

THE MARITIME DIMENSION OF ROMANIAN SECURITY

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Abstract: Romania's integration in NATO and the European Union gave its coastal water boundaries a new transnational, Euro-Atlantic dimension. Practically speaking, Romania emerged from the "gray zone", bringing the eastern flank of the alliances in close proximity to the "frozen conflicts" around the Black Sea coast. Any coastline border modifications in the Black Sea - like the recent annexation of the Crimea peninsula to the Russian Federation - will likely generate disputes regarding the proper delimitation of continental shelf and economic exclusive zones to the Black Sea. The energy resources in Romania's maritime waters can actually transform the country in an important exporter of natural gas to Europe. Romania can become an important player in the energy market, as an alternative to the Russian gas. The exploitation of its energy resources requires the careful placement of off-shore drill equipment, installation of underwater gas infrastructure, and development of proper security measures to insure the integrity of the entire system from an environmental and safe standpoint, all this in addition to offering protection from all the other known security challenges for the area. The Romanian political system will therefore have the important task of creating the proper legislation for the maritime energy security and facilitating the implementation of the monitoring systems, underwater security, measures needed for the smooth and safety operation of off-shore drilling, distribution activities of natural gas and not only.

Keywords: conflicts, underwater has infrastructure, off-shore drilling equipment, security, energy security, underwater security.

Introduction

To adequately understand the aspects of the Romanian Maritime Security it is necessary to describe the current geopolitical context, the geopolitical trends and strategies present in the Black Sea region.

Situated at the intersection of European, Eurasian, and Middle Eastern security spaces, "the wider Black Sea" region, due to its marginal geographical position, has been, for quite some time, ignored by the western experts and considered "the Bermuda Triangle of Western strategic studies"ⁱⁱ

The wider Black Sea region includes: "Greece, Bulgaria, Romania and Moldova in the west, Ukraine and Russia in the north, Georgia, Armenia and Azerbaijan in the east and Turkey in the south. Though Armenia, Azerbaijan, Moldova and Greece are not littoral states, history, proximity and close ties make them natural regional actors"ⁱⁱⁱ.

After the Cold War ended, in the Black Sea region were numerous transnational and geopolitical problems that also developed security challenges for the Euro-Atlantic structures. The western part of Europe has continued to develop in a secure climate, benefiting from the opening and liberalization of markets that were once part of the communist bloc. The eastern European countries had to overcome a lengthy transition to democracy and the establishment of a valid economic free market. The fragile state of these new democracies, the separatist tendencies due to religious and ethnic identities, the economic declines and poverty, have all affected the security of these regions, and have all contributed to the political instability in the region, the spreading of corruption, organized crime, contraband, human trafficking, illegal movement of drugs and weapons.

Romania's integration in NATO and the European Union gave its coastal water boundaries a new transnational, Euro-Atlantic dimension. Practically speaking, Romania emerged from the "gray zone", bringing the eastern flank of the alliances in close proximity to the "frozen conflicts" around the Black Sea coast.

The interactions among the US, EU, NATO, and the Russian Federation, their spheres of influence and decades of security advancements, have created two divergent currents. On one hand, the expansion of the EU and the North Atlantic Alliance into the Black Sea region, through the inclusion of new member states. On the other, the Russian Federation's efforts to oppose this process of expansion in the Black Sea. The plans of the Russian Federation to keep Moldova, Georgia, and Ukraine

under its sphere of political, military, and economic influence and to prevent them from furthering their relations with Euro-Atlantic structure – all in an attempt to maintain an energetic and military presence in the Black Sea – have been favored by the existence of significant Russian communities in these countries, unresolved tensions between these Russian communities and the native inhabitants, and the total dependencies of these new democracies on Russian energy.

Before the NATO Summit held in Bucharest in 2008, at the end of a meeting with the German chancellor Angela Merkel, when asked to comment about the expansionist policies of NATO, Vladimir Putin suggested that efforts were being made by NATO to replace the UN^{iv}.

The war between Russia and Georgia in 2008, the annexation of the Crimea peninsula to Russia in 2014, the Russian support of the separatists in eastern Ukraine and Transnistria, are all clear evidence of the desperate efforts the Russian Federation is making to maintain its influence in, and control of, the Black Sea region.

The Potential for Development in the Region

The Black Sea has a special strategic location, positioned at the crossroads of Europe and Asia, Russia and the Middle East, connecting Western and South-Eastern Europe through the Danube and the Mediterranean Sea.

The strategic importance of the Black Sea is further demonstrated by its proximity to the Caucasian isthmus and the energy resources of the Caspian Sea, which houses 10% of the world's reserve of hydrocarbons/petroleum. Furthermore, since 25% of EU's energetic sources trespass the Black Sea region, the EU and NATO have a vested interest in safeguarding the area's security and stability. The expansion of the European transportation, energy, and telecommunication networks so that the Black Sea has adequate coverage and direct access to the Euro-Atlantic markets, the intensifying of maritime transportation following Romania's adherence to EU, have a positive impact on significant developments in the region.

The Black Sea area is important, therefore, to energy security. Situated at the intersection of not only various state interests, but also of commercial ones that are looking at ways to bring energy resources from the Caspian region to Europe, the Black Sea poses new challenges in the establishment of distribution routes, the location of drilling platforms, and the development of proper transportation infrastructure.

Rich in natural resources, the Black Sea zone offers opportunities and challenges, now that the exploration and exploitation of marine hydrocarbons in the area has begun, thanks to the delimitation of the continental shelf and the exclusive economic zones in the Nordic section of the Western basin of the Black Sea. The delimitation was the object of a lengthy negotiation process began with URSS in 1967, and finalized with Ukraine on 3 February 2009. The Haga International Court of Justice recognized the jurisdiction and the sovereign rights of Romania over more than 79% of the 12.200 km² surface of the continental shelf and the exclusive economic zones that were in were being claimed by both Romania and Ukraine, as shown in the map^{iv}:



Source : Hague Justice Portal

The Court decision made possible the exploitation and harnessing of the energetic resources of the claimed zone. All recent offshore gas and oil discoveries in the Romanian's Black Sea area have confirmed experts' expectations. On 5 December 2014, Mariana Gheorghe, the OMV Petrom CEO, declare in an interview: *“Black Sea is back on oil and gas map”*. Meanwhile, the Euro News in a special report on the Black Sea, underlined: *“The Black Sea is a potential for Europe. The hope is that by discovering and developing the gas in the Black Sea that Romania will become independent from imports in the gas area. But even more, if the discoveries, if the quantities will be higher, those discoveries could lead also to cover some of the European needs.”*^v In other words, Romania has the chance to become one of the important exporters of natural gas in Europe, and a desired alternative for Europe to Russian gas. Romania can thus become an important player in the European energy security. Anyhow, the exploitation of its energy resources requires the careful placement of off-shore drill equipment, installation of underwater gas infrastructure, and development of proper security measures to insure the integrity of the entire system from an environmental and safe standpoint, all this in addition to offering protection from all the other known security challenges for the area.

European Union Maritime Security Strategy

The Sea and the coasts represent for the European Union a valuable source of sustainable growth and prosperity. In Europe, shipping moves 75% of its international trade and 37% of internal trade of the European Union^{vi}. The energy security of EU depends on maritime transport and infrastructures. Every year around one billion tonnes of oil enter European Union ports or transiting waters surrounding them territory.

As one of the world's important maritime trading player, producer of fisheries and aquaculture, the European Union have a direct and legitimate interest *“on open, protected and secure seas and oceans for economic development, free trade, transport, energy security, tourism and good status of the marine environment”*.^{vii}

In addition to economic considerations, the maritime transport system plays an important role in European Union's security. For which: *“Maritime security is understood as a state of affairs of the global maritime domain, in which international law and national law are enforced, freedom of navigation is guaranteed and citizens, infrastructure, transport, the environment and marine resources are protected”*^{viii}.

Adopted last year, the Maritime Security Strategy for the entire maritime domain of the European Union - considering each of the European sea basins *“namely the Baltic Sea, the Black Sea, the Mediterranean and the North Sea, as well as of the Arctic waters, the Atlantic Ocean and the outermost regions”*^{ix} - has been designed on three main aims:

- to protect the European Union and its Member States' strategic maritime interests and to identify ways of achieving these;
- to identify and describe the maritime security risks and threats to European citizens and to the European Union's and its Member States' strategic interests;
- to organize the European Union response, to ensure a common framework for relevant national and European authorities, to provide coherent development of their specific policies and strategies to response to maritime threats and risks.

Based on the objectives and principles mentioned above and taking into account the current state, have been identified the following five key areas of implementation to strengthening the European Union response:

- External Action;
- Maritime Awareness, Surveillance and Information Sharing;
- Capability Development;
- Risk Management, Protection of Critical Maritime Infrastructure and Crisis Response;
- Maritime Security Research and Innovation, Education and Training.

Those five key areas above are developed on 130 actions in the Action Plan adopted by the EU Council at the end of 2014.

Romania as a European Union member is obliged to comply with the Action Plan and to harmonize national legislation with the EU's Maritime Security Strategy in order to implement it soon.

Maritime Security Risks and Threats

The Maritime Domain represent all areas and things of, on, under, relating to, adjacent to, or bordering on a sea, ocean, or other navigable waterway, including all maritime related activities, infrastructure, people, cargo, and vessels and other conveyance. To improve marine safety and to maintain its functionality is not an easy task, and therefore the risks and threats should be known. EU strategy identify the following main risks and threats:

- threats or use of force against Member States' rights and jurisdiction over their maritime zones;

- threats to the security of European citizens and to economic interests at sea following acts of external aggression including those related to maritime disputes, threats to ember states' sovereign rights or armed conflicts;
- transnational organized crime, including piracy and armed robbery at sea, trafficking of human beings, illegal migration, trafficking of arms and narcotics, and contraband of goods;
- terrorism and other intentional unlawful acts at sea and in ports against ships, cargo, crew and passengers, ports and port facilities and critical maritime and energy infrastructure, including cyber-attacks;
- the proliferation of weapons of mass destruction;
- threats to freedom of navigation;
- environmental risks, including unsustainable and unauthorized exploitation of natural and marine resources, environmental degradation due to illegal or accidental pollution;
- potential security impact of man-made or natural disasters, extreme events and climate change on the maritime transport system and infrastructure;
- illegal archaeological research and pillage of archaeological objects.

Current geopolitical context in the Black Sea due to the Russian support of the separatists in eastern Ukraine, draw attention on some of the risks and threats listed above.

Threats to the security of economic interests at sea is the most concern for countries in the region do to the potential reconsideration of delimitation of the continental shelf and exclusive economic zones, after the Russia having taken control over Crimea.

A NATO analysis on the annexation of Crimea by the Russia, brings up a possible new delimitation of the continental shelf of the Black Sea: *“It is also expected that Russia will claim large parts not just of Crimea’s, but also of Ukraine’s continental shelf and Exclusive Economic Zone (EEZ), which may seriously*

Conclusions

Romania’s maritime security dimensions is derived from its status of member of the European Union and NATO that has to navigate the current geopolitical challenges present in the Black Sea region.

The Romanian authorities, therefore, have an obligation to implement the EU security strategy without delay.

The Romanian political system will therefore have the important task of creating the proper legislation for the maritime energy security and facilitating the implementation of the monitoring systems, underwater security, measures needed for the smooth and safety operation of off-shore drilling, distribution activities of natural gas and not only.

Development of underwater pipelines – to support the potential drilling activities in the Black Sea, and to connect the drilling platforms established in the area – will require careful underwater surveillance.

The introduction of an integrated sonar system capable of identifying the hydro-acoustic signature of every ship inside the Black Sea sphere of influence and competence will be needed to complement the currently used SCOMAR^{xv}.

The system could be developed at a regional level and the ships’ surveillance could be done through the establishment of cooperation agreements.

In the future, a center to monitor the sonar activity in the region could be opened in Romania. The sonar system would have to be implemented in each port of the Black Sea.

The construction of a central database containing the hydro-acoustical signature of vessels sailing through the region would have to take place, with each Black Sea port being responsible for collecting the information from each vessel that stops in it. The database would then be accessible to all the member states of the region, as established through the cooperation agreements.

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- [5] Hans van der Brelle *“Crude awakening: Romania’s Black Sea oil and gas finds fuel Europe’s energy hope”*, Special Reports, www.euronews.com, 05.12.2014

complicate the division of the Black Sea continental shelf and EEZs with Romania and Turkey”^x.

The same concerns are expressed by the Energy Policy Group: *“Following the secession and annexation of Crimea by Russia, Romania is facing the de facto situation of having a common border with the Russian Federation in the Black Sea. In this respect, the main question is to understand whether Romania’s production of subsoil resources in the Black Sea is somehow jeopardized de jure or de facto.*

Therefore, if Russia decides not to observe the ICJ decision in the Ukraine vs. Romania case, the question of ensuring compliance with/enforcement of the decision would be raised, assuming eventual enforceability by the UN Security Council, in which Russia holds veto powers”^{xi}.

Also the analysis highlights a possible obstruction of the off shore exploitation by evoking environmental risks.

“Another possible path would be for Russia to hinder or slow down economic activities conducted in Romania’s EEZ by raising economic and environmental claims related to any E&P for oil and in the Romanian perimeters”^{xii}.

To avoid such environmental risks *“Member States shall require operators to ensure that all suitable measures are taken to prevent major accidents in offshore oil and gas operations”^{xiii}*

The accident in the Gulf of Mexico in 2010, have raised public awareness of the risks involved in offshore oil and gas operations and have prompted a review of policies aimed at ensuring the safety of such operations.

Major accidents relating to offshore oil and gas operations are likely to have devastating and irreversible consequences on the marine and coastal environment as well as significant negative impacts on coastal economies.

“In the case of a major accident, Member States shall ensure that operators take all suitable measures to limit its consequences for human health and for the environment”^{xiv}.

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- [10] SCOMAR is an operative surveillance system, based on state of the art technologies that ensure early detection, tracing, recognition and identification of ships, which perform illegal traffic activities on the Black Sea.

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