MARITIME SECURITY GOVERNANCE IN THE FIGHT AGAINST PIRACY OFF THE COAST OF SOMALIA: A FOCUS ON THE EU RESPONSE

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Abstract: *Although currently on a declining trend, large scale piracy off the coast of Somalia cannot be safely dismissed as a thing of the past: since the mid-2000s, piracy in the Western Indian Ocean has put in peril the international and regional security. Maritime threats are interdependent, asymmetric, persistent, shifting and generated by manifold and mutually-reinforcing root causes, hence their high probability of recurrence or relocation in the absence of a generally improved and self-sustaining security environment. Confronted with these complex challenges, numerous state and non-state actors have taken steps to prevent, mitigate or suppress piracy off the Somali coast. Within the security governance framework, the present paper outlines the major actors activating in the counter-piracy field in the region and their specific responses, focusing on the comprehensive measures undertaken by the EU in this realm.*

Keywords: piracy; Somalia; maritime security; security governance; European Union

Introduction

The issue concerning maritime piracy emanates a sort of permanence in world politics. A French author once said that piracy is „*une activité vieille comme la mer*" (Sartre, 2009, p. 296). Throughout the time, piracy has been a source of concern and unease among leaders, merchants, travellers, and sailors. Piracy plagued the Eastern Mediterranean between 1000 BC and 67 BC (Alexander and Richardson, 2009, p.10); it had the power and urgency to gather the most powerful European city states into the Hanseatic League; and over the last decade it has attracted an unprecedented interest and preoccupation within the international community. The sharp rise in the incidence and violence of attacks in the African waters after 2008 prompted a multi-level and multi-dimensional response on behalf of a plethora of state and non-state actors. Without intending to be exhaustive, this

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paper reviews the key counter-piracy actors off the coast of Somalia and the relevant measures undertaken by such actors; a special emphasis is placed on the EU efforts to provide a comprehensive response to piracy in the region.

The article is structured as follows. The first section briefly presents the general conceptual framework of security governance and then turns to the more specific notions of maritime security and maritime security governance, placing piracy into this context. The main challenges posed by piracy off the Coast of Somalia and the main regional and international responses are outlined in the second section. Lastly, the EU`s comprehensive approach in tackling piracy in the region are examined more in-depth in the third part of the paper.

1.   Charting Responses to Piracy off the Coast of Somalia: the Usefulness of a Security Governance Approach

1.1. Dealing with Complexity: The Security Governance Approach in International Relations

Although envisaging a link between security and governance is not a novel endeavour *per se*, security governance as we understand it today has only been developed over the last decade. The concept emerged out of the need for a comprehensive framework able to grasp the intertwined transformations taking place in the security realm: the multiplication of security actors, the expansion of the security agenda and the institutionalization of security topics and discourses (Christou and Croft, 2010, p.1). The origins of this approach are to be found in the so-called „governance turn" in International Relations and European Studies beginning with the 1990s, which marked a departure from „a focus on states and hierarchical modes of policy-making towards horizontal networks within and beyond the state" (Norheim-Martinsen, 2013, p. 9).

Four main stages have been distinguished in the evolution of the body of security governance literature: the first, focusing on definitional matters; the second, engaging in theoretical debates; the third, concentrating on the application of the concept to the European setting; and finally, the fourth, examining security governance beyond Europe and globally (Sperling and Webber, 2014, p. 126).

Despite these advancements, security governance persists outside the mainstream debates in the International Relations and EU studies literature: to a great extent, this omission has been attributed to the under-development of the concept, to its „pre-theoretical" status (Sperling 2014, p. 3). In this light, both the strengths and weaknesses of security governance have been reassessed in contrast with the previous approaches to security studies. A great emphasis has been placed on the concept`s added value in terms of comprehensiveness (as it seeks to accommodate the hierarchical and heterarchical interactions between state and non-states actors alike, without assuming *a priori* the prevalence of one over the other); elasticity and "integrative" power (as it attempts to transcend the pervasive theoretical divisions in the current mainstream security debates - especially to 'bridge the gap' between various strands of neorealism, neoliberalism and social

constructivism); and focus on the practices and mechanisms employed by state and non-state actors to achieve security, which makes this approach suitable for empirical research (Sperling 2014, Wagnsson *et al.* 2009). At the same time, identifying and seeking to address the weaknesses of the approach is imperative if security governance is to gain prominence within well-established theoretical bodies. For instance, the opposing tendencies of „conceptual stretching" and „conceptual compression" (Sperling 2014, p. 4) both entail risks: in the first case, the uncritical and indiscriminate application of the security governance lenses empties the concept of any real significance; in the second case, restricting its application solely to the European and Transatlantic area renders the approach unfit for the study of other regions of the world. Other limitations include an over-emphasis of the importance of the „governance" component at the expense of the „security" element; the disjunction between the literature dealing with governmental organization and the one focused on non-state actors, or the disconnection between studies on security governance and those on regionalism (Ceccorulli and Lucarelli 2014, p.1).

In examining the diversity and complexity of the counter-piracy actors and measures, the security governance approach provides a particularly useful framework for discussion, as it enables the incorporation of a multitude of state and non-state participants in the provision of security without presuming the predominance of one category over the other; it considers the instruments and the mechanisms employed by such actors to achieve security; and it remains sensitive to the broader shifts occurring in the security environment and agenda.

Security governance bears distinct meanings for different authors. In one of early studies on the concept, Webber comprehensively defines security governance as: „the coordinated management and regulation of issues by multiple and separate authorities, the interventions of both public and private actors…formal and informal arrangements, in turn structured by discourse and norms, and purposefully directed toward particular policy outcomes" (Webber *et al.* 2004, p. 4). For the purposes of this paper, Webber`s definition proves its usefulness for at least three main reasons. First, although the key role of the state in the provision of security is not dismissed as unimportant, the existence of multiple centers of power and the importance of alternative actors is acknowledged. Second, both formal and informal forms of interaction are taken into account. Third, the actors` endeavours are assumed to be shaped by a collective purpose.

Bearing in mind these general observations about security governance, the following section analyses the concepts of maritime security and maritime security governance which provide the context for understanding piracy as a security threat.

1.2. Context Matters: Maritime Security, Maritime Security Governance and the Threat of Piracy

Despite its widespread use in the realm of security and defence, law, policing, shipping industries, governments, international organizations, agencies and NGOs, as well as in the academic literature, the concept of maritime security

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lacks a commonly-agreed meaning. Different actors may have different understandings of maritime security. For instance, those operating within the defence forces may be preoccupied with safeguarding the national borders, territory and resources against a potential attack by sea; for others activating in the shipping industry, maritime security may be closely related to the free-flow of goods at sea and the safe travel of cargoes, crew and passengers; while for still others engaged in protecting the individuals and the civil society, maritime security may be mostly about mitigating the risks posed by the trafficking of drugs, weapons or people, irregular migration or illegal fishing.

To complicate matters further, relevant documents, such as the Law of the Sea Convention (LOSC) or the instruments of the International Maritime Organization (IMO) are silent in this regard.

Bueger`s description of maritime security as „one of the latest buzzwords of international relations" captures well the fuzziness surrounding the term: although conceptual ambiguity might foster cooperation in the absence of agreement, it nevertheless entails the risk of obscuring real political agendas and potential conflicts (Bueger 2015, p. 159, Papastavridis 2013, p. 14). Generally, maritime security has been defined in negative terms, i.e. by reference to the absence of a set of pre-identified threats (Klein 2011, Kraska 2013, Roach 2004, Vreÿ 2013). According to this view, maritime security definitions vary greatly in the breadth of scope -from a narrow understanding centred on territorial defence, to broader perspectives looking at a plurality of security threats. Such a comprehensive enumeration is provided by the UN Secretary General in his *Report on Oceans and the Law of the Sea* (2008) which distinguishes seven „threats to maritime security", namely: piracy and armed robbery against ships; terrorist acts against shipping, offshore installations and other maritime interests; illicit trafficking in narcotics and psychotropic substances; smuggling and trafficking of persons by sea; illegal, unreported, and unregulated (IUU) fishing; and international and unlawful damage to the maritime environment (UN General Assembly 2008, para. 39). A similar perspective can be found in the CARICOM *Maritime and Airspace Security Co-operation Agreement* (2008) which refers to potentially threatening activities for the security of its member states or of the region in its entirety as follows: illicit trade in drugs, arms or persons; terrorism; threats to national security; smuggling; irregular immigration; severe pollution of the environment; damage brought to off-shore installations; and at last, piracy, hijacking and other serious crimes (CARICOM Agreement, 2008, art. I, para. 2).

Under different definitions, maritime security is viewed as „a stable order of the oceans" (Kraska, 2013, p. 1) or as „a good order at sea" (Till, 2004, p. 10), while other authors have advanced more nuanced understandings, either in relation to concepts such as „maritime safety" or „sea power", to the securitization framework, or to the security practice theory (Bueger, 2015).

For the purpose of this paper, the co-existence of a plurality of counter-piracy actors with distinct perspectives on maritime security (and subsequently on piracy) and operating at multiple levels and dimensions, reveals the utility of a broad understanding of maritime security accommodating these differences. A

relevant point of departure is provided by Klein *et. al* defining maritime security as: „the protection of a state`s land and maritime territory, infrastructure, economy, environment, and society from certain harmful acts occurring at sea" (Klein *et al.* 2010, p. 8) – including piracy.

Two observations are important at this point.

First, in this article piracy is framed in terms of threat to the (regional and global) maritime security.

Second, by correlating the definitions of security governance and maritime security outlined above, it follows that a discussion on counter-piracy in the context of maritime security governance implies a focus on the main actors fighting against piracy in the region as well as on their most relevant policies, mechanisms and instruments targeting piracy at different levels and dimensions. This endeavour is undertaken in the following sections of the paper.

2. Fighting against Piracy off the Coast of Somalia

2.1. Mapping the Environment: The Challenge of Piracy off the Coast of Somalia

Despite being an age-old problem, it was not only until the late 1980s that modern piracy rose to prominence in international for a such as the International Maritime Organization (IMO) or the International Chamber of Commerce (ICC) (Bueger, 2013, p. 92).Before 1990, sporadic incidents of armed robbery had been recorded off the coast of Somalia, but they were far from being considered a menace to the security of the international community. Throughout the half-decade, more structured forms of piracy emerged: armed groups operating in the territorial waters of Somalia attacked vessels and held them for ransom under the claim of protecting the Somali fishing resources from pillaging by foreign fishermen and the coastal waters from waste dumping in the absence of effective policing. After 2000, the incidents` rate and violence rose considerably, with an unprecedented escalation of attacks in 2006- 2008 (UN International Expert Group on Piracy off the Somali Coast, 2008, p. 14). According to the data provided by IMO, the reported acts of piracy had more than doubled in 2008 compared to the previous year, increasing from 60 to 134 (IMO Report on Acts of Piracy and Armed Robbery against Ships, 2008, p. 1); however, it was the *Ponant Affair* in April 2008 which triggered a genuinely committed international response, after the French yacht *Ponant* and its passengers had been taken hostage by Somali pirates (Geiss and Petrig, 2011, p. 16).

Additional to the pervasive poverty, dramatic environmental degradation, resource depletion and the general volatile security situation in the region, a mix of factors accounted for the sharp rise in Somali piracy: the collapse of the government in Puntland (the region where most of the piracy-related activities were based), the quick adaptation of piracy towards a successful „business model", and the extensive use of mother ships (Guilfoyle, 2013, p. 38). Most frequently, the practice involves hijacking fishing vessels in order to use them as mother ships for

launching an attack on even larger merchant ships, which in turn are held for ransom and/or employed as mother ships. The Somali piracy presents unique features shaped by a set of indigenous conditions and factors, including the wide pool of recruits (due to the endemic poverty and persistent unemployment),the willingness of pirates to assume great physical risks, or the existence of effective „clan networks" in the absence of a government able to enforce the law. For these reasons, the danger of replication of the Somali model elsewhere is highly unlikely. Nevertheless, the measures undertaken by the international community to suppress piracy have arguably led to a relocation of pirate activities in other parts of the Indian Ocean while the improved security measures adopted by ships might have resulted in an exacerbation in the violence of attacks (Guilfoyle, 2013, p. 44). Considering these aspects, it becomes increasingly clear that counter-piracy actors operating off the Somali are confronted with a difficult mission in mitigating *both* the visible effects and the underlying causes of piracy, in an extremely instable and shifting environment. The following section provides a concise overview of such international and regional efforts.

2.2. Mapping the Main Actors: International and Regional Responses

One of the first governance vehicles for debating counter-piracy was the International Maritime Organization (IMO), the first international body focusing exclusively on maritime matters. Established in 1948 as a specialized UN agency, IMO has as a main task the establishment of a universal regulatory framework for the shipping industry. In the early 1989s, the problem of the sharp rise of piracy and armed robbery against ships was discussed for the first time within IMO and almost two decades later, the IMO launched an anti-piracy initiative with the purpose of facilitating the establishment of regional agreements on the implementation of counter-piracy measures. Within IMO, the major bodies concerned with questions of maritime security, piracy and armed robbery are the Military Safety Committee (MSC) and the IMO Council which have represented instrumental for a for the elaboration of counter-piracy strategy. Although initially reluctant in fully engaging in counter-piracy issues, the launching of the campaign „Piracy- Orchestrating the Response" in 2011 and the appointment of a Special Representative on Piracy a year later marked a shift towards a stronger role of IMO in the field (Bueger, 2013, p.99).The IMO has been instrumental in the adoption of the Dijbouti Code of Conduct (DCoC) concerning the Repression of Piracy and Armed Robbery against Ships in the Western Indian Ocean and the Gulf of Aden, a non-binding instrument which seeks to promote regional cooperation in maritime security. In the implementation of the DCoC, IMO has been actively supported by the UN Office on Drug and Crime (UNDOC) and the EU. Additionally, the IMO Maritime Knowledge Centre (MKC) makes available information resources and specialized collections including an archive of official documents, IMO Publications and resources on maritime and shipping topics.

The main organization in countering Somali piracy is the United Nations Contact Group on Piracy off the Coast of Somalia (CGPCS). Established in 2009

following a UN Security Council Resolution 1851, the Contact Group takes the form of an ad-hoc, loosely institutionalized international forum which reunites nearly 80 participating countries, industry groups and international organizations – including the African Union, the Arab League, the European Union, the International Maritime Organization, the North Atlantic Treaty Organization – and several departments and agencies within the United Nations. The Contact Group comprises four working groups, focusing on: operational coordination and capacity-building; legal aspects; awareness generation and capability improvement; and lastly, illicit financial flows related to piracy. In 2010 a Trust Fund to Support the Initiatives of States Countering Piracy off the Coast of Somalia was instituted by the Contact Group in order to support the activities associated with the prosecution and detention of pirates (UN, 2015).

In terms of multilateral naval missions, the EU NAVFOR-Operation Atalanta (discussed in the third section of the paper), the Operation Ocean Shield by NATO and the US-led Combined Maritime Task Forces (CMF) have played a vital role in fighting piracy.

Since 2008, NATO has been one of the first and most active actors in counter-piracy in the region launching three successive operations, namely Allied Provider, Allied Protector and Operation Ocean Shield. Within this framework, NATO has escorted WFP charted ships, has conducted deterrence patrols and surveillance tasks, has prevented and disrupted hijackings and armed robbery and more recently, it has broadened its focus to include not only at-sea counter-piracy activities, but also regional capacity building initiatives. The North Atlantic Alliance`s operations have been carried out in coordination with other counter-piracy initiatives undertaken by the EU, the US, China, India or South Korea. NATO also has an important role in the dissemination of information on maritime issues. For instance, the NATO Shipping Centre (NSC) represents the main point of contact between NATO`s naval forces and the maritime community for exchanging merchant shipping information, supporting NATO, national and multinational maritime operations; the NSC also provides information to merchant shipping about potential maritime risks and seeks to foster co-operation between military commanders and commercial shipping operators.[1]

Several regional inter-governmental organizations are also vehicles of governance in the counter-piracy field, with a higher or lesser degree of influence: The African Union, the Common Market of Eastern and Southern Africa (COMESA), the East African Community (EAC), the Intergovernmental Authority on Development (IGAD) and Southern African Development Community (SADC), as well as Indian Ocean Commission (IOC).

Among these, the African Union (AU) has been the most prominent actor. Its counter-piracy initiatives include the African Maritime Transport Charter and Maritime Transport Plan of Action, the Durban Resolution on Maritime Safety,

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[1] NATO Shipping Centre (2015), "About Us", available at: http://www.shipping .nato.int/Pages/aboutus.aspx(accessed 7 May 2015).

Maritime Security and Protection of the Marine Environment in Africa, and Africa's Integrated Maritime Strategy (2050 AIM Strategy). Moreover, the AU participates in the CGPCS, the DCoC, and the Regional Conferences on Piracy organized by the Eastern and Southern Africa – Indian Ocean (ESA-IO) countries. In 2007, the AU initiated the African Union Mission in Somalia (AMISOM), a regional peacekeeping mission with a UN mandate to strengthen and consolidate the control of the Federal Government over the Somali territory, enable the provision of humanitarian assistance, and protect the AU and UN personnel and equipment. Within its maritime dimension, AMISOM undertakes limited naval operations in coordination with other international actors; these initiatives generally focus on providing protection through the use of vessel protection detachment (VDP) to the AMISOM shipping, securing the Mogadishu coastline, engaging in preventive measures against a potential maritime attack in the region and ensuring the security of ships docked in the Mogadishu and Kismayo seaports.

Solutions to the problem of piracy have been sought outside formal settings as well. For instance, the Oceans beyond Piracy program (OBP), a project launched in 2010 by the One Earth Future Foundation (OEF) - a private non-profit organization based in the US - gathers a wide network of experts through its meetings and workshops and provides research and analysis. The response of OBP revolves around three core areas: gathering the support of stakeholders from the maritime community; developing close partnerships between the public and the private sectors, and contributing to the deterrence of piracy through a strong rule of law (Oceans Beyond Piracy, 2013). The Project Implementation Unit (PIU) of the DCoC process reunites specialists in operations and training, technical systems and maritime law under four main pillars: training, capacity building, legal, and information sharing (IMO, 2015). Another relevant example of informal mechanism of meetings is the Shared Awareness and Deconfliction Mechanism (SHADE) founded in 2008 in order to avoid redundancies within the activities of the countries and coalitions undertaking military counter-piracy operations in the Gulf of Aden and the western Indian Ocean. Among other initiatives, SHADE has been instrumental in coordinating convoys through the Internationally Recognized Transit Corridor (IRTC), discussing solutions to extend the coverage of maritime patrol aircraft, and tackling the challenge of piracy in the Bab el Mandeb Strait.

Within this framework, regular meetings are held in Bahrain while the co-chairing is ensured on a rotational basis by the Combined Maritime Forces (CMF), NATO and EUNAVFOR. Since its establishment, SHADE has brought together military and civilian representatives, international organizations, governments, and the maritime industry. Besides its main function of coordinating and de-conflicting on-going military counter-piracy operations in the region, SHADE is also an important forum for sharing information and exchanging views between a wide range of stakeholders - including CMF, EU NAVFOR, and NATO, but also independent navies under the flag of China, Russia, India, Japan, South Korea and Ukraine. Other informal forums include annual international conferences and regular meetings of the industry representatives, such as those held by Intertanko or Bimco.

Individual countries may have meaningful contributions to the counter-piracy field as well: the US, China, Russia, India, South Korea, Singapore, Malaysia, Japan and a multitude of European states have deployed warships in the region (van Ginkel *et al*., 2009 p. 2). Private military security companies (PMSC) have also played an increasingly important role in counter-piracy activities beginning with 2008. Generally, PMSCs are employed for carrying out security audits of vessels, training the crew on how to respond to attacks, supporting the recovery of hijacked ships and the negotiation of ransoms, or deploying guards and escorting boats in high-risk areas. Compared to other actors, PMSC present several advantages, such as an effective deterrent role, the ability to provide one-on-one protection and the alleviation of the burden borne by state actors in conducting counter-piracy missions. Nevertheless, their use is not free of controversy, given concerns related to their costs, rules of engagement or *bona fides* (Chalk, 2012).

The brief presentation above of the major actors fighting against piracy off the coast of Somalia is by no means exhaustive, with still many other actors contributing to the counter-piracy efforts. After mapping several measures undertaken by the actors which have been most involved in counter-piracy activities in the region, we now turn our attention to the EU response.

3. The European Union Security Governance in the Fight against Piracy off the Coast of Somalia

Acknowledging the multi-facetted character of the Somali-based piracy, the EU is addressing this security challenge through a long-term „comprehensive approach" encompassing political, diplomatic, military, legal and development instruments, which arguably confers it a unique position among other contributing actors (EEAS, 2015a). The EU engagement in the region is guided by the provisions of its Strategic Framework for the Horn of Africa (2011) which identifies five major priorities for action: building robust and accountable political structures; cooperating with the countries in the region and with international organizations in conflict resolution and conflict prevention tasks; mitigating the security threats in the region and preventing their spread through piracy, terrorism or irregular migration; promoting economic growth in the region; and finally, contributing to the political and economic regional cooperation[2]. In Somalia, the security environment has been precarious for years due to the complex and multiple crises it faces. The absence of a government able to enforce the law, the severe social tensions, the extreme poverty and scarcity of resources, the challenges posed by climate change, the migration and refugee flows as a result of the political unrest, and small arms proliferation- are all interconnected factors favouring the flourishing of the piracy in the region.

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[2] Council of the European Union (2011), "Council conclusions on the Horn of Africa. A Strategic Framework for the Horn of Africa", 3124th Foreign Affairs Council Meeting, Brussels, 14 November, pp.1-12.

In order to tackle these overlapping and interdependent aspects of the crisis, the EU has focused its efforts around measures revolving major areas including development, humanitarian aid, political dialogue and security. The EU represents the largest donor to Somalia, with a budget of approximately 500 million EUR from the European Development Fund (EDF) devoted in 2008-2013 to areas including state building, education, food security and economic development, and health. In addition, annual and multi-annual allocations from the EU budget are directed towards thematic programs addressing democracy and human rights, food security, energy and water, humanitarian aid, environment and resource depletion. In terms of humanitarian assistance, the European Commission has been an active actor in Somalia since 1994, with a budget of 49 million EUR in 2014 being allocated for areas including food security, health, nutrition, shelter, water, sanitation and hygiene, coordination of aid and more recently, support to displaced families (European Union External Service, 2012).

In the political and security realm, the EU efforts have concentrated on providing political and security support, development assistance and humanitarian aid as a contribution to the stabilization, democratization, sustainable development and eradication of the root causes of piracy and organized crime in Somalia. The years of 2012-2013 marked an important milestone for Somalia seeking to regain the ownership and leadership of its transition process towards stabilization. A year after the election of President Hassan Sheikh Mohamud and of a new Federal Government of Somalia (FGS) in 2012, a New Deal Compact announced „a new political, security and development architecture framing the future relations between Somalia, its people, and the international community" (The Somali Compact, 2013). In a shift away from the traditional development assistance paradigm, the document stresses the importance of national priorities and policies, of consolidating the institutional capacity and of fostering a closer partnership with international donors, including with the EU. Additionally, a Special Representative (EUSP) to the Horn of Africa was appointed in January 2012 to support the High Representative of the Union for Foreign Affairs and Security Policy and to act as an interface between the EU and the Somali government. More recently, on 9 May 2015 during the celebrations for Europe`s day, the EU announced in Mogadishu the opening of a Delegation office to Somalia.[3] The EU decision to formally guarantee its presence in Somalia- made public on a symbolic date -is indicative for its long-term commitment to the region.

The Union`s engagement in the area also includes an important security component following the same „comprehensive approach" which aims to address both the root causes and the symptoms of the Somali crisis. For this purpose, the EU has provided substantial financial and planning and capacity building support to the African Union Mission in Somalia (AMISOM) since its establishment in January 2007. Up to now, the EU has contributed over 580 million EUR to AMISOM through the African Peace Facility (APF), covering expenses related to

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[3] For further details check the *EU Special Representatives*, available at: http://eeas.europa.eu/background/eu-special-representatives/index_en.htm

AMISOM troops allowances, the police component of the mission, the international and local civilian personnel and the administrative costs of the mission`s offices in Nairobi.[4]

A major undertaking of the EU is the conduct of three complementary missions under the framework of its Common Security and Defence Policy (CSDP): EU Training Mission Somalia (EUTM), EU Naval Force (EU NAVFOR) - Operation Atalanta, and EUCAP NESTOR.

Launched in April 2010, EUTM has contributed to the strengthening of the institutional framework of Somalia, by providing military training for more than 5,000 Somali troops from the Somali National Army. Starting with its third mandate (January 2013-March 2015), the focus of the mission broadened to encompass not only a training role, but also strategic advisory and mentoring activities, a change greatly facilitated by the relocation of the mission HQ from Uganda to Mogadishu in January 2014.[5] The current mandate (extended until December 2016) marked the further consolidation of the advisory component, indicating an increasing focus on providing mentoring to Somali trainers to enhance local ownership of the training process

EUCAP NESTOR is a civilian regional capacity building mission launched by EU in July 2012 in order to contribute to the maritime security of Djibouti, Kenya, Somalia, Seychelles and Tanzania by providing advice, mentoring and training in these states. A special emphasis is placed on the consolidation of the maritime criminal justice system across the Horn of Africa and the Western Indian Ocean; for this purpose, the mission experts have engaged with a wide range of regional actors operating in the maritime security field, including navies, coast guards, civilian coastal police, prosecutors, judges and others. One of the major tasks of the mission – and arguably the most challenging– is to support the establishment of Somalia`s judiciary and coastal police force within a wider legal and regulatory framework. To a lesser extent, the mission also benefits from military expertise, which allows it to create „a bridge" between the other two CSDP missions in the region.

Out of these three EU maritime operations in the region, Operation Atalantahas received the most extensive coverage in the International Relations and legal literature (Germond and Smith, 2009; Nováky, 2012; Riddervold, 2014, Geiss and Petrig, 2011, Koutrakos, 2013, Koutrakos and Skordas, 2014; Kaunert and Zwolski, 2014; van Ginkel, 2014). This widespread attention can be explained by at least three factors. First, the unprecedented upsurge of piracy off the coast of Somalia has transformed a regional challenge into a global economic, geopolitical and humanitarian problem, resulting in a myriad of international responses. Second, Atalanta was regarded as the „flagship EU response to the problem of piracy" (Kaunert and Zwolski 2014, p. 599) and since it represented the first EU-

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[4] For further details see *The Africa- EU Partnership* at http://www.africa-eu-partnership. org/areas-cooperation/peace-and-security/achievements-and-milestones/african-led-peace-support

[5] See the *EUTM Somalia Factsheet*, available at   http://www.eeas.europa.eu/csdp/ missions-and-operations/eutmsomalia/ docs/factsheet_eutm _somalia_en.pdf

led maritime operation, it marked an important step in the emergence of the EU as an autonomous military actor. Third and closely related, the operation constituted an intriguing case not only for analysing the prospects of EU`s military „actorness" (Riddervold, 2011, Kaunert and Zwolski, 2014) but also for reassessing its relations with other regional actors, most notably NATO (Riddervold, 2014a, Riddervold, 2014b, Gebhard and Smith, 2015).Operation Atalanta was launched in December 2008 in support of UN Resolutions 1814 (2008), 1816 (2008) and 1838 (2008) with a fourfold purpose: the protection of the vessels of the World Food Programme (WFP), African Union Mission in Somalia (AMISOM) and of other vulnerable shipping; the deterrence and disruption of piracy and armed robbery at sea; the monitoring of fishing activities off the coast of Somalia; and lastly, the support of other missions undertaken by the EU or by other international organizations. For this end, the EU NAVFOR assets patrol the Internationally Recommended Transit Corridor (IRTC) in the Gulf of Aden and the Indian Ocean, conduct reconnaissance and surveillance operations, locate suspicious vessels and disrupt piracy and armed robbery, spread awareness of the Best Management Practices (BMP), and provide support to the UN Food and Agriculture Organization (FAO). With a varying composition determined by the rotation of the units provided on a national basis, the operation generally includes approximately 1,200 personnel, 4-6 combat vessels and 2-3 Maritime Patrol and Reconnaissance Aircraft (MPRA) under the command of the Operational Commander in Northwood and the Force Commander in Djibouti.[6] In addition to the more visible, military component, Atalanta also includes a web-based platform– the „Maritime Security Centre- Horn of Africa". Established in cooperation with the shipping companies and operators, MSC-HOA permanently monitors the registered vessels transiting the Gulf of Aden, enables real time coordination between counter-piracy actors in the region and disseminates anti-piracy guidance. The development and continuous use of this platform by state and non-state actors alike - including NATO, the US, China, Japan, Russia, South Korea, Malaysia and the Seychelles - proves that the EU is increasingly assuming a coordinating and facilitator role in the region, not only by employing 'traditional' civil - military assets, but also by resorting to more innovative frameworks.

Concluding Remarks

To sum up, this paper aimed to provide an answer to three interrelated questions as follows: Which are the most important actors operating in the counter-piracy realm off the coast of Somalia? What mechanisms and instruments are employed by these actors to respond to the perceived menace? And finally, what is the European Union`s role and approach in its fight against piracy in the region?

The security governance approach proved particularly useful for this end: it has facilitated the inclusion of a broad range of state and non-state actors without

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[6] For further details see "Deployed Units", European External Action Service at: http://eunavfor.eu/deployed-units/mpras/#news-tabs (accessed 3 May 2015).

implying a hierarchization of relations; it has enabled the examination of the instruments and mechanisms at the disposal of these actors to fight against piracy; and it has taken into account the proliferation of security tasks and the expansion of the security agenda.

As previously noted, fighting against piracy and more broadly, achieving maritime security entails complex tasks which require the contribution and cooperation of numerous state and non-state actors operating at different levels of government and on different dimensions. In a decentralised and fragmented environment, international organizations and private actors have acquired a crucial role through a process of diffusion of power - however without replacing the states` pivotal position. Within this context, the contribution of the EU to the counter-piracy field entails the important advantage of comprehensiveness: a wide set of mechanisms and instruments are used in order to tackle both the causes and the effects of piracy off the Somali coast.

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