

# ISARMUN 2019



## Study Guide



Redefining NATO's Role in Global Maritime Security

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## Welcome Letter

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*Honorable Delegates,*

*it is our great pleasure to welcome you to the North Atlantic Council at IsarMUN 2019! We are excited to work with you in order to redefine NATO's approach to Maritime Security this November, hoping for heated debates, changing alliances, intense drafting and of course the very best networking. We aim to make this committee a genuine and challenging experience that will give you a better understanding of major global issues and develop your soft skills, but also bring amazing nightlife in Munich. We are honored to be leading NATO along this ride.*

*The following material is aimed at providing the delegates with introductory background information on the topic. These few pages are just the beginning of your research. Equip yourselves with knowledge from this guide and use the "What the position papers and the communiqué should tackle" section as a compass to find your answers relating to the topic.*

*Visiting the official sites of NATO is highly advised as is reviewing the media libraries and past summit communiqués to get a sense on how they are written. All the information you require for well-informed debate is available on the internet; you only need to look for it.*

*Happy researching and position paper writing and please do not hesitate to contact us via email should you require any help!*

*The Presidency,*

*Jakub Rurarz and Sebastian Leicher*

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## An Introduction to NATO

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The North Atlantic Treaty Organization (NATO) is an intergovernmental political and military alliance between 29 North American and European states based on the North Atlantic Treaty that was signed on 4<sup>th</sup> of April 1949. NATO's purpose is to guarantee the freedom and security of its members through political and military means.



### *Member countries of NATO<sup>1</sup>*

NATO sees its role in promoting democratic values and enabling members to consult and cooperate on defence and security-related issues to solve problems, build trust and, in the long run, prevent conflicts from arising. It can undertake crisis-management operations via military means if diplomatic means fail. These are carried out under the collective defence clause of NATO's founding treaty (Article 5 of the Washington Treaty) or under a United Nations mandate, alone or in cooperation with other countries and international organisations. Article 5 has been invoked only once in its history - in response to the 9/11 terrorist attacks in the United States of America in 2001.<sup>2</sup>

Article 9 of the founding treaty established the North Atlantic Council (NAC), often simply called “the Council”, as the supreme decision-making body of NATO. All members within NATO are to be treated equally within the NAC and every decision is taken unanimously. Therefore, the policies and communiqués issued by the NAC are to be seen as the expression of the collective will of the sovereign member states. The NAC is chaired by the Secretary General of NATO and convenes at least weekly at ambassadorial level, twice and thrice yearly respectively at the ministers of foreign affairs and the ministers of defence levels. Summit meetings at heads of state or government level customarily take place every two years since 2010 and offer the opportunity for strategic and political

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<sup>1</sup> Image sourced from [https://en.wikipedia.org/wiki/Member\\_states\\_of\\_NATO](https://en.wikipedia.org/wiki/Member_states_of_NATO).

<sup>2</sup> NATO, *What is NATO?*, <https://www.nato.int/nato-welcome/>.

deliberations, such as the accession of new members and the long-term direction of the Alliance vis-à-vis new security challenges.<sup>3</sup>

## **Redefining NATO's Role In Global Maritime Security**

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### An introduction to maritime security

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Maritime security describes an interconnected field of security agendas. It encompasses the protection of abstract and specific concepts of the maritime space, including governmental and non-governmental ships, their crews, ports, global economies and globalization as a whole from threats. Those threats can originate from state or non-state actors and extend from physical violence such as open naval warfare, covert operations, terrorism to piracy and extortion. The maritime dimension as a domain of warfare encompasses all oceans, seas, and littorals and is interconnected with other domains.<sup>4</sup>

Ships have been at the risk of piracy and armed attacks for almost as long as humanity uses waterways and oceans to transport goods and people. The line between piracy and warfare has often been blurry, and this is often the consequence of strategic political decisions.

Exemplified notable historic periods of those threats are:

- Cilician pirates in the Mediterranean during the Roman Republic
- The Buccaneers Period in the Caribbean in the 17<sup>th</sup> century
- Pirates of the South China Coast in the 18<sup>th</sup> and 19<sup>th</sup> century<sup>5</sup>
- German U-Boat war in the Atlantic during the World Wars
- The “Tanker War” Period of the Iran-Iraq-War

The United Nations Convention on the Law of the Sea (UNCLOS) signed in 1982 defines the territorial waters up to 12 nautical miles (22 kilometres) from the coast of a nation. Attacks on ships with the intent to steal, kidnap, and extort within the territorial waters are classified as armed robberies and it usually lies in the competence of the respective coast guards to counteract those. Piracy begins in the international waters and it is the right of every country to prosecute suspected

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<sup>3</sup> NATO, *North Atlantic Council*, [https://www.nato.int/cps/ic/natohq/topics\\_49763.htm](https://www.nato.int/cps/ic/natohq/topics_49763.htm).

<sup>4</sup> NATO, *NATO's maritime activities*, [https://www.nato.int/cps/en/natohq/topics\\_70759.htm](https://www.nato.int/cps/en/natohq/topics_70759.htm).

<sup>5</sup> Berlusconi, G., *History of Piracy*, [https://www.researchgate.net/publication/295086441\\_History\\_of\\_piracy](https://www.researchgate.net/publication/295086441_History_of_piracy).

pirates apprehended by its naval vessels, such as reiterated in United Nations Security Council Resolution 2383 (2017).<sup>6</sup>

According to Article 101 of UNCLOS, piracy is:

*“(a) any illegal acts of violence or detention, or any act of depredation, committed for private ends by the crew or the passengers of a private ship or a private aircraft, and directed:*

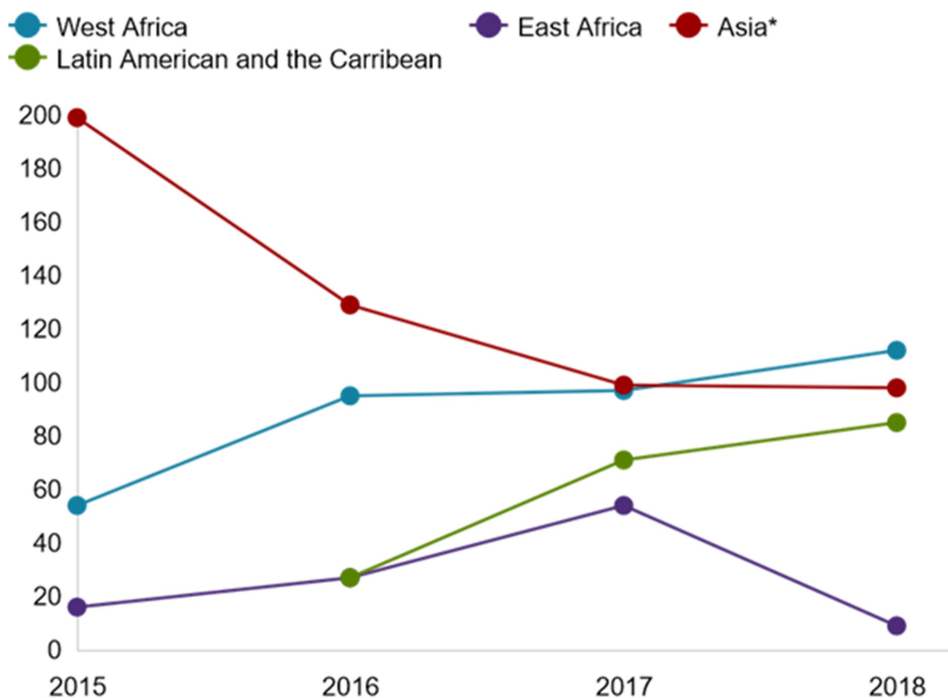
*(i) on the high seas, against another ship or aircraft, or against persons or property on board such ship or aircraft;*

*(ii) against a ship, aircraft, persons or property in a place outside the jurisdiction of any State;*

*(b) any act of voluntary participation in the operation of a ship or of an aircraft with knowledge of facts making it a pirate ship or aircraft;*

*(c) any act of inciting or of intentionally facilitating an act described in subparagraph above.”*

The following graphs shows the yearly amount of armed robberies at sea and piracy cases per region in the recent years. The number of attacks can fluctuate starkly, but a gradual increase in the Latin American and Caribbean as well as the West African region is visible.



<sup>6</sup> UN, *United Nations Convention on the Law of the Sea*,  
[https://www.un.org/Depts/los/convention\\_agreements/texts/unclos/unclos\\_e.pdf](https://www.un.org/Depts/los/convention_agreements/texts/unclos/unclos_e.pdf)

### *Reported armed robberies and piracy cases per region*<sup>7</sup>

Most recently, the security of commercial vessels travelling through the Strait of Hormuz between Iran and Oman - and transporting 20% of the world's oil supply - has been threatened. Examples are the seizure of a United Kingdom-flagged oil tanker by Iran's Islamic Revolutionary Guard Corps and the attacks on four oil tankers at sea, allegedly also by the Revolutionary Guard. The USA together with the UK and Australia have announced to organise a multilateral maritime security mission to protect the shipping lanes, this without the official involvement of NATO or under a UN Mandate.<sup>8</sup>

### NATO and maritime security

NATO's 2011 Alliance Maritime Strategy defines four key roles the alliance plays in the maritime space of operations: deterrence and collective defence, crisis management, cooperative security, and maritime security. The latter has become one of the most significant of NATO's maritime activities.

The recent summits in Wales 2014 and Warsaw 2016 stressed the geopolitical and economic importance of the maritime domain in the 21st and the need for NATO to adapt to a complex and increasingly unpredictable maritime security environment. The Standing Naval Forces have been made more flexible and their response readiness heightened. Cooperation with the European Union is seen as a central contribution to the security of the Allied nations, as seen in the adoption of the EU's Maritime Security Strategy 2014. At the 2016 summit it was agreed to expand the counter-terrorism Operation Active Endeavour into a broader Maritime Security Operation in the face of spill-overs of conflict from failing and failed states in North Africa and the Middle East region, terrorism and violent extremism and additional transnational security threats. In this regard it was transitioned from an Article 5 operation to the now non-Article 5 Maritime Security Operation Sea Guardian.<sup>9</sup>

NATO has Standing Naval Forces (SNF) that provide the Alliance with a continuous naval presence. This multinational deterrent force carries out a program of scheduled exercises, manoeuvres, and port visits, and can be rapidly deployed in times of crisis via its integration in the NATO Response Force. NATO's SNFs consist of four multinational and permanently available groups: Two Standing NATO Maritime Groups and two Standing NATO Mine Countermeasures

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<sup>7</sup> Image sourced from <https://www.bbc.com/news/world-africa-48581197>.

<sup>8</sup> Vavasseur, X., *UK joins international maritime security mission in the Gulf*, <https://navalnews.com/naval-news/2019/08/uk-joins-international-maritime-security-mission-in-the-gulf>

<sup>9</sup> NATO, *Summit meetings*, [https://www.nato.int/cps/en/natolive/topics\\_50115.htm](https://www.nato.int/cps/en/natolive/topics_50115.htm).



Groups. All NATO maritime forces are commanded by the Allied Maritime Command (MARCOM) headquartered in the Northwood (UK) headquarter.<sup>10</sup>

### NATO's Maritime Security Operations (MSOs)

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There are seven possible MSO tasks defined by NATO:

- Maritime situational awareness
- Counterterrorism at sea
- Upholding Freedom of Navigation
- Maritime Interdiction
- Preventing proliferation of weapons of mass destruction
- Protection of critical infrastructure
- Support to capacity-building

The only current NATO MSO is Operation Sea Guardian, a flexible mission in the Mediterranean Sea tasked with maritime situational awareness, counterterrorism at sea and support to capacity-building, but without a continuous naval presence.<sup>11</sup>

Past missions include NATO's successful counter-piracy operations off the Horn of Africa and the Gulf of Aden from 2008 to 2016 (Allied Provider, Allied Protector, Ocean Shield). Operation Unified Protector enforced the arms embargo against Libya in 2011. Operation Active Endeavour, launched after the invocation of Article 5 by the USA in 2001, was aimed to disrupt and protect against terrorist activities in the Mediterranean Sea.

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<sup>10</sup> NATO, *NATO's maritime activities*, [https://www.nato.int/cps/en/natohq/topics\\_70759.htm](https://www.nato.int/cps/en/natohq/topics_70759.htm).

<sup>11</sup> NATO, *Operation Sea Guardian*, [https://www.nato.int/cps/en/natohq/topics\\_136233.htm](https://www.nato.int/cps/en/natohq/topics_136233.htm).



#### *The Presence of Russia*

Russian Navy suffered a decline in its operational capability after the fall of the Soviet Union, but in recent years efforts have been made by President's Putin administration to modernize and upgrade the Navy so that it could be a counterbalance to the United States forces. In 2012, a plan to build 51 modern ships and 24 submarines by 2020 was announced. On 10 January 2013, the Russian Navy accepted its first new *Borei* class nuclear-powered ballistic missile submarine, with next ones entering into service in 2013, 2014 and 2017. The Russian Navy shipbuilding and modernization account is receiving an increasingly large share of national defense appropriations, amounting to more than \$132 billion between now and 2020, according to Reuters.<sup>12</sup> Russia greatly used its naval forces in the civil war in Syria and to target Islamist groups in Iraq, and the Mediterranean seems to be the primary concern for the country, which wants to get a new naval base in the region within the next years.<sup>13</sup> Russia also maintains a constant and significant presence in the Black Sea and the Baltic Sea.

#### Guiding questions:

- Should NATO invest more money into navy development and Maritime operations?
- How to counter Russia's rising sea power?

#### *The rising maritime power of Arab nations*

OPEC controls 44% of the global oil production and 81,5% of its reserves, with NATO Members largely depending on OPEC exports. With the Arab Spring, civil wars (Iraq), tensions with the USA (Iran), and growing ambitions of several OPEC countries (Saudi Arabia, UAE) to become important players in global politics, partly by diversifying their investments to move from oil into sports, transport or finances, the tension is growing, and NATO can be at the center of it, taking into account the role oil plays in the everyday life of all its Member States. In the recent escalations with Iran, oil played a crucial role, with the United Kingdom intercepting an Iranian tanker<sup>14</sup> or Iran shooting down an American drone.<sup>15</sup> With the USA withdrawing from the Joint Comprehensive Plan of Action (so-

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<sup>12</sup> Fedyszyn 2013

<sup>13</sup> Fedyszyn 2013

<sup>14</sup><https://www.independent.co.uk/news/world/middle-east/iran-oil-tanker-uk-strait-hormuz-gibraltar-syria-navy-a9021886.html>

<sup>15</sup> <https://edition.cnn.com/2019/06/20/middleeast/iran-drone-claim-hnk-intl/index.html>

called “nuclear deal”)<sup>16</sup> and Iran ignoring it since then, the situation with the country is a topic to be considered by the North Atlantic Council in its own right.<sup>17</sup> Independently from any decisions, a hypothetical military action, including the protection of tankers, oil refineries or civilians, requires a NATO fleet to be present around the Strait of Hormuz. Recently only a couple of NATO Members were able to deploy warships there.

Guiding questions:

- Is there a need for a NATO operation to protect oil tankers in view of the recent events with Iran?
- Should NATO plan its long term strategy around a middle-eastern fleet and constant presence, including airplane carriers?

## Asymmetric threats

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### *Maritime terrorism and piracy*

Piracy off the coasts of Somalia was a major problem between 2007 and 2012, with its costs to the global economy estimated to be up to \$7 billion. A 2011 report by Oceans Beyond Piracy (OBP) suggested that the indirect costs of piracy were between \$6.6 to \$6.9 billion, including insurance, naval support, legal proceedings, re-routing of slower ships, and individual protective steps taken by ship-owners. Another major hijacking took place in 2017, when the tanker Aris-13 was captured by a group of pirates and anchored in Alula. Several other hijackings took place since then, which prompted the European Union to extend its own “Operation Atalanta”. NATO, however, has formally ended its “Operation Ocean Shield”, and other actors such as China or Russia had gained a foothold in patrolling the region. The events since 2017 show that relaxing the effort to curb piracy with the use of naval operations will inevitably lead the Somali criminal groups to shift back to targeting western ships, at least for as long as the collapse of the state authorities in Somalia continues. At the same time, leaving the security of ships transporting cargo destined for Europe and the US in one of the vital routes for global trade, in the hands of NATO competitors and potential enemies, is deeply concerning.

Guiding question:

- Should NATO start another counter-piracy operation?

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<sup>16</sup> <https://www.nytimes.com/2018/05/08/world/middleeast/trump-iran-nuclear-deal.html>

<sup>17</sup> <https://time.com/5671589/iran-nuclear-deal-uranium-higher-enrichment/>

### *Transportation of arms and weapons of mass destruction*

Keeping busy trade routes - such as the Gulf of Aden and the Suez Canal - open and safe is critical to NATO's Member State's security and economy. However, taking the number of ships, containers and cargo crossing these zones every year, it is inevitable that terrorists, crime syndicates and foreign governments will use them for shipping arms, including weapons of mass destruction. There is proof ISIS tried to obtain both nuclear and biological weapons. The terrorist organization as a whole could not survive without regular arms shipments, that did not reach its territory "magically", but mostly by sea. The anti-government groups in Syria could not have started a civil war without arms coming in from foreign countries. The civil wars around Africa are fuelled by arm dealers from the western world. Shipping by sea is cheap, discreet and hard to track. It clearly leads to more dangers to the Alliance than any potential benefits, and NATO accused foreign countries of engaging in the process multiple times.<sup>18</sup> However, controlling foreign ships at high seas may cause even more international tensions, and might be violating international law.<sup>19</sup>

Guiding questions:

- What can be done about maritime transportation of arms and should NATO be concerned about it at all?
- How can NATO track and stop weapons of mass destruction from getting into the wrong hands by sea?

### *Illegal migration*

The recent migrant crisis was and keeps on being a major concern for the central European NATO members, as well as Turkey. A large flow of migrants is shipped northwards from the Libyan coast by organised human trafficking networks, often using improvised or technically unfit vessels, for monetary gain – an estimated \$1 billion in 2015. These networks are often related to former militia groups, pirates or smugglers. Over a million migrants reached Europe in 2015, of which 97% did so by sea, a number which no single state can host. More than 3500 people lost their lives trying to cross the Mediterranean.<sup>20</sup> The numbers show that NATO's maritime security is not optimal even in a sea

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<sup>18</sup> Akar 2019

<sup>19</sup> see UNCLOS in "Recommended reading".

<sup>20</sup> Akar 2019

being central to their interests, and that it is failing in providing security to those on the sea as well as to control the flow of vessels coming into its territory.

Guiding questions:

- What should NATO do to counter illegal migration?
- Should NATO start a maritime operation in the Mediterranean targeting illegal migration and human trafficking specifically?

### Questions to be Addressed

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Representatives are expected to discuss all the current issues and challenges discussed in this Study Guide from the point of view of their country in their Position Papers, and are free to add additional ones. Each Member State **should indicate at least two topics** it considers a priority for the alliance with the appropriate reasoning and arguments behind. Representatives can use the guiding questions as a starting point for their research, and a list of “Further reading” addressing some of these issue can be found at the end of this guide.

The final communiqué should indicate the priorities for the allocation of the limited NATO resources in terms of maritime security both in a short and long term perspective. It should address at least two current challenges with appropriate measures within the scope of the role of the North Atlantic Council, such as general policy guidelines, budgetary agreements, programmes, operations and solutions.

## **Bibliography and Further readings**

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### **NATO's Alliance Maritime Strategy:**

[https://www.nato.int/cps/ua/natohq/official\\_texts\\_75615.htm](https://www.nato.int/cps/ua/natohq/official_texts_75615.htm)

### **NATO multimedia library - reports - maritime security**

<http://www.natolibguides.info/maritimesecurity/reports>

### **United Nations Convention on the Law of the Seas:**

[https://www.un.org/Depts/los/convention\\_agreements/texts/unclos/unclos\\_e.pdf](https://www.un.org/Depts/los/convention_agreements/texts/unclos/unclos_e.pdf)

### **Akar 2019**

Furkan Akar, MARITIME SECURITY CHALLENGES IN MEDITERRANEAN SEA AND HOW NATO RESPOND TO THEM, August 2019, available at

[https://www.researchgate.net/publication/335820247\\_MARITIME\\_SECURITY\\_CHALLENGES\\_IN\\_MEDITERRANEAN\\_SEA\\_AND\\_HOW\\_NATO\\_RESPOND\\_TO\\_THEM](https://www.researchgate.net/publication/335820247_MARITIME_SECURITY_CHALLENGES_IN_MEDITERRANEAN_SEA_AND_HOW_NATO_RESPOND_TO_THEM)

### **Fedyszyn 2013**

Captain Thomas R. Fedyszyn, The Russian Navy 'Rebalances' to the Mediterranean, December 2013, U.S. Naval Institute, <https://www.usni.org/magazines/proceedings/2013/december/russian-navy-rebalances-mediterranean>

### **YATA 2017**

Youth Atlantic Treaty Association, NATO and Maritime Security, Atlantic Voices, Volume 7-Issue 08 August 2017, <http://www.atahq.org/wp-content/uploads/2017/10/AV-Vol.7-No.-08-August-2017-12-pages.pdf>