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**Slot: 102-Europe's marginal seas: Sources of conflict, or resource for cooperation**

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***The new integrated European Maritime Policy. The challenges of the maritime governance in the Mediterranean.***

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#### **ABSTRACT**

Launched in 2007, the new Integrated Maritime Policy of the European Union emerged as an indispensable policy that covers both external and internal issues of the Union. This revised policy accepts indeed the so-called maritime dimension in a variety of issues that the European Union currently deals with. The following key sectors capture the main priorities of the new integrated European maritime policy: a) The further expansion of the European internal market through the promotion of maritime commerce and other sea-related economic activities; b) Environmental protection due to the degradation of the maritime environment; c) The Establishment of a sufficient surveillance and information system over maritime spaces, in order to prevent illegal emigration, terrorist attacks and illegal arms and drugs trafficking. The new European maritime policy pays special attention to the Mediterranean Sea. The ever-growing human and economic development through maritime traffic in the Mediterranean increases the environmental degradation. Furthermore, a large part of the Mediterranean remains High Seas waters, thereby specific governance issues arise. This paper examines the key challenges related to the aforementioned issues in the area of the eastern Mediterranean. On the other hand, the existing territorial conflicts in the specific geographical area have a maritime dimension as well. For instance the Greek-Turkish dispute over the Aegean Sea and the Cyprus problem are two typical examples. These territorial conflicts have an impact on the European Union and the debate regarding its external boundaries as well as the accession of Turkey in the European Union. Finally, eastern Mediterranean serves as a

major transit for carbon-based energy originating from the Middle- East, the Black Sea and the Caucasus region -either through terrestrial pipelines, or through maritime transport. Energy transport poses two serious challenges that of ship-borne pollution and security of transits. Herein I will try to present the array of measures proposed in the Integrated Maritime Policy that pursue to tackle with these two controversial issues.

**KEY WORDS:** Integrated Maritime Policy, European maritime affaires, maritime transports, Mediterranean Sea.

*“The seas are Europe's lifeblood. Europe's maritime spaces and its coasts are central to its wellbeing and prosperity – they are Europe's trade routes, climate regulator, sources of food, energy and resources, and a favored site for its citizens' residence and recreation”.*

An Integrated Maritime Policy for the European Union, Executive Summary

## INTRODUCTION

The revised integrated Maritime Policy of the European Commission at 2007 signaled a new era for the Union's maritime affairs and emphasized the key-role of this sectoral policy for issues related to the internal operation as well as the Union's external relations and activities. This working paper will summarize the so-called maritime dimension of a series of issues that the European Union currently deals with, supporting the need of a coherent maritime policy with precise goals and instruments.

In the first part, the paper will present and analyze the priorities of the new integrated European maritime policy which are oriented to the following key sectors:

The further expansion of the European internal market through the promotion of maritime commerce and other sea-related economic activities; the maritime commerce covers fishery, commodities and energy transport. The latter will be the main focus of this paper.

The measures against the environmental degradation of the maritime environment; the excessive sea-related activities while being economically promising, they may result to extensive environmental harms that might put entire economies in jeopardy, primarily the economies of coastal states that heavily depend to sea (tourism, fishery).

The implementation of an adequate surveillance and information system over maritime spaces, in order to prevent illegal emigration, terrorist attacks and illegal arms and drugs trafficking. Safe and continuous flow of carbon-based resources via seaways is also included in this process.

The second part of the paper presents the key role of the Mediterranean Sea for the new European maritime policy with a special focus to the key "maritime" challenges in the area of the eastern Mediterranean.

The eastern Mediterranean coastal states are engaged in various maritime activities which directly influence their societal and economic development as well as their commercial liens with EU member-states. However, the ever-growing human and economic development through the maritime traffic in the eastern coast of the Mediterranean accelerates environmental degradation with the risk of diminishing the advantages, derived by the maritime activities.

Another highly controversial issue is the fact that a large part of the eastern Mediterranean remains High Seas waters. Hence specific governance issues arise, which are related to the admiralty law (maritime law), the Law of the Sea and the EU's jurisdiction. Nonetheless, the existing territorial conflicts in the specific area have a maritime dimension too, i.e. the Greek-Turkish dispute over the Aegean Sea and the Cyprus problem are two typical examples. These territorial conflicts perplex the

debate about EU's external borders and the accession of Turkey to the European Union. Without going through the details of the conflicts, the paper will emphasize those internal and external parameters which affect the exercise of a "communitarian " maritime policy in the area, while taking into consideration that Greece and Cyprus are member – states and Turkey has a candidate status.

Finally, Eastern Mediterranean is an area of significant importance for the European Union due to the fact that it is a gate of carbon-based energy resource from the Middle- East, the Black Sea and the Caucasus region. These energy resources arrive to the European market either through terrestrial pipelines that end to energy logistic centers, or through maritime transport. Energy transport poses two serious challenges that of ship-borne pollution and security of transits. Herein, this paper will present the array of measures proposed in the Integrated Maritime Policy that pursue to tackle with these two controversial issues which demand the harmonization of the energy and maritime policies of the European Union.

## PART I

### **The integrated maritime policy of the European Union. The emergence & the institutionalization<sup>1</sup> of a new EU public policy.**

The integrated maritime policy of the European Union is indeed a *new* policy not only in terms of time (for it has been only launched in 2007), but also in terms of the innovatory management of maritime issues. The “management” innovation lies on the two following aspects.

Firstly, the recently launched maritime policy is a public policy, meaning that apart from being simply a juridical question related to state sovereignty, the sea and the sea-related issues and activities are no-longer an angle of other terrestrial public policies such as transport and environment. The maritime policy of the European Union consists of courses of action, regulatory measures and funding tools undertaken by member –states institutions and the European Union itself taking into consideration the interaction of public and private sectors’ activities and interests.

Secondly, the EU’s maritime policy has significantly “integrated” a joined management and coordination of the sea-related issues and sectoral policies, at the aim of targeted results through a new decision and policy making procedure where European Commission will play the predominant role. The “integrated” approach of maritime issues is expected to develop measures (legislative, operational & economic) that will be *coherent and mutually compatible*<sup>2</sup>.

Due to the fact that the integrated maritime policy of the European Union has been only recently launched, the literature that covers the theme is limited. This part of the paper will be based principally on the official texts of the European Union in order to identify the policy’s key elements in its effort to develop a common and coherent measures and actions framework.

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<sup>1</sup> For a more detailed analysis on this topic: Saliou V., Chantiers de recherché. Gouverner la mer:emergence et institutionnalisation d’une politique maritime européenne, Politique européenne, 2008 /2, pp. 253-259.

<sup>2</sup> SEC (2007) 1278: Commission Staff Working Document. Accompanying document to the Communication from the Commission, the Council, the European Economic & Social Committee and the Committee of the Regions

“An Integrated Maritime Policy for the European Union”, available at:  
[http://ec.europa.eu/maritimeaffairs/pdf/ActionPaper/action\\_plan\\_en.pdf](http://ec.europa.eu/maritimeaffairs/pdf/ActionPaper/action_plan_en.pdf)

## The main priorities

- i. Sustainable use of the sea enabling the economical growth of maritime sector and coastal regions while ensuring the prevention of the maritime environment deterioration. Shipping is, in general, the backbone of Europe's domestic and international trade chain. In particular, for many member-states shipping (fishery, cruise shipping, off-shore energy transport) and coastal maritime logistics is the most vital sector of their economy. Shipping is also a predominant cause of environmental pollution while being more energy efficient than similar terrestrial activities. The new integrated maritime policy of the EU has to combine effectively these two parameters.
- ii. Development of an adequate system of maritime surveillance aiming at the safety of navigation, the limitation of marine pollution and the control of the external maritime borders of European Union. More specifically, the integrated maritime policy of the European Union will try to coordinate and enhance cooperation among the so far state-based surveillance systems creating a "European network" of maritime surveillance.

## The key measures and instruments

The new integrated maritime policy of the EU takes into serious consideration the direct line that exists between the European, international and domestic, trade and the maritime transport. Taking into account the dynamic growth of world trade, the policy introduces such measures that will enable the EU and its member – states to boost their competitiveness while respecting the marine environment. More specifically, the integrated maritime policy proposes a **revised maritime transport strategy** (2000-2018) which targets to:

- The creation of a **European Maritime Transport Space without barriers**. A maritime transport space *free of unnecessary administrative barriers and duplicated cross-border controls*<sup>3</sup> (...) and other economic instruments such as trading taxes will contribute positively to the economic integration of EU Member –States and their neighbor countries. A competent short sea shipping system for commodities and passengers, always aligned with the international regulatory framework<sup>4</sup> and modern logistics port services would boost European maritime economy and will create investment and professional opportunities for the population of coastal member-states and neighbor countries.
- The further expansion of **Marco Polo** and **TEN-T<sup>5</sup> (Trans-European Transport Network)** EU funding projects and the establishment and the proper deployment of the **Motorways of the Sea**<sup>6</sup>.

**Marco Polo Program**<sup>7</sup> is a project funded by the EU that encourages the redistribution of the carried freight to other modes of transport – sea, rail and inland waters- in order to decongest roadways and thus cause less pollution and establish a more reliable and efficient transport of goods.

The first **Marco Polo Program**, following the PACT Programme<sup>8</sup> (1997-2001), ran from 2003 to 2006 and its overall budget of 75 million Euros financed projects related to new non-road freight transport

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<sup>3</sup> COM (2009) 8 final: “Strategic goals and recommendations for the EU’s maritime transport policy until 2018” available at : <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2009:0008:FIN:EN:PDF>

<sup>4</sup> Based principally on UNCLOS (United Nations Conventions on the Law of the Sea) and IMO conventions.

<sup>5</sup> Official website: <http://tentea.ec.europa.eu/>

<sup>6</sup> [http://tentea.ec.europa.eu/en/ten-t\\_projects/30\\_priority\\_projects/priority\\_project\\_21/priority\\_project\\_21.htm](http://tentea.ec.europa.eu/en/ten-t_projects/30_priority_projects/priority_project_21/priority_project_21.htm)

<sup>7</sup> Web link: [http://ec.europa.eu/transport/marcopolo/home/home\\_en.htm](http://ec.europa.eu/transport/marcopolo/home/home_en.htm)

services and the facilitation of freight market operation and logistics services. EU member-states as well as the candidate countries participated to this program.

The current second Marco Polo Program with the time framework between 2007-2013 aims at the funding and implementation of further projects with the most important to be the **Motorways of the Sea** and other traffic avoidance related projects. With a higher budget (450 million Euros) it involves not only EU-member and -candidate states but those bordering the EU as well.

European Commission's **TEN-T programme** supports financially important transport and infrastructure projects in order to offer to EU citizens a more efficient and environmental friendly modes of transport. The programme involves all the EU member-states and is aligned with the Directorate General for Mobility and Transport (MOVE). The TEN-T programme consists of hundreds of projects whose ultimate purpose is to ensure the cohesion, interconnection and interoperability of the trans-European transport network, as well as access to it. Among the 30 Priority Projects<sup>9</sup> (or Axes) is the project of the **Motorways of the Sea**, which is actually the only project that refers exclusively to the maritime transport.

The **Motorways of the Sea** can be defined as a "network of maritime links between member states". The project is part of neighbourhood, transport and maritime policies of the European Union and the common desire to integrate the transport networks in the European maritime space in order to facilitate the development of a privileged free-trade zone and the rapprochement between EU coastal populations and those of neighbouring coastal states. Motorways of the Sea are new concept in accordance mainly with the needs of the Mediterranean region, whose volume of transport attracts not only the European but the worldwide interest<sup>10</sup>. The proposed Motorways of the Sea have been initiated by the European Commission, in the impetus of the European Council in Gothenburg in 2001, upon the publication of the White Book on Transport "European Transport policy for 2010: time to decide". The idea is a greater complement of transport modes and the development of inter-modal transportation means in order to reduce environmental harms and roadways' congestion.

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<sup>8</sup> Summary available at :[http://europa.eu/legislation\\_summaries/other/l24172\\_en.htm](http://europa.eu/legislation_summaries/other/l24172_en.htm)

<sup>9</sup> Available at the web link: [http://tentea.ec.europa.eu/en/ten-t\\_projects/30\\_priority\\_projects/30\\_priority\\_projects.htm](http://tentea.ec.europa.eu/en/ten-t_projects/30_priority_projects/30_priority_projects.htm)

<sup>10</sup> *Le transport maritime à courte distance : Enjeux et perspectives en Méditerranée*, Paris, L'Harmattan, 2008, sous la direction de Xavier Peraldi et Michel Rombaldi.

*“The sea (and therefore maritime transport), offers a number of distinct advantages when compared with land-based modes. For example:*

*The sea is free, or virtually free, it already exists, and does not require ongoing maintenance (though this does not mean that the sea is a natural highway);*

*Seas tend to comprise very large and spacious areas, which are for the most part unaffected by traffic congestion, unlike roadways and railways;*

*Sea transport capacity may be increased, substantially and speedily, through the addition of more ships and larger ships, or faster ships, whereas to expand roadway or railway capacity requires very expensive adjustments to infrastructure, new legislation, etc.”<sup>11</sup>*

The **Motorways of the Sea** has been placed high on the agenda of the Euro-Mediterranean partnership, following the launch of the Union for the Mediterranean in 2008, and it has as a main goal to compensate for existing handicaps in maritime transport and highlight its advantages: *“low-cost infrastructures compared to those of terrestrial networks, economies of scale due to the consolidation of flows and vessel capacity, environmental benefits (less fuel consumption, lack of congestion) are some parameters favourable to the optimization of sea-land complementary transport ways”<sup>12</sup>.*

The initiative involves the implementation of four **Motorways** defined by the four pan-European marine corridors:

1. Baltic Sea (linking the Baltic Sea Member States with Member States in Central and Western Europe, including the route through the North Sea/Baltic Sea canal)
2. Western Europe (leading from Portugal and Spain via the Atlantic Arc to the North Sea and the Irish Sea)
3. The South-west(western Mediterranean, connecting Spain, France, Italy and including Malta and

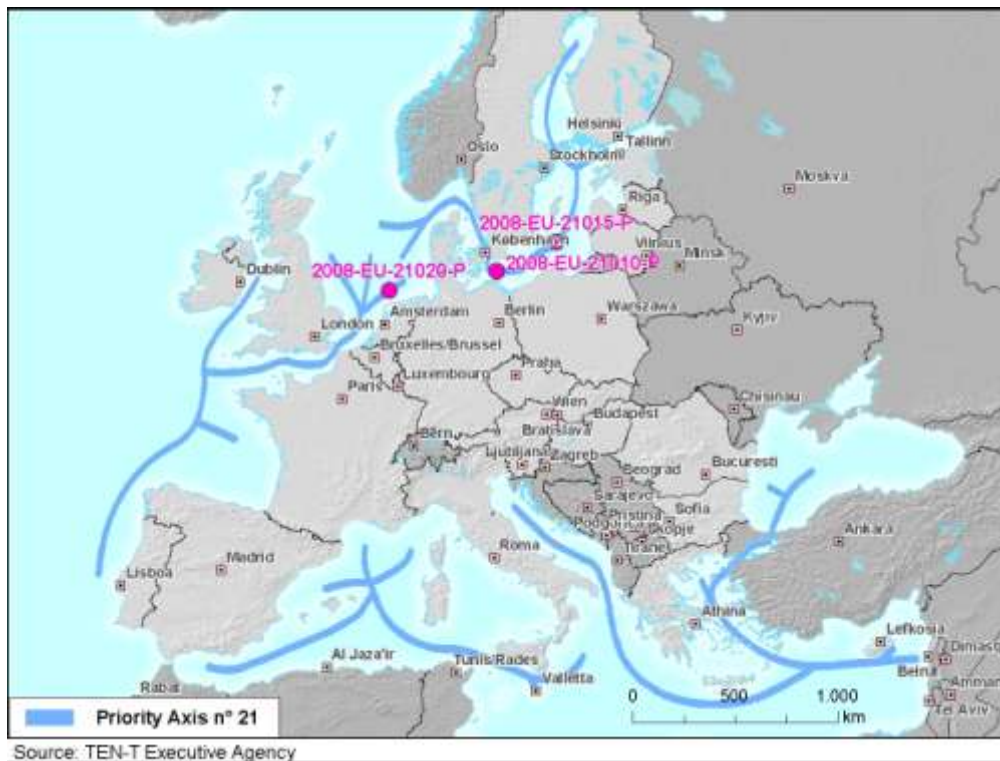
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<sup>11</sup> Alfred J. Baird, The economics of the Motorways of the Sea, *Maritime Policy Management*, Vol.34,no.4, August 2007, ed. Routledge, p.290.

<sup>12</sup> Maxime Weigert, *Les autoroutes de la mer. Des perspectives prometteuses en Méditerranée*, Institut de Prospective Économique du Monde Méditerranéen, Études et Analyses, no 7, Paris, février 2010 : « *« coûts des infrastructures réduits par rapport à ceux des réseaux terrestres , économies d'échelle grâce à la consolidation des flux et aux capacités des navires, gains environnementaux (consommation des carburant , absence de congestion) soit autant des paramètres favorables à l'optimisation des complémentarités mer-terre, y compris mer-route »* (author's translation in the text).

linking with the Motorway of the Sea of south-east Europe and including links to the Black Sea)

4. The South East Europe (connecting the Adriatic Sea to the Ionian Sea and the Eastern Mediterranean, including Cyprus)



Source: TEN-T Executive Agency [http://tentea.ec.europa.eu/en/tent\\_projects/30\\_priority\\_projects/priority\\_project\\_21/priority\\_project\\_21.htm](http://tentea.ec.europa.eu/en/tent_projects/30_priority_projects/priority_project_21/priority_project_21.htm)



Source: European Commission Mobility & Transport, Maritime Transport:  
[http://ec.europa.eu/transport/maritime/motorways\\_sea/motorways\\_sea\\_en.htm](http://ec.europa.eu/transport/maritime/motorways_sea/motorways_sea_en.htm)

The new integrated maritime policy of the EU is also dedicated to the development of an adequate **surveillance system** along the marine space of the European Union. For the purposes of this priority it introduces a new key tool, namely the **Marine Spatial Planning**<sup>13</sup>.

The **Marine Spatial Planning** consists of a revised decision –making tool facilitating the coordination of actions of public authorities and stakeholders and the optimization of the use of the marine space through economic development and environmental care<sup>14</sup>. A Road Map<sup>15</sup> has been drawn by the European Commission and the EU Marine Observation and Data Network (EMODNET)<sup>16</sup> in order to synchronize the data - gather initiatives. The **Maritime Spatial Planning** is also a process, trying to be adapted to the specific features of such maritime region or sub-region through data collection and consultation of the public and private stakeholders from all member –states which are chiefly responsible for the implementation of the spatial planning. Besides that some coastal states have started implementing **Integrated Coastal Zone Management** too, which is supplementary to the Marine spatial Planning.

**Marine Spatial Planning** is indeed a controversial and challenging term referring to the as well controversial geographic delimitation of the marine space. Contrary to the terrestrial space where boundaries are well defined and according with the jurisdictional area of either member-states or of the EU as a whole, such a structure is not yet accomplished for maritime spaces<sup>17</sup>. Questions relative to the sovereign boundaries of the coastal states, in the heart of bilateral rivalries as it will be analyzed further at the second part of this paper, may place serious obstacles in the way of the synchronization of data-gather activities.

**European Maritime Safety Agency (EMSA)**<sup>18</sup>, has been created in 1999 after the *Erika* tanker has sunk causing one of the greatest marine pollution disasters in the world. The agency's main goals are

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<sup>13</sup> [http://ec.europa.eu/maritimeaffairs/spatial\\_planning\\_en.html](http://ec.europa.eu/maritimeaffairs/spatial_planning_en.html)

<sup>14</sup> The objectives of the Maritime Spatial Planning are in line with the EU Sustainable Development Strategy: <http://ec.europa.eu/environment/eussd/>

<sup>15</sup> Available on-line at : <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2008:0791:FIN:EN:PDF>

<sup>16</sup> [http://ec.europa.eu/maritimeaffairs/emodnet\\_en.html](http://ec.europa.eu/maritimeaffairs/emodnet_en.html)

<sup>17</sup> For further discussion on the topic of the marine spatial planning see: Juan L.Suarez de Vivero et al., The geopolitical factors of maritime policies and marine spatial planning: State, regions and geographical planning scope, *Marine Policy*, No 33, 2009, pp. 624-634.

<sup>18</sup> EMSA official website : <http://www.emsa.europa.eu/end173.html>

the prevention of maritime accidents and the protection of human life in the sea. The Agency works closely with both European Commission and member-states in order to coordinate their activities on maritime accident prevention through the establishment, and continuous evaluation and necessary amendment, of proper legislation measures. The agency will provide its technical expertise to the new integrated maritime policy's priority for ships' identification improvement and traffic monitoring in the EU waters.

As far as the borders control is concerned, **FRONTEX**<sup>19</sup> and **EUROSUR (European Border Surveillance System)**<sup>20</sup> present two more important tools for the achievement of the aforementioned process.

**FRONTEX**, the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union has been established on 2004 *in response to the need to improve integrated management at the external borders (air, land and sea borders) of the European Union*<sup>21</sup>. **FRONTEX** is an independent Community body with legal personality specialized in the coordination of member –states operations regarding the borders security. In the frame of the new integrated maritime policy, **FRONTEX** will assist the EU in the reinforcement of the monitoring and the surveillance of the southern maritime border of the European Union, namely in the Mediterranean Sea. Based in Warsaw, **FRONTEX** has decided, in 2010, to establish its first pan-European branch at the Greek port of Piraeus. Aegean Sea is the main entry point of the external maritime borders of EU members-states while Greece is handling more than 75% of all immigrants arrested across the European Union due to the illegal crossing of borders. The Piraeus branch is expected to coordinate the surveillance activities of the other east –European member –states namely Cyprus, Bulgaria, Romania, Italy and Malta.

**EUROSUR**, in coordination, mainly, with **FRONTEX** as far as data exchange and activities coordination are concerned, was set up in 2008 with the purpose to:

- Reduce the number of illegal immigrants entering the EU undetected through a well-monitored surveillance system of the different coastal states. Third states cooperation on this process is highly required.

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<sup>19</sup> Official website: <http://www.frontex.europa.eu/>

<sup>20</sup> Legislation summary available at :  
[http://europa.eu/legislation\\_summaries/justice\\_freedom\\_security/free\\_movement\\_of\\_persons\\_asylum\\_immigration/l14579\\_en.htm](http://europa.eu/legislation_summaries/justice_freedom_security/free_movement_of_persons_asylum_immigration/l14579_en.htm)

<sup>21</sup> Summary legislation available at :  
[http://europa.eu/legislation\\_summaries/justice\\_freedom\\_security/free\\_movement\\_of\\_persons\\_asylum\\_immigration/l33216\\_en.htm](http://europa.eu/legislation_summaries/justice_freedom_security/free_movement_of_persons_asylum_immigration/l33216_en.htm)

- Reduce the death toll of illegal immigrants by rescuing more lives at the sea. The increased number of attempts to illegally enter the EU has contributed to a higher number of human lives losses.
- Increase internal security of the EU as a whole by contributing to the prevention of cross-border crime and specifically the prevention of terrorism, illegal human trafficking, as well as drug and arms trafficking. The numerous piracy cases in the close periphery of the EU (Gulf of Aden) create a new parameter that the integrated maritime policy has to take into account.

## PART II

### Eastern Mediterranean Sea. At the center of European Maritime Affaires

According to the Professor George Prevelakis, the area that covers the maritime space from Black Sea to the Adriatic, at the west, and the Mediterranean in South-East "[...] held a central place in the confrontation logic between East and West, because of its role in the circulation of warships and the transport of strategic raw materials. It continues today to hold an important place in the international strategy, because of its role in international trade"<sup>22</sup>. The East Mediterranean basin is, undeniably, one of the most important crossroads of the globe. Being the source of the European civilisation, the cultural, political and economic importance of the wider area is profound. The sea is surrounded by bilateral conflicts of the coastal states, being, at the same time, part of these conflicts. The maritime space of the East-Mediterranean, including port infrastructures and other maritime related activities, presents a key navigation road for commodities and foremost for energy fuels with destination to West European markets. It constitutes, also, an alternative transport route which can serve the need of diversification of the supply routes and it can accumulate the internal energy market interconnections through the liaison of terrestrial pipelines- maritime transport and subsea pipelines. This "closed", geographically speaking, sea is dangerous as well, looking for a mechanism which will ensure the regular and secure flow of commodities and, above all, of hydrocarbons to the European markets.

The coastal regions of this "closed" sea, overpopulated and overcrowded by tourists, are subject to great environmental pressures such as the desertification, the non-ecologically sustainable management of the fishery resources and the marine pollution from tankers' waste. While the coastal EU member –states take into account the environmental aspects in their development models, the rest of the Mediterranean coastal states not because of their bad economic performances. The sustainable development and the environmental protection constitute basic parameters of the maritime policy of the EU. It rests to examine the success of the Euro-

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<sup>22</sup> Georges Prevelakis, « De l'Adriatique à la Mer Caspienne : pétrole, circulation et iconographies », *Acta geographica*, 110, Paris, 1997, p. 16 : la zone qui va de la mer Noire, à l'Est, à l'Adriatique, à l'Ouest, en passant par la Méditerranée, au Sud-Est, « [...] détenait une place centrale dans la logique des confrontations entre l'Est et l'Ouest, à cause de son rôle pour la circulation des navires de guerre et pour le transport des matières premières stratégiques. Elle continue aujourd'hui à détenir une place importante dans la stratégie internationale, à cause de son rôle dans le commerce international » (author's translation in the text).

Mediterranean partnership in the creation of environmental standards based on the “*acquis communautaire*”.

The idea of “European waters”, “European Maritime boundaries” and the transformation of the Mediterranean Sea into a “European Sea” is not new. The Schengen Agreement forms the so-called “Schengen space” which is delimited by the maritime boundaries of the EU which represent almost the 90% of its perimeter. The largest part of these maritime boundaries is situated at the Mediterranean Sea<sup>23</sup> and these boundaries have been enlarged, at the Eastern part, after the adhesion of Malta and Cyprus. The jurisdiction of the EU, as well as its rights derived from its supposed sovereignty, at this maritime space has not been expanded “naturally” though. Illegal migration issues, connected with the Schengen space and the need of tougher boundaries control, as well as issues related to the delimitation of the territorial waters and the Exclusive Economic Zone (EEZ) and to the exploitation rights of the continental shelf of the coastal states, restrain the EU’s activities in the East –Mediterranean. These issues are connected with serious bilateral rivalries, notably the Cyprus issue and the Greek-Turkish disputes on Aegean Sea, which merely involve the EU due to the Cyprus entrance and the possible entrance of Turkey.

Significant is the issue of the ports of northern Cyprus. Turkey is obliged under a trade pact with the European Union, related to its candidate status, to open its ports to Cyprus an EU member, and therefore to the European and international traffic and trade. No serious steps were made on this direction as Turkey raises the issue of TRNC (Turkish Republic of Northern Cyprus) isolation, which is recognised only by Ankara. Another high controversial subject is the controversies between Greece and Turkey about the borders delimitation in the Aegean Sea. The Turkish claims on FIR control, the coastal zone and the continental shelf engaged, and continues to engage, the two states in serious disputes that could jeopardize the peace and stability in the wider area<sup>24</sup>. A part from being solely a bilateral dispute, it concerns the EU as a whole and its maritime policy specifically, as Greece is a member –state and Turkey a candidate country. The aforementioned measures regarding the development of a sufficient surveillance system on maritime activities as well as a revised transport network cannot be developed and implemented sufficiently if the marine space in concern is a matter of dispute. On the other hand, these initiatives facilitate a cooperation process which can

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<sup>23</sup> Olivier Clochard, “La Méditerranée: dernière frontière avant l’Europe”, *Les Cahiers d’Outre Mer*, Avril-Juin 2003, accessible at the following link: <http://com.revues.org/index862.html>

<sup>24</sup> e. g. the IMIA crisis (tiny islets situated between Dodecanese and Turkish mainland whose the Greek sovereignty was challenged by Turkey) in 1996 when countries were at the brink of war for a few days, until the crisis was defused with the help of USA mediation.

contribute positively on the stabilization of the controversies. Common advantages for sustainable development based on tourism, maritime commerce, and principally on maritime energy transport and exploitation create a win-win game<sup>25</sup> for the two states. The engagement of these sectors' private actors, promoted by the Euro-Mediterranean partnership, can create direct and strong linkages amongst the states' economies though, this type of relations remain still "low-politics" type.

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<sup>25</sup> Also called non-zero-sum games in Game Theory including the famous "prisoners dilemma" where the net results of both players are greater or less than zero in the meaning that the gaining of the one player do not correspond necessarily with a loss for the other. The "prisoners' dilemma" indicates that the cooperation amongst the parties (the states in case of international relations) could enable them satisfy their interests better than if they have been behaved in a unilateral way. For a neo-realistic analysis on inter-state cooperation: Stephen Krasner, *International Regimes*, Ithaca, Cornell University Press, 1983.

## **The harmonization of energy & maritime policies. Towards a new maritime governance of the Mediterranean.**

*“The fundamentals of both policies are the same: both aim for an integration of economic development and environmental protection. If joined up, they will allow a better exploration of the geopolitical value of Europe’s oceans and seas for energy security and sustainability”<sup>26</sup>*

The above paragraph summarizes, in the first place, the need of effective connections and synergies amongst the maritime and energy policies of the European Union. Secondly, this statement signalizes the central place that the Mediterranean Sea, and particularly its Eastern basin, occupies for both these policies.

The energy policy of the European Union has definitely a maritime dimension. A significant hydrocarbons percentage is drilled off-shore while the Eastern Mediterranean Sea is an enabler of energy transportation and energy routes diversification. A part from fossil fuels, the Mediterranean Sea could serve as a renewable energies source notably wind electricity generation but yet the wind parks in the Mediterranean are few due to the high cost of installation and the aesthetic impacts they have that could harm tourist resorts. The Union’s energy transportation reliance ( oil & gas tankers, undersea pipelines, LNG<sup>27</sup> stations and shipments, energy logistics centers ) on the Mediterranean seaways and ports is going to grow further with the development of both internal and regional energy market, the later being one of the goals of the Euro-Mediterranean partnership. Nonetheless, the ship-born pollution caused by the aforementioned energy infrastructures is a serious environmental issue that the Mediterranean coastal states have to face.

The generated dilemma, maritime vis-à-vis pipeline energy transport is placed at the center of the harmonization amongst the maritime and energy policies of the Union. Shipping is a source of CO2 emission but it still remains more energy-efficient than road transportation. However, regions like Bosphorus suffer from tankers traffic congestion and high risk of tanker accidents. The diversification of the energy roads should, therefore, rely on the specific features of each region and the economic

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<sup>26</sup> SEC (2007) 1283 “Commission Staff Working Paper. Accompanying document to the Communication from the Commission to the European Parliament, the Council, the European and Economic and Social Committee of the Regions: An Integrated Maritime Policy for the European Union, Energy Policy and Maritime Policy: Ensuring a better fit” available at : <http://ec.europa.eu/maritimeaffairs/pdf/sec1283energy.pdf>

<sup>27</sup> Liquefied Natural Gas.

gains should not overwhelm the environmental protection measures. Taking everything into consideration, it is evident that both energy and maritime sectors would have mutual advantages if a common regulatory and legislative framework will be implemented. However, it is controversial if this type of framework could be implemented in the eastern Mediterranean as the majority of the coastal countries are not EU members and the Euro-Mediterranean partnership has no yet developed efficient regulatory tools.

Following to the adoption of the new Integrated Maritime Policy in 2007, the European Commission composed a document entitled: *Towards an Integrated Maritime Policy for better governance in the Mediterranean*<sup>28</sup> where it summarizes the Mediterranean Sea's key challenges and the mechanisms that the EU should mobilize in order to achieve an integrated governance of the maritime activities taking place in the Mediterranean basin. The document was primarily addressed to the non-EU Mediterranean partners and it calls for stronger interstate cooperation in maritime sectors.

Having already referred to the key challenges of the Mediterranean which place, especially its eastern basin, this maritime region at the center of the EU's maritime affairs, this part of the working paper will be devoted to the presentation of the particular tools, part of its Integrated Maritime Policy, the EU is going to activate in order to manage the Mediterranean maritime affairs more successfully.

As far as maritime transports are concerned, the EU aims at the full integration of the Mediterranean seaways with the **Trans-European Transport Network** via the **Motorways of the Sea**. Short Sea shipping along the Mediterranean coasts will be facilitated and following to the alignment of the transport modes, the logistic services and the operational systems the EU would achieve to control the maritime transport chain at its integrality.

Regarding the governance of the maritime space, we have to repeat at this point that only the 16% of the Mediterranean marine space is made up of Territorial Sea and the 31% is made up of diverse maritime zones. The rest consists of High Waters. In the eastern Mediterranean, Turkey, Israel and Syria have not ratified the 1982 United Nations Convention on Law of the Sea<sup>29</sup>. Supporting the ratification of the Convention, encouraging the dialogue between the coastal states and highlighting

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<sup>28</sup> COM (2009)466 final, available at :<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2009:0466:FIN:EN:PDF>

<sup>29</sup> UNCLOS. The convention provides a basic framework for the maritime activities based at the customary international law. The convention's overview and full text can be consulted at: [http://www.un.org/Depts/los/convention\\_agreements/convention\\_overview\\_convention.htm](http://www.un.org/Depts/los/convention_agreements/convention_overview_convention.htm)

the benefits from establishing maritime zones, such as social, economic and environmental sustainability of the coastal regions, would be the Commission's priorities.

Concerning the development of a surveillance system for a more secure maritime space, a key tool for the various safety and security concerns in the Mediterranean (energy transport, illegal migration, illegal drug trafficking etc.), **FRONTEX** and **EUROSUR** will provide the necessary support to the coastal states both EU and the non-EU members. The member states will be advised to adopt and implement strictly the EU's maritime safety legislation and to cooperate with the Mediterranean partner countries. The EU –funded **SAFEMED** project is *a response to the interest of the European Union (EU) to develop Euro-Mediterranean co-operation in the field of maritime safety and security, prevention of pollution from ships and marine environmental issues by providing technical advice and support to the non-EU Mediterranean countries identified in the 1995 Barcelona Process. The objective is to mitigate the existing imbalance in the application of maritime legislation in the region between the EU Member States and the Mediterranean partner countries through promoting a coherent, effective and uniform implementation of the relevant international conventions and rules aimed at better protecting the marine environment in the Mediterranean region by preventing pollution from ships*<sup>30</sup>.

The first **SafeMed** project (**SafeMed I**) ran from 2006 until 2008. The second **SameMed (SafeMed II)** project was launched the 2009 and its significant importance lays on the fact that assist the Mediterranean partner countries with the further implementation of the, 2007 adopted, **Regional Transport Action Plan (RTAP)** for the Mediterranean 2007-2013<sup>31</sup>. The **RTAP** offers a road-map for the regional transport cooperation for various transport modes (maritime, roads, railway and civil aviation) aligned with IMO/ILO Conventions and in cooperation with European Maritime Safety Agency.

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<sup>30</sup> According to the project's official webpage: <http://www.safemedproject.org/>

<sup>31</sup> The related document is available at the following link:  
<http://www.safemedproject.org/documents/reference-documents/rtap-english-version>

## **CONCLUDING REMARKS**

The main purpose of this working paper was to present an overview of the main points of the new integrated maritime policy of the European Union. Summarizing the priorities and the key measures, the paper tried to highlight the innovatory elements that this policy contains especially regarding its institutionalization process and the cooperation initiatives with the non EU-member states. As it is a recently launched policy, there is no sufficient related bibliography thus; the paper's dissertation was based mainly on the official EU texts, a fact that gives to the paper a rather descriptive character. We tried thought to provide the readers with a well-structured analysis on the topic and with all the relative links and sources for further research.

Additionally, the paper attempted to argue for the reciprocal advantages derived from the harmonization of energy and maritime policies especially in the region of eastern Mediterranean which is the main transition path of fossil energy sources to the European markets. The eastern Mediterranean region is a special and controversial case for the new integrated maritime policy of the EU. The paper highlighted the key challenges of the region which could infuse new cooperation initiatives amongst the EU member –states and the Mediterranean partners. Nevertheless, the same challenges would place serious obstacles to the EU's maritime policy implementation as issues arose associated with the EU's external relations and the EU's capacity to intervene effectively in bilateral conflicts.

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