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CHAPTER 6

The paradoxical development of CSDP EUNAVFOR Atalanta[67]

6.1 Introduction

In 2008 the EU launched EUNAVFOR Atalanta to fight piracy off the Somali coast. As the EU's first maritime operation, it attracted considerable attention from EU foreign policy scholars to assess whether this entailed a qualitative shift in the EU's CSDP. It has been argued that the EU kept its normative foreign policy as it did not prioritize the protection of European ships and bound itself to global law regarding the treatment of pirates (Riddervold 2011). Others, however, point at Atalanta as a shift away from the EU's "normative" legitimation of military force privileging the maximization of (economic) security over pursuing milieu goals:

> Atalanta signaled a shift in EU policy away from operations that could be portrayed as driven by humanitarian concerns rather than or in addition to self-interest (Norheim-Martinsen 2013: 165; see also Weber 2009).

One of the empirical observations supporting this argument is that the EU preferred launching Atalanta over a third EU military operation in Congo to alleviate a grave humanitarian situation, although there had been an explicit request of the UN to this effect (Norheim-Martinsen 2013; Pop 2008b).

By answering the question *How can the changing character of EUNAVFOR Atalanta be accounted for?*, this chapter makes a twofold contribution to this debate. First, using the theoretical approach developed in Chapter 3, it unpacks the contestation concerning the use of military force. It shows that the launch of EUNAVFOR Atalanta was characterized by *cooperative bargaining* – in contrast to the EU's non-action in Congo in which power politics dominated the decision-making process. Instances of learning can be identified in the subsequent development of EUNAVFOR Atalanta.

Second, based on this analysis, the chapter is able to reflect on the extent to which Atalanta's character reflects an incidental or rather structural shift of the EU's military operations. It problematizes existing accounts of the normative shift EUNAVFOR Atalanta embodies by highlighting its paradoxical nature. The chapter argues that there is an apparent contradiction between, on the one hand, the *justification* of military force and, on the other hand, the *policy embeddedness* of military force at the more operational level. EUNAVFOR Atalanta indicates a shift away from the EU's "normative" justification of military force; the notion of economic interests is explicated and becomes more prominent as the operation develops. This argument is underlined by contrasting the operation with the EU's rejection of a third Congo-operation in 2008. However, at the same time the operation is increasingly *embedded* in an overarching political framework that aims to provide a more fundamental solution to piracy that moves away from a purely military approach.

After a description of the launch of EUNAVFOR Atalanta, below I discuss the justification of different advocacy coalitions for launching EUNAVOR Atalanta and contrast this with their stance concerning the UN's request for a third Congo operation. Subsequently, I take stock of the relative influence of different coalitions on the character of Atalanta and discuss the overall decision mechanisms. Section 6.3 examines the subsequent paradoxical development (until 2014) of Atalanta in relation to the coalition dynamics. Finally, section 6.4 concludes and reflects upon the findings of this case study.

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6.2 The launch of EUNAVOR Atalanta: background and mandate

In the first half of 2008, the agenda for the EU's foreign ministers was dominated by the launch of EUFOR Chad in 2008 and the Kosovo declaration of independence. During the summer of 2008 the conflict between Georgia and Russia escalated. By then France had taken over the EU-Presidency from Slovenia. With the bankruptcy of the Lehman Brothers in September, the first signs emerged of what would become the EU's sovereign debt crisis. The upswing of violence in Congo was discussed in November and December. The letter of the UN Secretary General requesting for an EU military force was "noted", but not answered. Rather, the Council conclusions call for a rapid "technical, humanitarian and political" response (Council of the European Union 2008d). In the same Council-meetings the Joint Action for EUNAVFOR Atalanta was adopted.

Since the early 1990's Somalia has been the theatre of conflicts between war lords from different clans without an effective government – a failed state. The Transitional Federal Government, established in 2004, is not in full control of its territory and the country has been plagued by droughts and famines. After an upsurge in violent conflict from 2005-2007, the UN launched a peacekeeping operation in Somalia: AMISOM.

While piracy is not a new phenomenon, the scale and scope of piracy off the Somali coast is an extension of the land-based violence, lawlessness and general poverty that has plagued Somalia since 1991 (Chalk 2010). The lack of a viable sovereign entity in Somalia, combined with poverty, the ready availability of light weapons and numerous attack possibilities, provide fertile ground for piracy activities (Ibid.).

The fight against maritime piracy in the Indian Ocean originated from a concern with the pirate attacks on World Food Programme ships. Already in 2005 and 2006 the United Nations Security Council (UNSC) Presidential Statements called attention to the threat of piracy to humanitarian access (UNSC 2005; 2006). In October 2007, after a "renewed rise in attacks", the International Maritime Organisation (IMO) and the World Food Programme (WFP) urged for coordinated action to tackle piracy off the Somali coast (WFP 2007). From November 2007, France (Operation Alcyon), Denmark, the Netherlands and Canada escorted aid ships as piracy increasingly threatened the delivery of food rations for 1.2 million people in Somalia. In May and June 2008, the UN Security Council adopted two resolutions calling for action to protect shipping involved in delivering humanitarian aid (1814, UNSC 2008a) and commercial maritime routes (1816, UNSC 2008b).

After the Spanish put the issue of maritime piracy on the EU agenda in April, the Council Secretariat and the European Commission were requested to:

> study possible options on implementing all commitments contained in its conclusions of 26 May, as well as on how to best contribute to the implementation of UN Security Council resolution 1816 of 2 June (Council of the European Union 2008e).

The EU initially responded in September with a coordination cell (EU NAVCO) in support of UNSC-resolution 1816 (Council of the European Union 2008a). Two things are important to note here. First, this was not a full-scale CSDP-operation, but merely a coordination effort. Second, this coordination effort was about protecting maritime trade routes rather than the humanitarian aid delivery, as the mandate refers to UNSC-resolution 1816 instead of 1814. While the UN's initial concerns were about humanitarian aid delivery, when the agenda of fighting piracy was broadened to include commercial trade routes, the EU's first response (EUNAVCO) focused on the latter.

EU NAVCO operated alongside NATO's military operation Allied Provider that was also responsible for escorting WFP-vessels, i.e. its mandate was based on both UNSC-1816 and 1814. Both EUNAVCO and Allied Provider were completed with the launch of EUNAVFOR Atalanta in December 2008, which was "commended" by the UNSC (2008c). Atalanta's initial mandate consisted of the following tasks:

> 1) the protection of vessels of the WFP delivering food aid to displaced persons in Somalia, in accordance with the mandate laid down in UNSC Resolution 1814 (2008).

> 2) the protection of vulnerable vessels cruising off the Somali coast, and the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast, in accordance with the mandate laid down in UNSC Resolution 1816 (2008) (Council of the European Union 2008b).

In sum, this mandate meant a clear break with the EU's first five operations that were launched in the first five years of ESDP. From 2003 until early 2008 the EU launched five military operations, which were aimed at value-based objectives like implementing peace-agreements, protecting civilians and refugees and supporting elections (see chapter 3). With Atalanta, for the first time, the EU explicitly acknowledged its own economic interests in the set-up of an operation (Germond and Smith 2009). As a former employee of the Dutch Advisory Council on International Affairs (2014) put

it: "more sharply than ever before, Atalanta formulated these economic interests." How did this came about?

6.2.1 The driving force of the Global Power EU-coalition

The Global Power EU coalition was the main driver behind the launch of EUNAVFOR Atalanta. Lobbying from the fishing- and transport industry, due to the attacks in the Gulf of Aden, put pressure on the French and Spanish governments (EEAS-official G 2016). France, using the advantages of having the Presidency, in partnership with Spain, put this operation on the EU agenda (Kouchner 2009; see also US Embassy Paris 2009). Already before the French Presidency, in the April-Council the issue of piracy off the Somali coast was discussed under "other business", at Spain's initiative:

> Following recent acts of piracy perpetrated in international waters off the Somali coast against French and Spanish vessels, the Council had an exchange of views at Spain's initiative on ways to contribute, notably in the framework of the UN, to an international response to prevent and fight against such acts (Council of the European Union 2008c).

It shows that initially the issue was framed in terms of economic concerns of this coalition. While humanitarian concerns were invoked as well, and France had been active with escorting the WFP, the members of this coalition emphasized that the operation is not "just" about protecting WFP-shipping (PMG-member D 2013). It was observed that, concerning France's position:

> (…) recent incidents underscore the importance of protecting both fishing vessels and Gulf of Aden routes – suggesting that the WFP might not be the highest priority (US Embassy Paris 2008a).

Moreover, the Spanish Government referred to the kidnapping of a Spanish fishing vessel, "Beach Bakio" to legitimate the operation "as a matter of national interest that seriously jeopardizes the life and interests of Spanish citizens" (Spanish Government in Spanish Parliament 2009). It suggests that "it would be very difficult for Spain to devote a ship to the WFP mission when it did not have sufficient resources on scene to protect its own fishing fleet" (US Embassy Madrid 2008).

As France and Spain had a considerable tuna fleet off the Somali coast, this coalition had been keen to extend the UN's support for protecting humanitarian aid (UN Resolution 1814) to include commercial vessels as well, by initiating and largely authoring UN Resolution 1816 (Kouchner in: Clarens 2008). France and Spain used this resolution for launching an EU military operation:

> They [France] had pushed for passage of UNSCR 1816 to set the scene for an autonomous ESDP operation (US Embassy Brussels 2008c; see also US Embassy Paris 2008b).

This underlines the fact that for this coalition the pull-factor of Atalanta is that it is *not* restricted to humanitarian aid delivery. This position is nicely captured in a quote from Sarkozy, French President at that time:

> Against the pirates in the Gulf of Aden attacking our ships, we launched the "Atalante" operation, the first EU naval operation, the first operation defending purely European interests and, what's more, the first EU military operation commanded by the United Kingdom (Sarkozy 2009).

> The main reason of Atalanta was economics, as well as the stability of the whole region (EEAS-official C 2013).

Notably, the Global Power EU coalition provided around 40% of the frigates in the period 2008-2014 (by month deployment; own calculations – see table 6.1). France was very keen on having an operation launched during its Presidency:

> The political activism of the French contributed to a quick launch; without this the operation would not have been launched in December.(…) It is a perfect example of institutional opportunism. (…) The stars were aligned. The French wanted an operation during the French Presidency – they immediately seized the opportunity (former French official 2016; see also EEAS-official G 2016).

In line with its ambition for EU power projection, this coalition emphasized the need for the NATO operation to *complement* Atalanta, and not to "dilute" the EU's initiatives:

> France does not oppose studying options at NATO, as long as they take into consideration existing EU efforts to act in complementarity (US Embassy Paris 2008a).

The stance of the Global Power EU coalition in the case of Congo stands in marked contrast. Initially this coalition took a leading role for a third EU-military operation in Congo that would focus on providing aid (i.e. not on fighting rebels) (Deutsche Welle 2008). However, quickly after they realized they lacked critical support from

the Bystander and Euro-Atlanticist coalition they came to adjust their expectations downwards (with the notable exception of Belgium). This is illustrated by the fact that after calling for an EU military operation in Congo on the 29th of October, the next day French Foreign Minister Kouchner had to play down the similarities with Artemis (the EU's preceding operation in Congo in 2003) and toned down the option of sending EU-forces.

Table 6.1 Main contributors (2009-2014)[68]

Year	Main contributors (>10%)
2009	Germany, Sweden, France and Spain
2010	France, Spain, Germany, Italy, Greece
2011	Spain, Germany, France
2012	France, Spain, Germany, Italy
2013	Spain, Germany, France, Italy, Netherlands
2014	Germany, Spain, Netherlands, France

Contributions in terms of frigate-months (2009-2014)	Countries
20 á 30%	Germany, Spain
10 á 20%	France
5 á 10%	Italy, Netherlands, Sweden, Greece
<5%	Portugal, UK, Belgium, Finland, Romania

When early December, UN Secretary General Ban Ki-moon sent a letter to EU High Representative Solana, which explicitly asked for an EU-force based on the Artemis model, the Global Power EU coalition had stopped pushing. Sarkozy blew the whistle on Kouchner.

> The key factor to not overcome British and German resistance was that the French did not want it in the end. (…) The French Ambassador received a call from the Minister, or better: the President, saying: we don't push for this (former French official 2016).

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68 Own calculations based on newsarchive of EUNAVFOR Atalanta (http://eunavfor.eu/archives/). This overview only includes the deployment of frigates. Contributions of surveillance aircrafts are excluded.

Taking over from Kouchner, Sarkozy argued that "you can't be everywhere" referring to France concurrent involvement with Chad (Vogel 2008). Moreover, Solana played down claims of the necessity of the operation by stating that the "situation on the ground is slightly getting better" (Reuters 2008).

In sum, the Global Power EU coalition sees EU military operations as a show of EU power. Humanitarian challenges play a facilitating role. Under the French Presidency it preferred using its institutional resources to get Atalanta off the ground rather than putting its weight behind the Congo operation (former French official 2016). It valued Atalanta for being more than "just" protecting the WFP. By UN resolution 1816 it made sure that there was an international legal base for including the protection of commercial interests against piracy. Moreover, this coalition was supported by the active involvement of the shipping industry that put pressure on the other coalitions as well.

6.2.2 The fear of the Euro-Atlanticists of being sidelined

Initially the UK was reluctant to support an EU military operation to fight piracy. While it supported UNSC 1816, it referred to resource constraints and the legal issues as obstacles for active involvement in its implementation (US Embassy London 2008). It also was open to the US' critique of the French proposal for an autonomous EU operation:

> The US understands that there are instances when the EU will decide to conduct its own operations where NATO is not engaged, such as the current Chad ESDP Mission. In instances in which NATO has not yet made a decision to be engaged, however, Allies should not block discussion of possible NATO action simply because the EU is already involved (US State Government 2008).

The UK deliberately delayed the decision-making process in September by asking for more specific information regarding costs, coordination and command and control (US Embassy Brussels 2008c). It expected that:

> (…) should the EU see that the WFP ships are protected and perhaps, that the WFP is able to use ever larger ships in its operations due to the increased security provided by other actors, any support for an autonomous operation will wither (US Embassy Brussels 2008c).

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The UK preferred a small EU coordination cell (US Embassy Brussels 2008c).

With their preference for NATO, this coalition did not want France to claim sole credit for an operation that would fit very well with the resources of its key member, i.e. the UK as maritime power (Germond and Smith 2009). To prevent activation of an Operation Centre in Brussels, the UK offered their Operational Head Quarters (OHQ) in Northwood (former CSDP-official B 2016).

Business interests of insurance companies contributed to convince the UK-government to support the launch of the operation (EEAS-official G 2016). Hence, similar to the Global Power EU-coalition, economic concerns take a prominent role in the UK's justification, though humanitarian concerns are not absent entirely. As UK FCO-Minister Flint argues:

> It is strongly in the UK's interest to support this mission because piracy off the Horn of Africa is threatening a key global economic artery as well as regional trade, and because the UK remains an important centre of global international shipping (...) There is also the key driver that without escorts, vital humanitarian assistance (...) would cease, endangering the lives of thousands of Somali people (Flint in: European Scrutiny Committee 2008a/b).

> With the growing number of ships seized off the Gulf of Aden over the last past six months the UK is committed not only to support EU actions but to play a leading role in Operation Atalanta (Flint in: European Scrutiny Committee 2008a/b).

Greece also emphasizes the interests of its maritime industry (US Embassy Athens 2008a/b). Other members of this coalition, like the Netherlands also came to support the mission, but refers to the humanitarian situation as the primary reason for participating in EUNAVFOR Atalanta, while acknowledging the "economic and strategic importance" of free and secure global shipping routes and the international rule of law as well (Dutch Government 2008).

The UK provided one frigate at the start and one in 2011, both for 2-4 months, which is considerably less than its contribution to the NATO-operation (see NATO 2015). The Netherlands pulled out the Hr. Ms. Tromp from NATO to be deployed under EU-flag. However, in terms of financial costs (reflecting the size of its contributions), the Dutch contribution to Ocean Shield and EUNAVFOR (respectively 21,2 million euro and 9,5 million euro, cf. Dutch Ministry of Defence 2013) indicates that the Dutch do not prioritize the EU-operation. As a former Dutch Minister of Defence (2013) put it:

> I had discussions with my Canadian colleague who claimed that NATO should do it. To me it did not matter – we are talking about the same frigates. So, whether they sailed under NATO- or EU-flag did not matter that much.

Although the contributions (financial or deployed units) of the Euro-Atlanticist coalition to Atalanta are limited (i.e. not signalling a shift away from their institutional preference for NATO), by providing the Operation Commander (Rear Admiral Philip Jones) and Operational Head Quarter in Northwood this coalition kept control (a similar strategy was employed with EUFOR Althea, see chapter 5) and reserved for itself an influential position:

> When you want to have any impact, you should have the top ranking (…) With a UK commander and a UK staff, they are running it for so long, the biggest influence is through the UK (Interview Military Representative 2015).

> They [UK] could get the political benefit of commanding at little financial costs (CSDP-official D 2016).

Concerning a (third) military operation in Congo this coalition, particularly the UK, was a vocal opponent. While the UK was on standby for the Battlegroups in the second half in 2008, it pointed at its commitments in Afghanistan and Iraq to justify its unwillingness to lead an EU-military operation in Congo (Politico 2008). In fact, the troops that were on standby were actually resting between deployments to Iraq and Afghanistan (Menon 2009: 236). Moreover, London refused to provide operational headquarters facilities in the UK to oversee a Scandinavian deployment (Gowan 2009a). Strong calls from NGOs (Global Witness 2008) and the letter of Ban Ki-moon did not diminish this resistance.

In sum, just as the Global Power EU coalition, the Euro-Atlanticists preferred an EU military operation that would encompass humanitarian aid protection as well as the task to protect commercial vessels. By taking a powerful position in the chain of command of Atalanta its concerns of competition with NATO were accommodated.

Table 6.2 Overview Nationality Atalanta Force Commanders[1]

2009-I	Greece	2011-I	Spain	2013-I	Spain
2009-II	Spain	2011-II	Portugal/ Spain	2013-II	Portugal
2009-III	Netherlands	2011-III	Germany	2013-III	Netherlands
2010-I	Italy	2012-I	Spain	2014-I	France
2010-II	Sweden	2012-II	France	2014-II	Germany
2010-III	France	2012-III	Italy	2014-III	Italy

[1] Since the operation has been launched, the UK provided the Operation Commander

6.2.3 Economic concerns & risk-averseness: the Bystander coalition

In the case of Atalanta, the *Bystander* coalition was primarily mobilized by concerns over hostage taking of their own nationals and by economic concerns. The German government underlines the protection of the WFP and Germany's involvement with Somalia with non-military means, but also notes repeatedly that: "(…) as an export nation it has a particular interest in secure trade routes, especially since it is dependent on the import of raw materials that in large part come from sea" (Bundestag 2008a).[69]

Germany is said to be one of the countries worst affected by piracy in the Gulf of Aden (cf. Weber 2009). Hence, protecting "vulnerable vessels" was increasingly accepted as a legitimate concern, allowing for the operation to go beyond protection of the WFP.

> Recall how it started: protecting the WFP. This was a very limited and clearly defined task: easy to explain to the public, because otherwise the ships with food are not arriving at the right place. Then we realized how problematic piracy was, which raised the question: why only protect the WFP? (German diplomat 2015).

Moreover, the repeated references to the shipping industry in the Bundestag-debates serves to underline the importance of economic concerns (Koenig 2016: 102). While the German government acknowledges that a long-term approach

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69 This notion is not uncontested as in 2010 Bundespräsident Köhler had to resign after arguing that military deployment may be necessary "to protect our interests, for example, free trade routes" (Die Welt 2010).

needs to deal with the root causes of piracy, it is pessimistic about the options for doing so:

> The long-term fight against piracy, however, must be targeted on eliminating the causes in Somalia itself (…) The possibilities to take action in Somalia, however, are very limited (Bundestag 2008c).

In the end, most debate in Germany revolved around the legal issues involved with contributing to NATO or the EU. Germany exclusively deploys troops under EU-flag to fight piracy off the Somali coast (Bundestag 2009), with a permanent contribution of at least one frigate. Its active participation is a quid pro quo for its force reduction in the Balkans (Weber 2009). At the same time, in the case of Atalanta Germany's contributions are far from symbolic, as it contributes around 25% of the total contributions (frigates, by months deployment) of Atalanta. The European Commission's role should not be underestimated either. According to Riddervold (2015) the Commission had a big impact on the decision to launch the operation, as its competences and expertise helped the French Presidency to establish EU agreements with countries in the region on the transfer of suspected pirates.

At the same time, just as the Euro-Atlanticists the Bystanders were vocal opponents of a third Congo-operation. Like the UK, Germany was on standby for the Battlegroups in the second half of 2008. This coalition, particularly Germany and the European Commission (by mouth of Louis Michel), emphasized the need for a diplomatic solution, arguing that a military operation could draw away attention from diplomatic negotiations (Brunnstrom 2008). Attempts by Belgium to convince the Germans of the seriousness of the humanitarian situation did not work out (US Embassy Brussels 2008a). Moreover, in the case of Germany its resistance may have been fuelled by its negative evaluation of its leading role in EUFOR Congo in 2006 (cf. Marchi Balossi-Resetlli 2011).

In sum, the Bystander coalition was mobilized by hostage taking and economic concerns. While this coalition remains risk-averse (see its position in the Congo-case), the range of legitimate concerns for military intervention was broadened – not so much under pressure of other coalitions, but based on its own experience.

6.2.4 Willing but weak: the Human Security coalition

In contrast to the prominent presence of economic concerns in the justification of the coalitions mentioned above, the *Human Security* coalition legitimated the operation primarily with reference to humanitarian concerns. The Swedish Government (2009) justified its participation by pointing at the UNSC-resolutions

and the dire humanitarian situation in Somalia. When it refers to the task to "facilitate" commercial shipping it does so cautiously. Moreover, when addressing the European Parliament in the context of the Swedish EU-Presidency in 2009, Prime Minister Bildt highlighted the humanitarian concerns and played down the economic concerns by stating that Atalanta was about "imperative humanitarian and other reasons" (European Parliament 2009c). This coalition was not deaf, however, to "a specific request from European companies" as the protection of commercial shipping did not only have material aspects, but also was about the "safety of those people" (Finnish diplomat 2013).

In the case of Atalanta, the position of the European Parliament is close to that of the Global Power EU. As the EP's first resolution, in October 2008, on the EU's action to tackle piracy was an initiative from the Transport Committee (European Parliament 2008), the focus of this resolution was not restricted to the delivery of humanitarian aid, but reflected a wider concern with shipping off the Somali coast:

> [The European Parliament] welcomes the progress made by the European Council in the preparation of a European Union naval operation against piracy, aimed at guaranteeing the safety of cargo ships transiting a shipping channel in the Gulf of Aden.

In the run-up to this resolution, several MEP's from the Security & Defence-committee voiced severe criticism of the operation. EPP-member Dimitrakopoulous spoke about the setup of a "global armada", and S&D-member Gomes referred to the operation as being only about "protecting oil tankers" (Pop 2008a). Nevertheless, in February 2009 the EP "welcomes" EUNAVOR Atalanta and is even more positive by the end of 2009, noting with "great satisfaction that Atalanta continues to make a successful contribution." While stressing the importance of addressing the root causes of piracy, it argues that until a "political solution" has been found, "the security strategy implemented by means of Operation EUNAVFOR Atalanta must continue to prevail and even be strengthened in terms of the resources available to the forces deployed by the operation itself" (European Parliament 2009b).

The *Human Security Coalition* supported EU military action in Congo. Sweden and Finland pointed out that this situation was a textbook example for the battlegroups: "if we don't send them to Congo, where do we send them?" (Vogel 2008; see also Swedish Parliament 2008). Moreover, calls from NGOs and prominent figures (see Oxfam 2008a/b; Group of High Profile Signatories 2008) strengthened the discursive position of this coalition. However, they lacked the necessary military capabilities to counter the resistance of others in a convincing way.

Their isolated position concerning Congo and their initial reluctance towards Atalanta did not prevent the Human Security coalition from contributing to Atalanta once the operation was launched. Although the absolute contribution of this coalition to Atalanta is limited, their contributions cannot be set aside as just symbolic (e.g. a few staff members at Northwood). Sweden even provided the Force Commander for the second period in 2010.

In sum, while endowed with discursive resources (i.e. a direct request of the UN and calls from NGOs and prominent figures), with the changing position of the Global Power EU coalition and against the backdrop of the fierce opposition from the Euro-Atlanticists and the Bystanders, the Human Security coalition lacked the necessary resources to get a third Congo-operation. With regard to Atalanta, this coalition was the most cautious one. However, since the operation would ensure the save delivery of humanitarian aid, it did support the operation. Moreover, its support was backed up by the fact that UN resolution 1816 provided an international legal base for including the protection of commercial vessels, framed as "vulnerable vessels."

6.2.5 Taking stock of the launch of EUNAVFOR Atalanta

Obviously, the driving advocacy coalition behind Atalanta has been the Global Power EU coalition, which dominated the decision-making process. Under its Presidency, France used its institutional resources to get Atalanta off the ground. The Global Power EU coalition valued Atalanta for being more than "just" protecting the WFP, particularly because some of its members had key economic interests that were threatened by piracy. By UN resolution 1816 this coalition engineered that there was an international legal base for including the protection of commercial interests against piracy. In contrast, given the fierce opposition of the Euro-Atlanticists and the Bystanders, France did not put its weight behind the request of the UN for a third military operation in Congo (with the notable exception of Belgium, Congo's former colonizer). As it was put by a former French official (2016):

> I'm not saying that French would have been able to overcome the British/German resistance, but it would have helped a lot. The fact that the French didn't push and played their Presidency role ended the discussion.

Like the Global Power EU coalition, the Bystanders and Euro-Atlanticists were also mobilized in favour of Atalanta by the economic concerns, while they did acknowledge the importance of the humanitarian dimension. In the case of the Euro-Atlanticists their initial reservations had to do with their preference for NATO as first option. By taking a powerful position in the chain of command of Atalanta, its concerns of competition with NATO were, however, accommodated.

The Human Security coalition is the odd one out. The Human Security coalition (strongly supported by Belgium) was not able to compel the other coalitions to launch a third EU military operation in Congo. While supported by NGOs and prominent figures, with the changing position of the Global Power EU position, the Human Security coalition lacked the necessary resources to meet the fierce opposition from the Euro-Atlanticists and the Bystanders. So, in the case of Atalanta this coalition was the most cautious one. However, it was convinced by the guarantee that protecting commercial vessels would not come at the expense of protecting the WFP, and was not expected to play a big role in the operation's "actual" work (see Dutch Government 2008). Moreover, the UN resolution 1816 provided an international legal base for including the protection of commercial vessels, framed as "vulnerable vessels."

What did this strategic interaction bring about? First, in contrast to the Congo-request, EUNAVFOR Atalanta was actually launched. Second, the broad support for this operation is reflected in the mandate. The Council Decision of Atalanta prioritized the humanitarian aid element, but this was firmly complemented with the task to protect "vulnerable vessels" (i.e. commercial vessels).

The claim that the EU has come to give greater priority to its economic security in its military operations is reinforced in light of the alternative decisions the EU Member States might have taken. First, the EU could have limited itself to protecting the WFP-programme vessels, while leaving it to NATO to launch an anti-piracy operation "to improve the safety of commercial trade routes." This was far from a theoretical alternative as NATO subsequently launched two anti-piracy operations to improve the safety of commercial trade routes: Allied Protector (March-August 2009) and Ocean Shield (since August 2009). In fact, the relationship between the EU and NATO turned out to be one of the most contentious issues of launching Atalanta (PMG-chair 2015; former DG EUMS 2014).

Second, in the same period that EUNAVFOR Atalanta was decided upon, the EU did reject the UN's request for a third military operation in Congo (á la Artemis). At the GAERC meeting of 10 November the Joint Action launching Atalanta was adopted and the situation in Congo was discussed. As the EUobserver put it: "Europe to tackle Somali pirates but not Congo rebels" (Pop 2008b). This fact underlines that the launch of EUNAVFOR Atalanta did not take place in a vacuum, but was a particular choice excluding possible other alternative military operations. In sum, the comparison with the Congo-option also goes to underline the particular character of the decision-making process towards Atalanta. Whereas the Congo-discussion is characterized by hard bargaining (a strong polarization among different coalitions, and dominant actors threating to use their veto powers), EUNAVFOR Atalanta was much less contested as it included both a humanitarian-

and a trade-dimension. The Global Power EU coalition was successful in mobilizing the other coalitions to support the EU's military anti-piracy efforts. Prioritizing the humanitarian task, but including a broader range of tasks, was key to get all actors on board.

> Protecting the WFP is a prominent part of Atalanta's mandate. It is a political construction to satisfy some Member States (…) Once in a while little things are added to the mandate to satisfy particular countries (former CSDP-official B 2016).

> Commercial aspects cannot be the only reason – with only the commercial aspects I don't know whether this would have been possible. I think there would have been a deployment anyway, but probably it would have been a national deployment – I'm not sure whether the EU-angle would have been used. The conjunction of UN request plus commercial aspects made the process much smoother (former French official 2016).

Moreover, in terms of operational tasks the specific interests of actors were taken into account as well: "once the Swedes deployed a corvet, we let them do the WFP-tasking, knowing that they are very interested in the WFP" (CSDP-official D 2016). Hence, EUNAVFOR Atalanta can be seen as a case of cooperative bargaining.

6.3 The paradoxical development of Atalanta

After Atalanta was launched in 2008, several changes can be observed that reflect Atalanta's paradoxical development. On the one hand, the actual balance between the two key tasks shifts towards an emphasis on protecting commercial vessels. On the other hand, Atalanta is increasingly embedded in an overarching political framework. Again, I assess these developments against the backdrop of the interaction between the different coalitions.

6.3.1 Utility creep - increasing emphasis on economic concerns

Discussions on the mandate continued after the first year (2008-2009) of the operation. Whereas in the first year, due to the (limited) capabilities at Atalanta's disposal, the number of escorting non-WFP frigates was limited (Dutch Government 2008), after the first year the operation expanded, coinciding with a shifting balance concerning its key tasks: one or two frigates are used for the protection of the WFP and AMISOM, while five or six other frigates are deployed to protect commercial

vessels (Dutch Parliament 2009b; 2010). The focus on protecting trade routes does not come at the expense of the protection of the WFP, but does reflect that the main reason for expanding EUNAVFOR Atalanta has more to do with economic concerns than humanitarian ones. As a representative of the shipping industry (2016) put it: "it [Atalanta] is still is about protecting the WFP, but protecting shipping lanes became more of a priority."

Table 6.3 Main changes in EUNAVFOR Atalanta

Year	Changes
2009	*Tasks* - Further shifting balance in terms of tasks of frigates
	Tasks – Monitoring illegal fishing is added to mandate
2010	*Other instruments* – EU Training Mission Somalia is launched
2011	*Tasks* – Autonomous Vessel Protection Detachment (AVPD)
2012	Area of operation to include land
	Other instruments: EUCAP Nestor is launched
	Other instruments: Horn of Africa-strategy
	Other instruments: EU Special Representative appointed (already proposed in 2009)

Another change that underlines this shifting balance is the deployment of Autonomous Vessel Protection Detachments (AVPD)[70], from the end of 2011 onwards. While in 2009 it was not an option to put military security guards on vessels in both the EU and NATO-context, because of the operational risks and judicial complexity, and the fear of branch organizations IMO and BIMCO for the escalation of violence (Dutch Government 2009), it becomes increasingly accepted as a matter of efficiency: "(..) It was an operational decision how to better provide security" (CSDP-official D 2016). These AVPDs on board of WFP vessels allow the frigates of Atalanta to engage in other activities, i.e. protecting trade routes.

70 Vessel Protection Detachments are "military or law enforcement units embarked on a civilian ship in order to protect it against potential attacks" (Jopling 2009). They were already used in Atalanta. In 2011, however, it was extended to include: autonomous VPDs – i.e. at greater distance from the naval frigates of the operation. Please note that VPDs consist of military personnel from the national Ministries of Defence, to be distinguished from Private Armed Guards (PAG).

By means of using the AVPDs, naval ships that would otherwise be used to escort WFP transports can perform other tasks of Atalanta and the effectiveness of the operation as a whole increases. The deployment of AVPDs is of special importance because operation Atalanta is facing a shortage of naval vessels for the next period (Dutch Parliament 2011).

So, the use of AVPD's are legitimated with reference to the need to unlock frigates for protecting trade routes (former CSDP-official B, 2016). The use of AVPDs coincides with reducing the fleet from 8 to 2 á 3 vessels (European Parliament 2012).

The decision to extend the area of operation to include land territory, contributing to the "robustness of the operation" (Council of the European Union 2012), can also be seen as a departure from the initial focus on humanitarian aid delivery (Nielsen 2012). It entails another activity that may divert the attention from the priority of escorting WFP-ships.

In addition to the increased focus on economic concerns, in response to the concerns of the Transitional Federal Government (TFG) of Somalia about the industrial fishing of large tuna fleets in the Indian Ocean (Council of the European Union 2009a; see Hudson in: House of Lords 2009), the task of monitoring illegal fishing activities was included in the mandate. This indicates an increasing awareness in the CSDP-domain that tackling the root causes of piracy relates to economic attractiveness of subsistence fishing. At the same time, the task of "monitoring" is a rather watered down compromise; it was emphasized that this activity would not come at the costs of the key tasks (Hudson in: Dutch Parliament 2009c).

6.3.2 Increasing embeddedness of EUNAVFOR Atalanta

In addition to the justification of the military operation, its relationship with other foreign policy instruments is key to its character. While Atalanta was initially quite dominant in the EU's involvement with Somalia, over time it provided a trigger for boosting the EU's engagement with the country, i.e. the EU's activities in relation to Somalia expanded both within the CSDP-domain and CFSP more broadly.

The EU, in particular the European Commission, has been engaged with Somalia in providing humanitarian aid since 1994, combined with an arms embargo since 2002 (Council of the European Union 2002b). Moreover, Somalia gained access to the European Development Fund (EDF) with the Cotonou Agreement; 199 million euro was earmarked for Somalia for the period 2002-2007 (European Commission 2002). Furthermore, the Commission developed a kind of "comprehensive approach" avant la lettre, which was laid down in the "EU partnership for peace, security and development in the Horn of Africa" (European Commission 2006), and the Joint

Strategy for Somalia of 2008-2013 (European Commission 2008; see also Weber 2009).

However, EUNAVFOR Atalanta was quite an isolated exercise initially. The first Council Joint Action of Atalanta (Council of the European Union 2008b) does not refer to other EU foreign policy instruments – i.e. the Commission's activities listed above are not mentioned.[71] Moreover, Solana's proposal to appoint an EU Special Representative (US Embassy EU 2009b), which would have strengthened the link between CSDP and non-CSDP instruments, was only realized in 2012.

After the launch of Atalanta, however, the scope of the EU's activities is broadened. As an EEAS-official (E 2016) put it:

> The first response was military, but once it was contained and political structures started to emerge, then you could start with tackling other issues (.e.g democratization, rule of law).

The increasing policy-embeddedness of Atalanta happened first within CSDP and subsequently in connection to the EU's external policies. The EU's CSDP activities were extended to include a military training mission to strengthen the Somali security forces (EUTM Somalia, Council of the European Union 2010a) and a civilian mission to enhance the maritime capacities of Somalia (EUCAP Nestor, Council of the European Union 2012b).

Moreover, while the first Council Joint Action of Atalanta does not refer to other EU foreign policy instruments (Council of the European Union 2008b), the amended mandate of 2012 explicitly refers to the Strategic Framework for the Horn of Africa (launched in 2011)[72], in which the fight against piracy *is part of* a comprehensive approach (Council of the European Union 2011c; Council of the European Union 2012). It is acknowledged that the root causes of piracy cannot be solved by the military instrument. This led to a closer involvement of non-military instruments of the European Commission. For example, the Instrument for Stability[73] has been

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71   While some highlight the role of the European Commission in the planning stage of EUNAVFOR Atalanta (.e.g. Chou and Riddervold 2015), the fact that the Commission's existing activities in the country are not visible in the actual mandate suggests that the French Presidency made use of the European Commission because of its legal and development instruments, rather than the European Commison being able to push its agenda in the launch of Atalanta.
72   This 2011-framework refers to the ESS, the Joint Africa and EU Strategies and the 2009 EU Policy on the Horn of Africa (Council of the European Union 2009b) as its guiding documents.
73   The Instrument for Stability was launched in 2007 to contribute a) in situations of (emerging) crisis and b) in stable situations for capacity building to address pre- and post-crisis situations (European Commission 2006).

used "to support in Kenya and the Seychelles to assist with trials of piracy suspects detained by the EU military mission EUNAVFOR Atalanta" (European Commission 2010). Moreover, available EDF-money for Somalia was doubled to over 400 million under the 10th EDF (2008-2013) (European Commission 2015a). Since 2012 an EU Special Representative is embodying the idea to coordinate all policy instruments (see Council of the European Union 2011d). Also, in 2014 the mandate of EUFOR Atalanta was revised to include a new secondary, non-executive, task:

> In addition, Atalanta may contribute, as a non–executive secondary task, within existing means and capabilities and upon request, to the EU's integrated approach to Somalia and the relevant activities of the international community, thereby helping to address the root causes of piracy and its networks (Council of the European Union 2014b).

In sum, there had been an impetus for integrating the EU's different foreign policy instruments from the side of the European Commission, but in the initial years of Atalanta the interaction between different initiatives was lacking. After the launch of Atalanta, a process got started that led to an increasing embeddedness of the EU's military operation in an overall foreign policy. Moreover, the operation is increasingly centered on protecting trade routes, though the humanitarian task is not neglected.

6.3.3 Coalition Dynamics

Whereas the Global Power EU-coalition kept emphasizing the need for protecting its fishing fleet, the Human Security coalition was anxious about keeping a narrow mandate focussing on the protection of UN humanitarian aid:

> The discussion on Atalanta will be on the form of its mandate: should it be to protect UN humanitarian deliveries, as Sweden would like, or be cast wider to protect EU fishing fleets, as Spain would like to see (US Embassy Stockholm 2009).

While the contestation about the balance between humanitarian and non-humanitarian tasks was decided in favour of the latter, this was softened by an increasing embeddedness of the operation into a wider political approach, which does include a strong humanitarian dimension.

The emergence of the "comprehensive approach" has some characteristics of a collective learning process. As a former UK MilRep (2013) stated: "[Atalanta] got PSC really thinking about the military in a wider context as opposed to Chad." The Human Security coalition took an active role in strengthening the EU's

comprehensive approach. The European Commission highlighted the "significant effort" of the Swedish Presidency "to ensure the inter-pillar coherence of EU maritime policy" (European Parliament 2009c). Sweden's contribution to Atalanta in 2013 is justified as a way to "strengthen Sweden's role in the implementation of the EU Strategy for the Horn of Africa and in the discussion of the EU's broader approach to meeting the challenges in the region" (Swedish Government 2012). This coalition was supported in its effort by the military commanders, "who quickly had realized that the real problem was not on sea (…) When they realized their own operation had its limits, they were not shy to say so" (MEP S&D 2016).

Nevertheless, the continuing contestation over its content makes the comprehensive approach a case of cooperative bargaining. Whereas the *Global Power EU-coalition* had had a prominent role during the launch of Atalanta, it had to compromise on its subsequent development. The coalition kept highlighting the importance of the military instrument in the EU's involvement with Somalia – as was eloquently put by a PMG-member (D 2013) of this coalition:

> It has been the development of pirate attacks which relates to commercial interests and the security of EU citizens. This has led to the launch of Atalanta. This has been the starting point of policy towards the Horn of Africa with several building blocks: Atalanta, EUTM Somalia, the appointment of an EUSR (diplomatic track) and the whole effort on EDF to bring more money to Somalia. We have gradually moved to a current policy involving all EU interest – with the starting point: Atalanta.

Moreover, in line with the emphasis on the importance of the military instrument, the Global Power EU coalition pushed for broadening the EU's military presence in Somalia with EUTM Somalia; Spain provided the first Commander, succeeded by Ireland and Italy.

Another element on which the Global Power EU coalition had to give in was the expansion of the mandate to include the monitoring of illegal fishing. This change was very much against the wishes of the Global Power EU coalition, as their fishing fleet were active in this area (PMG-chair 2015), some of which were allegedly involved in those illegal activities (see Swedish Government 2014). The military staff at Atalanta was not in favour either. However, this change served to meet the preferences of DG-MARE of the Commission. As a former official put it: "When you want to have interaction and synergy, everyone will have to give something to get more than the sum of its parts" (former CSDP-official B 2016).

While collective learning is rather limited, the operational experience of Atalanta led to important instances of learning within coalitions. First, despite its initial

scepticism, as the operation progressed the *Euro-Atlanticist coalition* came to recognize the comparative advantage of the EU over NATO, being able to use a range of non-military instruments, including the ability to get pirates prosecuted in the region (PMG-member B 2013; CSDP-official D 2016). The comprehensive approach is seen as making the EU more effective in tackling piracy than NATO's Ocean Shield. As a former CSDP-official (B, 2016) put it: "the EU is better equipped for an operation like Atalanta than NATO (…) The EU is evidently better at this." Since it is the *actual experience* with NATO and the EU in fighting piracy that led to increasing enthusiasm for the EU's engagement in Somalia, this is an instance of learning.[74] Another advantage of the EU over NATO concerned the coordination with other actors in the area. At the time of the conflict between Georgia and Russia, the EU was seen as more neutral than NATO (former French official 2016).

Second, the increasing scope of the operation to include land was pushed for by the military (former CSDP-official B 2016). While politically very sensitive to the *Bystander* coalition, this proposal was accepted by Germany as a response to the shifting activities of the pirates (Bundestag 2012) and by the Commission as they realized that aid would not end up well otherwise (cf. former DG EUMS 2013). Since this change in Germany's position is justified in terms of their operational experience with Atalanta and the willingness to accept the military expertise in this regard, this change is an instance of learning.

6.4 Discussion and Conclusion

The empirical analysis shows that the launch of EUNAVFOR Atalanta is primarily a case of cooperative bargaining. The support for EUNAVFOR Atalanta was largely uncontested, although different coalitions emphasized different dimensions of the operation and had different concerns. Whereas especially the Human Security coalition justified the operation in terms of the WFP, other coalitions emphasized that it was not just about that, highlighting economic concerns. The protection of commercial vessels did not come at the expense of escorting the WFP which allowed for the support and actual contribution of the Human Security coalition. This shows that this utility-based task was neither a case of hard bargaining nor learning. Rather what seems to have

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74 This increasing enthusiasm is not shared across the board. Within the Euro-Atlanticist coalition there are critical voices that push for terminating the operation: "It is a very efficient operation in terms of bringing down pirate attacks and in its relation with other actions – it is the best example of the comprehensive approach. Concerning its sustainability it is still critical; it is not addressing the root causes. We will push for termination" (Polish diplomat 2013).

prevailed in driving the operation forward is a willingness to compromise which lifted the operation beyond the lowest common denominator. "Atalanta gave every Member State something" (member CSDP structures EEAS D, 2016).

This stands in stark contrast to the decision-making dynamic concerning a third EU-military operation in Congo, which was characterized by hard bargaining. The fierce opposition of the Euro-Atalanticists and Bystanders resulted in deliberate non-action in Congo. This shows that the coalitions cannot be talked into an operation that is beyond the scope of justification. However, expanding the mandate to encompass both value-based and utility-based elements allowed for the constructive engagement of all coalitions.

Once the military operation is launched, a different decision-making dynamic emerges. The common experience of the operation opens up room for learning. After its launch, EUNAVFOR becomes increasingly embedded within an overall political framework, while at the same time the utility-based justification for the operation becomes more pronounced. Those coalitions most hesitant to justify military involvement by economic interests, were keen to see the operation becoming integrated in the EU's so-called "comprehensive approach." In particular, the Human Security-coalition has been a driver of enhancing the embeddedness of the EU's military operations and of ensuring its complementarity to other, civilian forms of EU engagement.

What are the more general implications of these findings; what does it tell about the development and the character of the EU's military operations?

First, this chapter substantiates and nuances previous observations on the EU's distinctive use of military force. It underlines existing research (.e.g. Norheim-Martinsen 2013) that argues that EUNAVFOR Atalanta embodies a shift in the nature of the EU's military operations, reflecting the character of the EU as a security actor more broadly. The explicit inclusion of protecting commercial vessels, even though not at the expense of escorting the WFP, signals a broadening of the EU's security objectives. The simultaneous rejection of the UN's request for a third military operation in Congo to secure humanitarian aid delivery and protecting civilians underlines this argument.

However, while the chapter argues that EUNAVFOR embodies a shift in terms of the tasks and justification of EU military operations, Atalanta entails more. EUNAVFOR Atalanta triggered the EU's involvement with Somalia at large, realizing that the naval operation would not solve the "root causes" of piracy. In 2012 the operation was explicitly included in the EU's so-called comprehensive approach, with a reference to the Strategic Framework for the Horn of Africa (2011). As such it nuances Norheim-Martinsen's (2013) claim that it is "hard to escape the point that Atalanta restricts itself to treating only those symptoms that directly threaten European economic interests,

Table 6.4 Overview position coalitions on Atalanta

Global Power EU	Euro-Atlanticists
Economic tasks: yes	Economic tasks: yes
Comprehensive approach: hesitant	Comprehensive approach: yes (learning)
Monitoring fishing: no	

Bystanders	Human Security
Economic tasks: yes	Economic tasks: no, but safety of people
Comprehensive approach: yes	Comprehensive approach: yes
Operation-area to include land: yes (learning)	

Table 6.5 Main observable implications

Hard bargaining (power resources of different coalitions)	Learning (common experience)	Cooperative bargaining (give-and-take)	Institutional entrapment (stuck-together)
Linking troop contribution to tasks of mandate	Mandate - include land territory	Mandate - protecting both humanitarian aid delivery and commercial vessels	Partial - UN mandate: Atalanta (yes), Congo (no)
Delaying decision-making	Comparative advantage of EU over NATO	Mandate – add "illegal fishing"	Shifting balance to protecting commercial vessels once operation is launched
Refusing OHQ Congo-operation	Allowing AVPD's	Comprehensive approach	

while the factors causing the symptoms are left untreated." Instead, Atalanta is best seen as an operation that is increasingly embedded in a broader engagement to tackle both the causes and the symptoms of piracy.

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