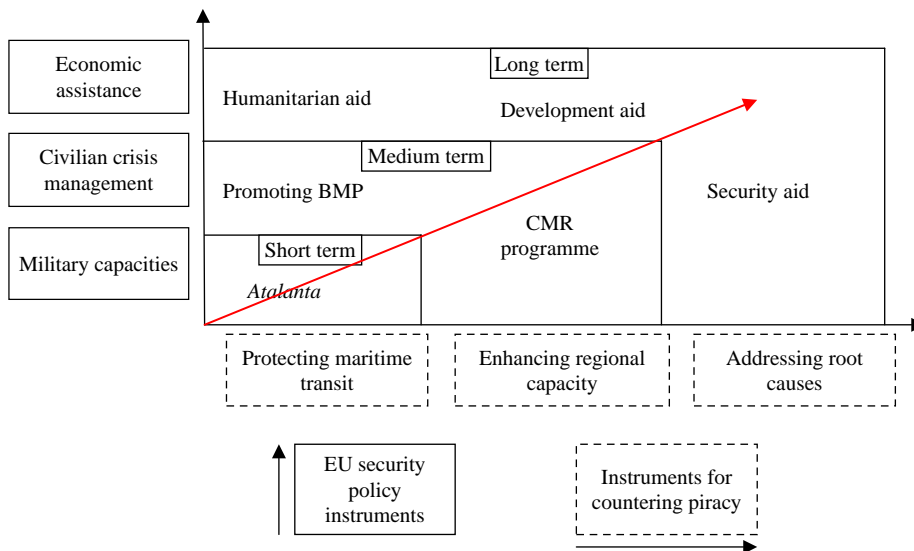


Figure 2. Longer-term EU policies to improve the structural conditions in Somalia have not yet achieved visible positive outcomes

developed their capabilities and operate in a vast area; thus it is crucial to stop money flowing to pirate gangs and to target pirate leaders. Yet, to achieve these objectives, the state of Somalia would have to be fully involved in anti-piracy measures. This, at the moment, is an impossible condition, given the severity of Somali state failure.

Somalia has often been mentioned as the first failed state; in fact, its overall security situation is probably worse than anywhere else in the world. More recently, some authors have even raised questions over the strategy of supporting the TFG, identifying such a strategy as unsustainable in the long run. For example, Bruton (2009) advocates the strategic disengagement of the US and the international community from supporting the Somali government (Bruton 2009, 82). This should be replaced, in her view, with a decentralized approach focused on providing aid to the society, even at the expense of Islamists securing the leadership of the country. If this proved to be the only available option in the long term, given the fact that the country, according to some authors, is 'beyond repair', then clearly the EU's security-oriented assistance to Somalia would ultimately emerge as a waste of money, and, in the end, be doomed to fail (Tannock 2009). However, this article does not provide any evidence to support this notion; in fact, it is very difficult to support this suggestion with empirical evidence. Rather, we have demonstrated the increasing role of the EU as an international security actor with respect to the problem of piracy off the coast of Somalia.

At present, empirical research is unable to truly assess the effectiveness of any actor in Somalia. This also constitutes an important limitation upon assessing the role of the EU as a security actor in the case of Somali piracy, particularly with regard to the long-term, structural component of this role. Reliable data from Somalia are scarce. This means that we are unable to empirically assess the effectiveness of the EU's policies, but, equally, we are also unable to assess other international actors, whether the US, the UN or the AU in terms of effectiveness. As a result, it is necessary to measure alternative dimensions of international counter-piracy efforts, such as the comprehensiveness of such efforts. In this regard, one can note that the EU's efforts are reasonably successful in that they are sufficiently comprehensive. In the case of Somali piracy, the comprehensive nature of security policy entails addressing the challenge at different levels, reflecting the fact that piracy in the Horn of Africa cannot be separated from problems on Somali land, most notably constant violence and extreme poverty. The EU has been active in addressing these problems through its thematic and geographical financial instruments, thus indirectly contributing to addressing the root causes of piracy. In addition to these long-term efforts, more recently the EU has become active in enhancing regional counter-piracy capacities and, most visibly, it has deployed a naval task-force to protect maritime transport in the western Indian Ocean and the Gulf of Aden.

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