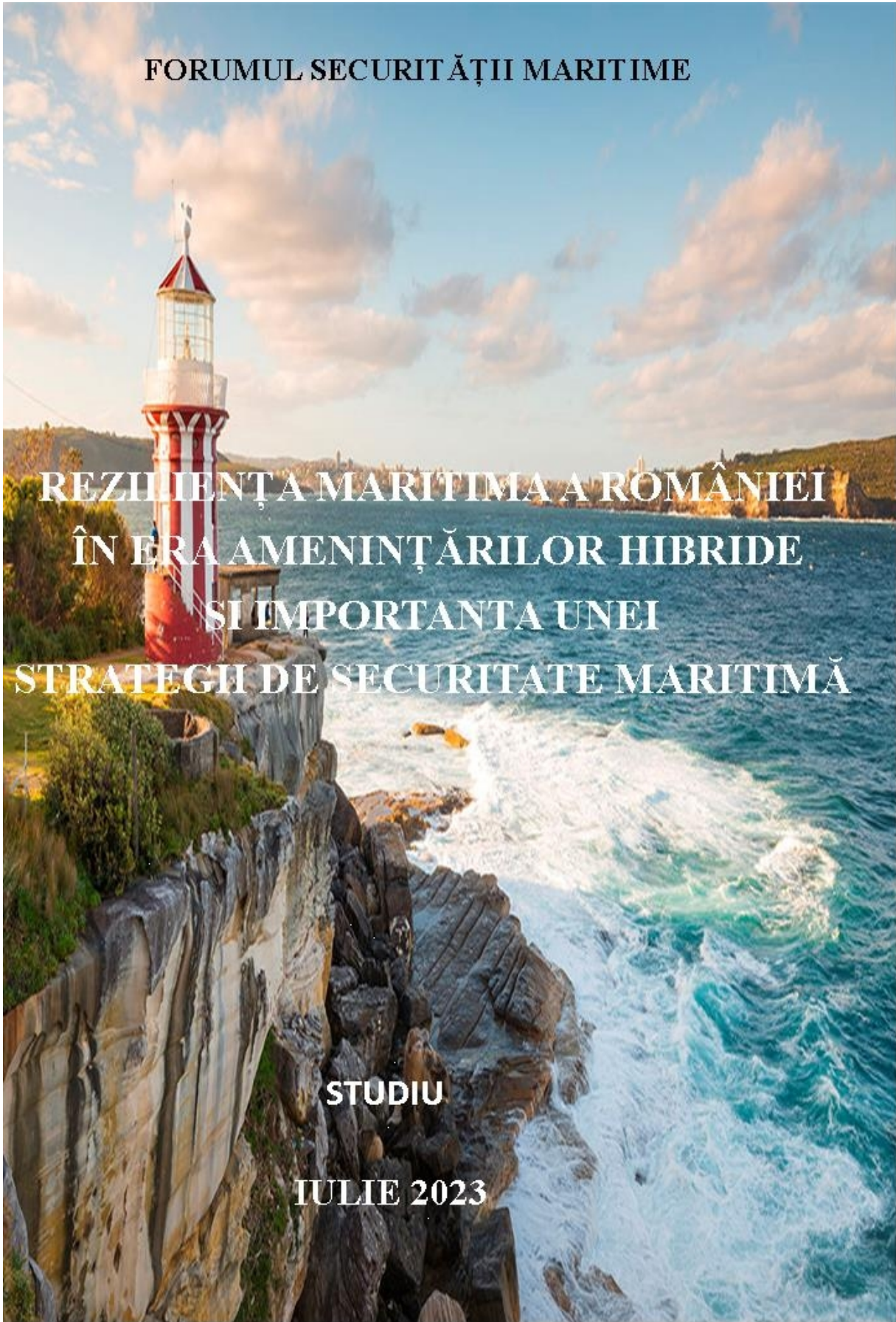


A photograph of a red and white striped lighthouse perched on a rugged, grey rock cliff. The lighthouse has a white lantern room with a red roof. The sea is a deep blue with white foam from waves crashing against the base of the cliff. The sky is a pale blue with soft, white clouds. The overall scene is serene and coastal.

FORUMUL SECURITĂȚII MARITIME

**REZILIENȚA MARITIMĂ A ROMÂNIEI
ÎN ERA AMENINȚĂRILOR HIBRIDE
ȘI IMPORTANȚA UNEI
STRATEGII DE SECURITATE MARITIMĂ**

STUDIU

IULIE 2023

***Romania's maritime resilience in the era of hybrid threats and
the importance of a Maritime Security Strategy***



Study – July 2023

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About the Maritime Security Forum

The Maritime Security Forum (FSM) is a platform for the creation and dissemination of knowledge and information in the field of maritime security, which carries out scientific work and organises events for public information and debate. The FSM also serves as a forum for public communication and the dissemination of information in the fields of maritime policy, shipping, maritime safety, maritime security and defence.

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ROMANIA'S MARITIME RESILIENCE IN THE ERA OF HYBRID THREATS AND THE IMPORTANCE OF A MARITIME SECURITY STRATEGY

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INTRODUCTION

There have been many moments in history when our country's future – in terms of both opportunities and challenges – seemed to be increasingly linked to the Black Sea maritime space. However, nowadays, perhaps more than ever before, we are becoming increasingly aware of the importance of this maritime area for the future of the country and for each and every one of us. Unfortunately, however, the Black Sea is no longer merely that source of immense resources which, if exploited sensibly, could provide the very basis of people's existence, nor is it the space for understanding and cooperation amongst the coastal nations that it was a few decades ago. The Black Sea has become a geopolitical arena subject to extremely high political and military pressures, which have a massive impact on stability and peace not only at a regional level, but across the entire European continent. The sustainable development efforts of the states in the region are almost impossible to achieve in the absence of security both on land and in coastal and offshore areas. At sea, the situation is all the more complicated given that almost all the littoral states, with the exception of Turkey and Russia, have historically neglected the maritime dimension of national security and have not taken steps to draw up a dedicated strategy for this area. Nor has the West shown much concern for maritime security in the Black Sea region, even though this area has represented – and continues to represent – the Euro-Atlantic community's major eastern border with the Middle East.

However, the series of unprecedented events triggered over the last decade and a half by Russia against the former Soviet republics in the region – culminating in 2022 with the war against Ukraine – has highlighted major security gaps, particularly in maritime security, faced by the Black Sea littoral states, and has shifted the focus on this region from the periphery to the centre of the Euro-Atlantic community's attention. Thus, having largely ignored the region in recent decades, the West is now beginning to wake up and realise both the growing importance of the Black Sea region and the need for a modern, up-to-date strategy. The characteristics of the current situation are prompting both the United States and Europe to focus their attention on this region and to develop a new and as coherent as possible strategic framework. From a geopolitical perspective, the Black Sea region forms the Euro-Atlantic community's major eastern border with the wider Middle East, and the countries in this area are natural partners in any Western strategy concerning the Middle East.

On the other hand, the states in the Black Sea region have become increasingly aware that the West's heightened focus on this region must be harnessed within a new strategic framework defined by a rethinking of national security strategies designed to respond as effectively as possible to the strategic challenges posed by Russia in this area. In this context, strengthening maritime and geo-economic capabilities must be key pillars of the national security strategies not only of the NATO member states located in the Black Sea region – Bulgaria, Romania and Turkey – but also of the other states in the area that have committed to closer ties with the Euro-Atlantic community, namely Ukraine, Moldova and Georgia.

Ensuring the maritime security of these states is crucial to maintaining the regional strategic balance and countering Russia's expansionist tendencies. NATO, the European Union, the United States and other Western partners must assist the Black Sea states both in projecting maritime power from land and in creating and maintaining robust 'anti-access' zones that will enable them to defend their coastal areas and maritime communication routes. All of these must become cornerstones of the maritime security strategies that all states in the region, including Romania, should adopt.

Unfortunately, throughout history, the states in the Black Sea region have almost constantly neglected the maritime dimension of their national security and have not prioritised the development of a distinct strategy dedicated to this field. The time has, however, come for this to change, at least from the perspective of ensuring our country's national security. More than ever, Romania needs a maritime security strategy that capitalises on its strategic position as a country with access to the Black Sea and enables it to make the most of its full socio-economic and military potential to promote national interests in the maritime domain. The promotion of these interests must be one of the major objectives of Romania's foreign policy as a country with access to the sea, as this area has played and continues to play a vital role in our country's economic development. Romania is, and must remain, a country with a maritime vocation, and its connection to the world's oceans via the Black Sea and the 'European

Danube–Main–Rhine–North Sea ‘European corridor’ provides it with immense opportunities to capitalise on and promote its national interests.

All these assessments have been the reason why, in recent times, there has been a growing interest among relevant institutions and prominent Romanian political, scientific and military figures in restoring to their rightful place the issues of national interest relating to the Black Sea and to maritime and riverine economic activities, which, since 1989, seem to have been relegated to the sidelines. Part of this same trend towards pooling scientific efforts to bring maritime issues back to the fore are the initiatives of the Maritime Security Forum, a scientific body operating under the auspices of the Romanian Admirals’ Club Association, which, through its work from its inception to the present day, has consistently supported this endeavour, striving to contribute actively to redefining our country’s place and role in the regional and international maritime landscape.

The primary aim of all the forum’s activities in 2022 was to identify a concept of maritime security to be adopted by our country, on the basis of which a maritime strategy—with a strong maritime security component—could be drawn up as the foundation for promoting and protecting Romania’s interests in this field. All the meetings, discussions and debates with expert groups, forum members or special guests were aimed at achieving these objectives. Furthermore, the annual scientific conference organised by the Maritime Security Forum featured a series of papers whose themes were aligned with the same aim of identifying a comprehensive concept of maritime security adapted to the historical realities we are currently experiencing in the Black Sea region.

The conclusions and lessons learnt from these activities form the subject of this study, prepared under the auspices of the Maritime Security Forum, whose aim is to identify and propose an adapted concept of maritime security for Romania that specifically addresses the protection of a set of national interests promoted by our country in the maritime domain. In this academic endeavour, the expert groups considered that Romania’s maritime security must be integrated into the regional geopolitical and geostrategic context and must respond to the security dynamics in the Black Sea. At the same time, it is necessary to draw up a national maritime security strategy that complements the maritime strategies of other states in the region and, above all, is aligned with NATO and EU strategies relating to this region. All of this should be underpinned by the scientific findings of maritime security studies, the importance of which is thoroughly highlighted in this study.

Given that there are very few similar initiatives at national level, and that the competent authorities have not adopted any relevant document addressing maritime security or guiding the revival of economic and social activities related to the maritime and riverine sectors, the study ‘Romania’s Maritime Resilience in the Era of Hybrid Threats and the Importance of a Maritime Security Strategy’, drawn up by experts from the Maritime Security Forum, represents an important step that supports scientific efforts dedicated to the sea and its security. At the same time, this study addresses the growing need for analysis, research and the promotion of maritime security as a complex and dynamic concept that defines ‘the coordinated set of organisational and practical measures that a state or non-adopts at the internal, national or international level, enabling it to assert, promote and, where necessary, defend its maritime interests in relations with other state and non-state actors involved in and/or carrying out activities in the maritime domain, as well as to protect those interests against any risks and threats’. Furthermore, the scientific approach of the Maritime Security Forum provides a scientific basis for the competent national authorities in this field to take decisions regarding the development and adoption of our country’s maritime strategy, as well as the sectoral plans for its implementation.

For the Forum’s experts, this approach provides the scientific basis for future research, which will focus on developing a model for a maritime strategy that includes a security component addressed from a multi-sectoral perspective, calling upon the efforts of all stakeholders interested in harnessing the potential of the maritime domain, as well as in ensuring its resilience and security. A strategy acknowledges the current state of affairs, offers a vision of what the future should look like, and is underpinned by an action plan setting out the path from the current state to the desired one. In other words, developing a maritime strategy involves, first and foremost, understanding the current situation, which the forum’s experts have achieved through this study,

with future research focusing on formulating a national vision for the maritime sector and an action plan to realise that vision.

Romania must turn its attention to the maritime sector without delay and make a strategic commitment to this field, and to do so it undoubtedly needs a maritime strategy. Strategic engagement in the maritime sector facilitates the promotion of national interests in this area, taking into account existing challenges, and paves the way for the successful exploitation of all the opportunities offered by our country's access to the sea.

Despite the increasing risks, dangers and security threats, the Black Sea region remains an area of opportunity; in order to capitalise on these, a process must be launched as a matter of urgency to transform it into an area of peace, security and prosperity – a process in which Romania must not be absent.

CHAPTER 1¹

THE BLACK SEA REGION IN THE GEOPOLITICAL AND GEOSTRATEGIC EQUATION

The Black Sea region has become a focal point in the strategic competition between Russia and the West, owing to its strategic importance due to its geographical position and the natural resources found in the area. Furthermore, this region is a key transit hub between Europe and Asia, serving as a crossroads for several regions: South-Eastern Europe, the South Caucasus, the Eastern Mediterranean, the Middle East and the Western Balkans.

The Black Sea has been a major commercial and strategic hub for centuries, with several ancient civilisations, including the Greeks, Romans and Byzantines, establishing colonies along its shores. The Black Sea region was a key trade route in the Middle Ages, connecting Western Europe with the Middle East and Asia. States such as Genoa, Venice and the Byzantine Empire had a strong interest in controlling and gaining access to this trade route.

For the Byzantine Empire, the Black Sea was a vital source of food, wealth and power. Constantinople (now Istanbul) was a strategic port and an important trading centre on the shores of the sea. Maritime powers such as Genoa and Venice fought for control of the trade routes and colonies along the Black Sea coast. These states established and controlled numerous colonies and trading posts along the Black Sea coast. In the modern era, Russia has shown an increasing interest in the Black Sea. The conquest and control of coastal regions and access to the Black Sea were key objectives for Russian expansion and for the establishment of naval bases in the area.

The Ottoman Empire held control over significant parts of the Black Sea coastline in the modern era. Control of the Bosphorus Strait, which links the Black Sea to the Sea of Marmara and, by extension, to the Mediterranean Sea, was essential to Ottoman power.

The Black Sea has continued to be an important trade route and a source of natural resources in the modern era. The transport of goods, the extraction of oil and natural gas, and fishing have been matters of interest to the riparian states and the maritime powers.

It is important to note that the interests and dynamics surrounding the Black Sea have evolved over time, and control of the area has been contested by various powers at different periods in history.

In recent years, the Black Sea region has become even more important due to the growing interest of regional and global powers in its energy resources. The Black Sea is believed to contain significant reserves of oil and natural gas, and several countries, including Russia, Ukraine, Romania and Turkey, are actively seeking access to these resources.

¹ Author: Admiral (ret.) Dr Aurel POPA, President of the Maritime Security Forum,
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<https://www.stiefel.ro/harta-marea-neagra-100x70-cm>

This area borders allies within the North Atlantic Treaty Organisation (NATO) – Bulgaria, Romania and Turkey – as well as partner states Georgia and Ukraine, and an increasingly aggressive and revisionist Russia. Although some states on the Black Sea coast have achieved membership of NATO and the European Union, the region has remained divided and affected by tensions between Russia and the West.

The wider region surrounding the Black and Caspian Seas has, until now, served as a corridor for trade, transport and energy routes between Asia and Europe. However, with Russia's war against Ukraine and the blockade of Ukrainian ports on the Black Sea, this region is taking on greater geopolitical and geo-economic significance. Russia has already shifted the security balance in the Black Sea in its favour, annexing Crimea in 2014 and taking control of the Sea of Azov. Russia's invasion of Ukraine in February 2022 has turned the Black Sea into a flashpoint that will preoccupy European politics for years to come.

The Black Sea region is also an important area for environmental protection, as the sea and its surrounding ecosystems provide a vital habitat for numerous species of wildlife and represent an essential source of fresh water for the countries in the region. The conservation of natural resources and ecosystems in the Black Sea region is essential for the well-being of local communities and the region as a whole, as well as for maintaining regional and global security.

Since the collapse of the Soviet Union, the Black Sea region and the wider South Caucasus region – which also includes Armenia, Azerbaijan and Moldova – have been deeply fragmented. Tensions and strategic competition between Russia and the Euro-Atlantic West have exacerbated these problems, plunging the region into a state of perpetual conflict.

Maximillian Hess points out that, in recent decades, the Black Sea region has witnessed ten armed conflicts on or near its coastline, including the ongoing Russian invasion of Ukraine. These conflicts have directly affected the civilian population and the region's economy and have demonstrated the significance of the crisis in this area for global security².

² Specifically, the Transnistrian conflict in Moldova, the war between Georgia and Abkhazia, the Georgian civil war, the Russo-Georgian war, the two Chechen wars, the Russo-Ukrainian wars of 2014 and 2022, and the first and second wars between Armenia and Azerbaijan over Nagorno-Karabakh. See Maximillian Hess, "Welcome to the Black Sea Era of War", Foreign Policy, 25 April 2022, <https://foreignpolicy.com/2022/04/25/black-sea-war-russia-ukraine-turkey/>. This report uses the term 'the wider Black Sea region' to refer to the sea itself, the six littoral states (Bulgaria, Georgia, Romania, Russia, Turkey and Ukraine), plus the neighbouring states of Armenia, Azerbaijan and Moldova.

NATO and the EU's efforts towards maritime security

Against the backdrop of the war in Ukraine and Russia's annexation of Crimea in 2014, NATO and the United States have stepped up their involvement in the Black Sea region. In 2022, NATO decided to reset its long-term deterrence and defence posture across all domains – land, sea, air, cyber and space – and to increase support for Ukraine. NATO also deployed four new multinational battlegroups to the region – in Bulgaria, Hungary, Romania and Slovakia – to ensure security and stability in the area³.

At the summit in June 2022, NATO adopted a new strategic concept, identifying Russia as the most significant and direct threat to the Allies and updating its core tasks accordingly. NATO Deputy Secretary-General Mircea Geoană emphasised that there is a broad competition between a revisionist and aggressive Russia and the democratic world, particularly in the Black Sea region⁴.

America, alongside its allies and partners in the EU, is helping to turn Russia's war against Ukraine into a strategic failure. NATO and the European Union stand united in opposing Russia and in defending shared values. Restricting Russia's strategic economic sectors, including defence and the aerospace industry, will support efforts to counter Russia's attempts to weaken and destabilise sovereign nations and undermine multilateral institutions. The accession of Finland⁵ and Sweden to NATO will further enhance security, the capacity to respond and collective resilience in the face of common threats from Russia, including asymmetric threats. More broadly, Putin's war has profoundly diminished Russia's standing vis-à-vis China and other Asian powers, such as India and Japan. The historic global response to Russia's war against Ukraine sends a resounding message that countries cannot enjoy the benefits of global integration whilst trampling on the fundamental principles of the UN Charter⁶.

Although the EU is an important market for the region's energy resources and a major player in economic development, as well as in the management of civil conflicts, it has not been a significant player in terms of regional security. To date, the EU has neither demonstrated the ambition nor created the institutional or material conditions to play a meaningful role in the wider Black Sea and Caspian Sea region.

The EU aims to support the countries of the Black Sea region in their reform and development processes, with a view to strengthening the rule of law, promoting democratisation and improving living standards. The EU also pays particular attention to strengthening regional security, notably by promoting an integrated approach combining military, economic and human security⁷.

Furthermore, the EU has an interest in managing security risks in the region, such as terrorism, drug trafficking and cross-border crime. To this end, the EU works closely with partner countries in the Black Sea region, as well as with the North Atlantic Treaty Organisation (NATO) and other regional organisations, to promote stability and security in the area.

The EU also has a strong economic interest⁸ in the Black Sea region, owing to its development potential and natural resources, such as hydrocarbons and fisheries. Through its policy of

³ *'Allies stand strong together in NATO in the face of the greatest security threat in a generation'*, NATO, 24 March 2022, https://www.nato.int/cps/en/natohq/news_193674.htm.

⁴ Mircea Geoană, (speech delivered at the Black Sea Summit of the Organisation for Security and Co-operation in Europe (OSCE), Constanța, Romania, 1 July 2022), https://www.nato.int/cps/en/natohq/news_197707.htm.

⁵ Finland was admitted to NATO on 4 April 2023, becoming the 31st member state.

⁶ See US National Security Strategy – OCTOBER 2022/

⁷ See "EU Strategy for the Black Sea Region" – a document published by the European Commission in 2020, which outlines the EU's strategy for the Black Sea region and its medium- and long-term objectives.

⁸ The article *"EU's Interest in the Black Sea Region and Beyond"*, published on the European Council on Foreign Relations website in January 2022, examines the EU's strategic interests in the Black Sea region and its role in broader European security. The article argues that the Black Sea region is a key area for the EU due to its geographical location and strategic importance, both in terms of energy security and the transport of goods, and in terms of regional and global security. The article analyses the security challenges in the region, including Russia's actions in Ukraine and the Crimea, as well as Turkey's involvement in Libya and the Nagorno-Karabakh conflict. It also discusses the EU's efforts to strengthen partnerships with the Black Sea littoral states and to support democratic and economic reforms in these countries. Furthermore, the article examines the prospects for cooperation between the EU and NATO in the Black Sea region and concludes that

neighbourhood policy and its partnerships with countries in the region, the EU aims to promote economic development and strengthen trade relations.

Overall, the EU's geopolitical interest in the Black Sea is linked to its commitment to promoting stability, security and prosperity in its immediate neighbourhood, as well as to strengthening democratic values and respect for human rights.

Against the backdrop of the evolving security environment, characterised by persistent asymmetric and hybrid threats, increased Russian military activity in the area and the impact of the COVID-19 pandemic, cooperation between the EU and NATO is becoming increasingly important for strengthening the region's defence and security capabilities. Cooperation between the EU and NATO in the Black Sea is essential to addressing the security challenges in the area, as well as to supporting partner states in the region in their reform and modernisation efforts. In this regard, strengthening the defence and security capabilities of Ukraine, Georgia and the Republic of Moldova, as well as supporting these states in their Euro-Atlantic integration process, is of paramount importance.

Another aspect is the strengthening of EU-NATO cooperation in the maritime domain⁹, in particular through the development of capabilities for the surveillance and monitoring of maritime traffic, the fight against human trafficking and cross-border crime, and the protection of critical infrastructure along the Black Sea coast¹⁰.

It will be very difficult, if not impossible, for Europe to achieve credible deterrence and a geopolitical vision without a serious, viable and well-resourced 'Two Seas Strategy'¹¹. Moreover, a strategy that focuses solely on the south-eastern section of its line of contact with Russia is simply incomplete, leaving a key strategic flank at the mercy of the vagaries of fate, the machinations of other actors and circumstances. Among other reasons, such a strategy is necessary because Russia itself views its strategic line as stretching from the Black Sea to the Mediterranean, where it still maintains a naval base at Tartus in Syria.

The 1936 Montreux Convention, which replaced the Treaty of Lausanne, effectively granted Turkey favourable coastal status, including control and sovereignty over the Bosphorus and Dardanelles straits. This has restricted the types of military vessels that can transit the two straits and has made it difficult for Europe to assert its presence in the Black Sea region.

France has been the key player in the Mediterranean, but Europe must now develop a plan for the Black Sea and expand its presence in the Mediterranean. Romania and Bulgaria, as NATO and EU members, offer a unique opportunity to establish a strong naval presence in the Black Sea. Should the Montreux Convention remain unchanged, this would provide Europe with additional military capabilities and alternative options for military denial.

It is important to note that a strong naval presence in the Mediterranean and the Black Sea is not only a matter of security but also of economic opportunities. The region is home to some of the world's busiest shipping routes, and a strong naval presence will ensure the safety of these routes and the stability of the region. Furthermore, the development of undersea cables and pipelines in the region has created significant economic opportunities, and a robust naval presence will be essential to ensure their security.

The Mediterranean and the Black Sea are not merely borders for Europe, but essential strategic regions linking Europe to its energy suppliers, its trading partners and the high seas. Developing a comprehensive and integrated strategy, including a robust naval presence, is essential to safeguarding Europe's interests in the region and to ensuring its energy security, prosperity and stability. Time is of the essence, and Europe must act now to address these challenges and capitalise on the opportunities offered by the Mediterranean and the Black Sea. Time is of the essence, and Europe must act swiftly to protect its interests in these two critical regions.

Strengthening security and stability in this region is crucial for the security and prosperity of the EU and the entire Euro-Atlantic region: <https://ecfr.eu/publication/eus-interest-in-the-black-sea-region-and-beyond/>.

⁹ *European Union Maritime Security Strategy*, 24 June 2014.

¹⁰ See the article '*EU-NATO Cooperation in the Black Sea: Keeping Pace with the Evolving Security Environment*' published on the NATO Review website in February 2022: <https://www.nato.int/docu/review/articles/2021/02/23/eu-nato-cooperation-in-the-black-sea-keeping-pace-with-the-evolving-security-environment/index.html>.

¹¹ The Mediterranean and the Black Sea.

NATO's northern flank, which includes the Baltic states and Poland, has traditionally been regarded as one of the alliance's most vulnerable regions. For this reason, NATO has made significant efforts to strengthen security in this area, starting with the deployment of a robust military presence through troop rotations, the establishment of military bases and the expansion of defensive capabilities, including the missile defence system. NATO has also expanded its exercises and training activities in this region and strengthened cooperation with its partners in the Baltic Sea area.

On the other hand, NATO's south-eastern flank, which includes Turkey, Greece, Bulgaria and Romania, was considered less exposed to military threats from Russia and other regional actors – a view that has proved to be misguided in the current context.

In recent years, multilateral initiatives and international bodies, such as NATO and the EU, have failed to ensure security and stability in the Black Sea region, due to the lack of coordinated cooperation between member states and the specific nature of the conflicts in the region. In this context, it is important to ask how we can address these issues to ensure security and the balance of power in the region.

A more robust foreign policy towards the Black Sea region, including greater support between the US, NATO and the EU, and the strengthening of economic ties between the US and the Black Sea region, is a necessity that is 'long overdue'

Such a strategy would provide an opportunity to strengthen the US presence in the region and to promote its interests more effectively. It would also enable the creation of a network of alliances and partnerships that would help ensure stability and security in the region. Furthermore, by developing a specific strategy for the Black Sea, the US could demonstrate its commitment to its regional allies and provide them with clear guidance for joint action.

Russia: a Gordian knot¹² on the verge of being untied

Over the past decade, the Russian government has chosen to pursue an imperialist foreign policy, with the aim of overturning key elements of the international order. This culminated in a large-scale invasion of Ukraine in an attempt to overthrow its government and bring the country under its control. However, this attack did not come out of the blue: it was preceded by the annexation of Crimea in 2014, its military intervention in Syria, its long-standing efforts to destabilise its neighbours using intelligence and cyber capabilities, and its blatant attempts to undermine internal democratic processes in countries across Europe, Central Asia and around the world.

Domestically, the Russian government under President Putin's leadership violates the rights of its citizens, suppresses the opposition and shuts down the independent press. Russia now has a stagnant political system that fails to meet the needs of its people. Russia now poses an immediate and persistent threat to international peace and stability. This is not a struggle between the West and Russia. It is about the fundamental principles of the UN Charter, to which Russia is a party, in particular respect for sovereignty, territorial integrity and the prohibition on acquiring territory through war.

The war in Ukraine and the violent conflicts in other parts of the wider RMN region (the Baltic Sea, the Black Sea and the Caspian Sea) are a direct result of Russia's revanchist ambitions to regain its influence in the region and to protect its strategic interests¹³. During the Cold War, the Soviet Union exercised strong dominance over the countries in this area, but the collapse of the Soviet Union in 1991 brought this period of dominance to an end.

¹² Gordian knot = the knot from Gordios, which no one could untie and which Alexander the Great cut with his sword. <https://dexonline.ro/definitie/gordian>, The Gordian knot is an expression used to describe an extremely complicated problem which, on the face of it, has no solution. https://ro.wikipedia.org/wiki/Nodul_gordian.

¹³ At the time of the collapse of the Soviet Union, the USSR alone maintained 60,000 troops and 835 vessels (including 28 submarines) in the Black Sea Fleet. The Warsaw Pact also operated a total of 10 naval bases on the Black Sea in the USSR, Bulgaria and Romania. Ferhan Oral and Şafak Oğuz, *The Security of the Black Sea: The Struggle in the Black Sea and Turkey's Policy in the Post-Cold War Era*, Karadeniz Araştırmaları 18, no. 69 (2021): 1–16, <https://www.proquest.com/openview/0a75354b4b1ce33fac55062e36d08e4a/1?pq-origsite=gscholar&cbl=237821>.

Following the collapse of the Soviet Union, Russia lost much of its influence in the region and faced a rise in Western influence in the area. Russia was concerned about the expansion of Euro-Atlantic institutions, such as NATO and the EU, into the region and the limitation of its influence to the north-eastern coast of the Black Sea. Against this backdrop, Russia has sought to extend its own influence through the instruments of state power, including by becoming involved in ethno-territorial conflicts and by supporting separatism in the region.

Russia's invasions of Ukraine in 2014 and 2022 are a clear example of its ambitions to reduce US and NATO influence in the region and to consolidate its sphere of 'privileged interests'. At the same time, Russia has sought to support separatism and destabilise other countries in the region, including through cyber operations and propaganda. Russia's aggressive approach has led to the escalation of conflicts and tensions in the region, as well as to an increased US and NATO military presence in the area.

Against this backdrop, it is important for the US and the EU to strengthen their presence in the region through the deployment of forces, arms exports, investment and diplomatic engagement. It is also important to further strengthen NATO's south-eastern flank and to intensify flexible cooperation between allies and partners, including with Ukraine. It is also important to seek a new balance with the region's strongest ally, Turkey, and to support and ensure projects to improve regional connectivity that bypass Russia.

The Black Sea is also important for Russia's military operations in Syria and for its ambitions in the eastern Mediterranean. Before Turkey closed the Bosphorus and the Dardanelles to warships in May 2022, the Russian Black Sea Fleet provided the bulk of the capabilities for its Mediterranean fleet, which Moscow had re-established in 2013 for the first time since the end of the Cold War.

During the conflict in Syria, ships from the Black Sea Fleet, together with civilian vessels flying foreign flags, transported troops and supplies from Novorossiysk through the straits to Russian bases in Tartus and Latakia. Russia has also used ships from the Black Sea Fleet to 'fly the flag' in the eastern Mediterranean, in an attempt to deter NATO or other external powers from intervening in Syria¹⁴.

These operations have made the Black Sea a vital strategic area for Russia, with significant implications for regional and global security. Russia is currently seeking permanent bases in Libya and Sudan, which could intensify tensions in the eastern Mediterranean and lead to an increase in confrontations between Russia and NATO.

Furthermore, Russia has recently strengthened its relations with Egypt and Syria and consolidated its presence in the region through economic investment and military agreements.

As in other regions, Russia is exerting its influence in the Black Sea and the surrounding area through various means. During the war in Ukraine, Russia took advantage of the situation to put pressure on states in the South Caucasus and Central Asia, as well as on Turkey, which is a NATO ally. This pressure is aimed at limiting these states' economic, political and strategic cooperation with Europe.

Russia is using military exercises to block critical maritime corridors for months on end, making claims regarding the exclusive economic zone (EEZ) and harassing civilian vessels to leave the states in the southern Black Sea vulnerable. These actions may hinder the development of new projects, such as the planned deep-water port at Anaklia, Georgia, or the development of oil and gas reserves in the exclusive economic zones of Turkey or Romania¹⁵.

Russia also uses financial, informational and other means to influence public opinion and the political decision-making process in the region. Weak governance, democratic backsliding and state capture in most countries in the region make them vulnerable to such actions by Russia. In this way, Russia can consolidate its influence in this strategically important region as well.

¹⁴ Igor Delanoë, 'Russian Naval Forces in the Syrian War', in Russia's War in Syria: Assessing Russian Military Capabilities and Lessons Learned (Philadelphia, PA: FPRI, 2020), <https://www.fpri.org/article/2020/09/about-the-book-russia-war-syria/>.

¹⁵ Maximilian Hess and Maia Otashvili, "Georgia's doomed deep-sea port ambitions", FPRI, Black Sea Strategy Papers, 2 October 2020, <https://www.fpri.org/article/2020/10/georgias-doomed-deep-sea-port-ambitions-geopolitics-of-the-cancelled-anaklia-project/>; and Murat Temizer, "Minister Dönmez: Gas reserves in the Black Sea are large enough to meet household demand for 30 years", Anadolu Agency, 8 March 2022, <https://www.aa.com.tr/tr/ekonomi/bakan-donmez-karadenizdeki-gaz-rezervi-konutlarin-30-yil-ihityacini-karsilayacak-buyuklukte/2527411>.

Romania – a potential player in the security equation

Romania is an important coastal state, a member of NATO and the European Union, and is striving to become a leader in the region.

Bucharest is pressing the United States to develop a Black Sea strategy, against the backdrop of the threat posed by Russia. Romania shares the US assessment of this threat and has identified the Republic of Moldova as being of ‘paramount strategic interest’ and Russia as an ‘aggressive’ threat. Furthermore, Romania wishes to play a leading role on NATO’s south-eastern flank and to provide humanitarian and military support to Ukraine, although investment in the modernisation of Romania’s defence has been limited over the past decade.

Romania is calling for a comprehensive approach to the Republic of Moldova, covering not only military aspects but also economic, transport, energy, environmental and resilience issues. This could include cooperation in areas such as cyber security and energy security, as well as improvements to transport and communications infrastructure between the two countries.



Photo: Profile of Serpent Island. Credit: imageBROKER / Alamy Stock Photo

There is growing concern in Romania regarding Russia’s control over Serpent Island and the potential legal implications for the delimitation of the continental shelf and the EEZ between Romania and Ukraine. Following a long bilateral dispute, this issue was resolved in 2009, but any Russian control over the island could create new legal uncertainty in this regard.

This uncertainty could affect the exploitation of mineral and hydrocarbon resources in this area, which would have significant economic consequences for both countries. Furthermore, the Russian military presence in the Black Sea, including on Serpent Island, may affect the security of Romania and Ukraine, which could lead to new military conflicts.

Against this backdrop, Romanian officials are concerned about Russia’s strategic ambitions in the Black Sea and in the wider Black Sea region as a whole. If these ambitions are not curbed, Moscow will continue to regroup and rearm, which could lead to further attempts to seize control of Serpent Island and other territories in the region. Consequently, Romania and other NATO allies in the region are stepping up their efforts to strengthen security and stability in the Black Sea, with the aim of countering the Russian threat.

Over time, Romania has called for a stronger NATO presence in the Black Sea region. However, the political geography of the region is complex and perceptions of threats vary amongst NATO allies in the area. Bucharest is concerned about the presence of pro-Russian forces in neighbouring countries, such as Hungary and Serbia, as well as Moldova’s vulnerability on its north-eastern border. A further concern is that Moldova was once part of Romania and there are a significant number of people in both countries who wish to see reunification.

all this, Moldova faces socio-economic challenges caused by the war and an influx of refugees, which may affect its security and stability.

Russia has approximately 1,400 troops in the Transnistrian region of Moldova, under the pretext of protecting ammunition depots containing around 20,000 tonnes of expired but still usable weaponry. Russian officials have warned that any attack on these forces will be regarded as a *casus belli*. Bucharest fears any miscalculations or political or military destabilisation in Moldova, in the Transnistrian region or in the unstable Gagauzia, where Russia is fuelling separatist sentiments.

Romanian officials are concerned about Russia's presence in the south-eastern region and are frustrated that their Western partners are not paying sufficient attention to this issue. The war in Georgia and Russia's annexation of Crimea served as wake-up calls for Bucharest and heightened concerns regarding Russian aggression in the Black Sea region.

In this context, NATO's Adapted Forward Presence in Romania has been perceived by some officials as being smaller and less capable than the Enhanced Forward Presence in the Baltic states and Poland. This makes Romania more vulnerable to Russian aggression.

Despite these concerns, it is important to note that NATO has reaffirmed its full commitment to the security of Romania and its allies. NATO's Adapted Forward Presence in Romania has been an important step in this direction, but further efforts are needed to strengthen Romania's capacity to address security threats in the Black Sea region. A united and coordinated approach is crucial to ensuring security and stability in the Black Sea region.

In response to the growing threats from Russia, which has violated Ukraine's sovereignty and territorial integrity by annexing Crimea and supporting pro-Russian rebels in eastern Ukraine, in 2015 Romania and Poland proposed a project called 'New Bucharest' or 'B9'¹⁶. The initiative included Romania, Poland and seven other Central and Eastern European states, namely Bulgaria, Hungary, the Czech Republic, Slovakia, Lithuania, Latvia and Estonia. The aim of this initiative was to strengthen cooperation between these countries and to bolster security in the Black Sea region by ensuring a military presence and a rapid reaction capability in the event of threats.

This initiative was intended to provide a regional framework for NATO, through which issues of importance to the Alliance's eastern flank – including those relating to the Black Sea – could be addressed. However, despite this project, the southern component of the B9 – namely Romania and Bulgaria – as well as the entire Black Sea region, have not received the necessary attention from the Alliance, compared to the northern component of the B9, which includes Poland and the Baltic states, as the latter have been more vocal in promoting their security interests. This imbalance must be addressed by NATO.

Romania does not have a well-defined maritime policy, and a Maritime Security Strategy is needed in this context.

Bulgaria – A Shift in Attitude

Despite the fact that other states in the RMN, such as Romania, have expressed concern regarding Russia's revisionist threat and its influence operations, Bulgaria has taken a different approach. Although the annexation of Crimea was a major event in the region and attracted the attention of many states, Bulgaria has continued to maintain cordial relations with Russia and to remain dependent on it. This can be explained by the two countries' shared history and culture, as well as by Russia's political and economic influence in Bulgaria. Against this backdrop, Bulgaria did not experience the same widespread realisation of the threat posed by Russia as other states in the region.

Owing to the war in Ukraine, Bulgaria has become a more active and engaged partner within NATO. Bulgaria currently hosts one of NATO's new tactical groups and has taken steps to strengthen cooperation with Romania. Bulgaria also supports NATO's Multinational Division South-East Command and the Forward Presence, and

¹⁶https://www-gmfus-org.translate.google/news/black-sea-security-and-development-need-regional-strategy?_x_tr_sl=en&_x_tr_tl=ro&_x_tr_hl=ro&_x_tr_pto=sc.

hosting a NATO force integration unit and a centre of excellence are just a few examples of this country's commitment to the North Atlantic Alliance. Furthermore, Bulgaria is involved in cross-border air policing and training missions at Novo Sela and has established a new Maritime Coordination Centre in Varna. If opposition from allies such as Turkey can be overcome, the centre could take over the coordination role from the Allied Maritime Command (MARCOM) in Northwood, United Kingdom. In the summer of 2022, the disruption of maritime communication lines prompted Bulgaria to step up its efforts to modernise its defence and to show a new openness towards potential cooperation with Turkey.

Despite NATO's efforts to strengthen security and enhance cooperation amongst its allies in Eastern Europe, Bulgaria still faces major challenges regarding political stability and national security. Russia has continued to seek to maintain a strong influence in Bulgaria, which is perceived as an area of strategic interest to Moscow due to historical, cultural and economic ties.

However, experts who closely follow Bulgarian politics believe that the war in Ukraine has severely affected Russia's traditional channels of influence. Even those who continue to support cooperation with Russia must reconsider their position; the Kremlin is unable to keep them on its side.

Turkey – a major player in regional security

Turkey is a key element in US and NATO strategy in the Black Sea region and the Middle East, owing to its status as NATO's second-largest army¹⁷ and the control it exercises over the Bosphorus and Dardanelles straits. However, in recent years Turkey has positioned itself as an increasingly independent regional power, seeking economic opportunities and political support from Moscow, whilst committing to an independent foreign policy focused on its own national interests.

With Russia increasing its military presence in the Black Sea and the surrounding region, Turkey faces security risks, such as the possibility that a missile launched from Crimea could strike Ankara in a matter of seconds. Nevertheless, Turkey continues to exercise caution regarding direct confrontation with Russia, preferring to seek common ground with its NATO allies whilst preparing for what appears to be a protracted strategic competition.

Under the Montreux Convention, Turkey has the right to control the passage of warships through the Bosphorus and Dardanelles straits. The Convention was signed in 1936 by Turkey and a number of naval powers, including the United Kingdom, France, Germany and Italy. It was negotiated following a dispute over control of the straits, which are key strategic passageways between the Black Sea and the Mediterranean Sea.

Although Turkey is a member of NATO, strict adherence to the Montreux Convention may create tensions with some of its allies. For example, Greece and France have differing objectives in the Black Sea region, and Turkey's policy may be perceived as a threat to them. Furthermore, Turkey does not recognise the government of Cyprus and has blocked its accession to NATO, which has created further tensions with other allies.

Nevertheless, Turkey regards strict adherence to the Montreux Convention as crucial to its national security and to maintaining its strategic autonomy. In Turkey's view, the convention provides international recognition of its sovereignty over the straits and allows it to control the passage of warships through them in times of war. Furthermore, by maintaining a state of détente with Russia in the Black Sea region, Turkey is able to focus its efforts on other strategic areas, such as the Aegean Sea and the eastern Mediterranean, where it has its own objectives.

¹⁷ Romania, Bulgaria and Turkey are members of NATO. Ukraine and Georgia are NATO partners and candidates for membership. The Republic of Moldova does not aspire to join NATO, but cooperates with the Alliance through the Partnership for Peace framework, the Euro-Atlantic Partnership Council, trust fund activities, an Individual Partnership Action Plan and other activities. Armenia and Azerbaijan cooperate through the Partnership for Peace, Trust Fund activities and their respective Individual Partnership Action Plans. Both have also contributed forces to NATO peacekeeping operations.

In conclusion, Turkey's stance on the Montreux Convention and on the Black Sea region in general may create tensions with some of its allies, but it is crucial for maintaining its strategic autonomy and national security.

The United States and NATO will need to strike a delicate balance in encouraging Turkey to look more towards the future, without facilitating President Erdogan's efforts to undermine Western sanctions against Russia. In this way, Turkey will continue to be an important element in NATO's strategy, but it will need to adapt its foreign policy to respond to new challenges in the region.

With the outbreak of full-scale war in Ukraine, Turkey's traditional balancing act between Russia and NATO has become more complex. Nevertheless, the war has reinforced Ankara's perception of its own importance to NATO¹⁸. Turkey's main priority has been to avoid involvement in the conflict and to use its relations with both Moscow and Kyiv to position itself as a mediator. A notable example of Turkey's involvement was its mediation and guarantee of the agreement on grain exports from Ukrainian ports¹⁹. This agreement established a maritime coordination centre in Istanbul, and the Turkish navy was tasked with its implementation. Turkey also played a key role in negotiating a prisoner exchange in September 2022. However, Turkish officials often claim that their Western NATO allies do not sufficiently appreciate the support provided to Ukraine and Turkey's broader diplomatic role.

Ankara now recognises that the war has rendered its traditional preference for a condominium approach to security amongst the Black Sea littoral states unworkable. Turkey can no longer rely on such an approach given the current situation in the region. Furthermore, Turkey has ceased to regard Russia as a reliable partner in the region, as Russia has supported separatism in Cyprus and Georgia and annexed Crimea. Consequently, Turkey has been forced to reconsider its position on regional security and to redefine its relationship with Russia.

Ultimately, Turkey remains an important member of NATO and will continue its commitment to its allies within the organisation. However, Ankara will be more cautious regarding its relationship with Russia and will pay greater attention to regional security in the Black Sea. Although the current situation has made Turkey's traditional balancing act between Russia and NATO more complex, Ankara will continue its efforts to promote stability and security in the region.

Ankara has been reluctant to articulate a clear vision of what might replace its traditional approach to Black Sea security. Turkey has retained its status as custodian of the straits, and this has led to opposition to a permanent NATO presence in the Black Sea. Furthermore, Ankara is concerned that other allies might push NATO to adopt an unnecessarily confrontational approach towards Moscow and is promoting the idea of a negotiated solution to the war in Ukraine. Nevertheless, Turkish officials believe that Ankara can protect its own security interests in the Black Sea by maintaining a cooperative relationship with Moscow. Despite this, some of the other littoral states are wary of Turkey's intentions and are reluctant to see Ankara assume greater responsibility for regional security outside the NATO framework.

Ankara has not yet proposed a concrete alternative to its traditional approach to Black Sea security. However, Turkish officials are aware that they must find a solution that maintains the delicate balance between their cooperative relationship with Moscow and their status as a NATO member. Furthermore, Turkey wishes to ensure that the conflict with Moscow in the region does not escalate and that it will be able to protect its security interests in the Black Sea. At the same time, the littoral states are cautious about accepting a stronger Turkish role in regional security, given Turkey's opposition to a permanent NATO presence in the Black Sea. Ankara must therefore strike a balance between these concerns and find an approach that can be accepted by all parties involved in the region.

Ankara has recognised the importance of NATO as the cornerstone of its security, despite the fact that many members of the Turkish elite harbour growing anti-Western sentiments and are attempting to strike a balance between NATO and Russia.

¹⁸ Jeffrey Mankoff, "Turkey's balancing act on Ukraine is becoming more precarious", Foreign Policy, 10 March 2022, <https://foreignpolicy.com/2022/03/10/turkey-ukraine-russia-war-nato-erdogan/>.

¹⁹ "Russian and Ukrainian officials sign a grain export agreement aimed at alleviating the global crisis", Radio Free Europe Radio Liberty, 22 July 2022.

However, Russia's militarisation of Crimea and its attempts to disrupt communication lines in the Black Sea pose a significant challenge to Turkish interests and could have implications for Turkey's long-term commitment to NATO. In this context, helping Ukraine emerge victorious from the conflict could strengthen pro-Western elements within the Turkish elite and improve relations between Washington and Ankara.

Georgia

As Russia intensifies its campaign for dominance in the Black Sea, Georgia's security is particularly affected, given the unstable political situation and state capture, which have already exacerbated existing vulnerabilities. Even though approximately one-fifth of Georgia's territory and two-thirds of its coastline are under Russian occupation, Georgia is important for shaping regional security dynamics, as it has a pro-European orientation, NATO partner status and a key strategic position on the transit routes linking Europe to the Caspian Sea and Central Asia. In this context, Georgia's sovereignty and independence are vital to its security.

NATO's 2022 Strategic Concept states that the security of countries aspiring to become members of the Alliance is closely linked to the security of NATO itself. Consequently, the situation in Georgia is a matter of concern for NATO and its member states²⁰. Russia's occupation of the regions of South Ossetia/Tskhinvali and Abkhazia in 2008 has complicated the Georgian government's efforts to regain control over its entire territory and has deepened Georgia's political fragmentation. Since 2008, Russian forces have continued to carve up Georgian territory by shifting the de facto border lines further into Georgia proper²¹.

This has put at risk the remaining Georgian ports in Batumi and Poti, as well as the nearby road, rail and pipeline infrastructure. Russian control over Abkhazia constrains Georgia's connectivity across the Black Sea and undermines its ability to develop its economy and ensure its energy security²².

Georgia has implemented a series of reforms, including extensive privatisations, the reform of the security services and the fight against official corruption, with the aim of aligning itself with European values and standards. Through NATO's Partnership for Peace and its own Integrated Partnership Action Plan, Georgia has developed strong institutional ties with NATO²³. Together with Montenegro, Georgia has adopted an annual national programme to pursue its aspirations for NATO membership. This effort was recognised in NATO's 2008 Bucharest Declaration, which stated that Georgia (and Ukraine) 'will become' members of the Alliance.

In recent years, Georgia has maintained close relations with the United States and NATO, particularly with regard to regional security and European integration. However, concerns regarding Georgia's domestic policy have intensified recently, particularly regarding respect for democratic values and the rule of law.

These concerns have been reflected in the statements of politicians and officials in the United States and Europe, who have raised concerns about abuses of power, corruption and other domestic issues in Georgia. Consequently, Georgia has come under pressure to improve its domestic situation and to honour its democratic commitments.

This pressure has left Georgia vulnerable and at risk of losing Western support. Furthermore, the fact that Georgia is not regarded as a reliable partner due to its domestic problems may lead to a strategy of keeping a low profile on the part of the United States and NATO, rather than offering open and sincere support.

Furthermore, the conflict in Ukraine has made Georgia feel even more vulnerable, and Georgian officials have taken care not to give Russia any pretext for further aggression. At the same time, Georgia has sought

²⁰ "NATO Strategic Concept 2022", NATO.

²¹ "McCain Institute Unveils Tracker of Russian 'Borderisation' in Georgia", McCain Institute, 16 October 2019, <https://www.mccaininstitute.org/resources/in-the-news/mccain-institute-unveils-tracker-of-russian-borderization-in-georgia/>.

²² See "Russian troops enter Georgian port", Reuters, 11 August 2008, <https://www.reuters.com/article/uk-georgia-ossetia-poti/russian-troops-enter-georgian-port-georgian-pm-idUKLB2226261820080811>.

²³ "Deepening relations with Georgia", NATO, 30 May 2014, https://www.nato.int/cps/en/natohq/topics_84060.htm.

to strengthen its ties with the West and to receive support from the United States and NATO in its efforts to protect its national security and territorial integrity²⁴.

At present, the war in Ukraine and Russia's campaign to dominate the Black Sea pose a major threat to Georgia's security and strategic orientation. Although Tbilisi is seeking to remain neutral and avoid involvement in the conflict, it relies on the safe conduct of its transit operations through the Black Sea, which is threatened by the Russian military presence in the region.

Furthermore, Russia may use its influence over the Black Sea to limit Western power and influence in the region, including in Georgia and the South Caucasus and Central Asia more broadly. In this context, it is essential for Georgia to collaborate with its Western strategic partners to protect its interests and strengthen regional security.

In conclusion, Georgia finds itself in a vulnerable position in terms of security and is affected by instability in the region, including the war in Ukraine and Russia's campaign to dominate the Black Sea. It is therefore important for Georgia to continue to strengthen its relations with its Western partners and to work together to protect its interests and secure a strong position in the region.

The Russian invasion of Ukraine has heightened concerns regarding the security of the Black Sea and the surrounding regions.

In these circumstances, it is important for NATO and its partners to continue taking measures to counter Russia's aggressive actions and to strengthen long-term regional security. To develop an effective strategy for the Black Sea region, we need to focus on the maritime aspects of this area. In this regard, US military investment in Romanian ports would be essential, with a particular focus on the port of Constanța, as well as on Danube ports such as Galați and Brăila.

²⁴ "Garibashvili Makes Controversial Remarks on Ukraine, Again", Civil.ge, 3 April 2022, <https://civil.ge/archives/483425>; and Tim Hume, "Georgia Blocked Hundreds of Foreign Fighters from Joining the Defence of Ukraine", VICE News, 1 March 2022, <https://www.vice.com/en/article/y3vx7k/georgia-blocked-hundreds-of-foreign-fighters-from-joining-the-defence-of-ukraine>.

CHAPTER 2²⁵

THE COMPLEXITY AND DYNAMICS OF MARITIME SECURITY IN THE BLACK SEA REGION. CONCLUSIONS FOR ROMANIA

The economic importance and the special role played by transport routes have meant that, over the last decade, the Black Sea has de facto become an arena for competing and irreconcilable strategic interests. Russia has unilaterally altered the security architecture and dynamics in the region, not only through conventional military means, but also through information warfare and highly sophisticated hybrid methods. On the other hand, Turkey is pursuing a policy of asserting its position as a regional power, without consulting NATO or the EU. These developments have caught the other countries in the region, NATO and the European Union (EU) off guard in terms of developing credible means to counter these actions.

Recently, there has been a growing trend towards global instability, caused by a mixture of Cold War-era echoes, a competition between moral, political and religious value systems, and an increasingly open confrontation between states or groups of states over access to vital resources, their future and the welfare of their citizens. And the Black Sea has become the epicentre of this instability and the arena in which NATO and the EU may be put to the test. Developments in the military-strategic and political situation in the wider Black Sea region have consequences beyond this area, affecting the security interests of the West, in particular those of the United States and its Allies.

Beyond strategic considerations and spheres of influence, what is at stake in the Black Sea, in the context of the war in Ukraine, is a battle for values. Can we imagine a world governed solely by force and the threat of force, a world in which a country, relying on the strength of its military, calls into question the rule of law, the protection of human rights and the security of the population? This is the vision that Russia is proposing, and it runs counter to the order that has governed international relations since the fall of the Berlin Wall. We should be concerned about this, because Russian propaganda narratives are already viewed with admiration in some European capitals and accepted by some European political parties. Europeans must harness the true potential of the Black Sea region to promote the values of freedom and democracy. To favour a resolution to the conflict in Ukraine through a compromise favourable to Russia would be the final blow to the world order that Europe hopes to build.

Russia's invasion of Ukraine has revived the spectre of revisionism, and some countries in the region are acting to rewrite history in order to exploit it for purely political ends, with a view to destabilising the international order and overturning the rules and norms that prevail within the international community. Whilst NATO and the EU favour a united front in Central and Eastern Europe against Putin, some revisionist states, such as Hungary, may capitalise on this, sensing that their negotiating position has improved. As long as Russian troops remain in Ukraine, concerns regarding liberalism and authoritarian governance within the EU will take a back seat in Brussels and Washington, and moderate revisionist threats may become a useful bargaining chip for maintaining Hungary's position within the EU and increasing its influence in neighbouring states. Furthermore, the notion that a NATO member state is actively planning – and stands a good chance of succeeding – in carving up the territory of another NATO member state betrays an unjustified lack of confidence in the Alliance's determination to uphold the fundamental norms of a global order in which it can still be said to occupy the leading position.

The regionalisation of security in the Black Sea region. Implications for maritime security in relation to Romania's national security as part of Euro-Atlantic security

The Black Sea region has often served as the natural boundary between empires, and is now the place where East and West – the United States (through NATO), the European Union, Turkey and Russia – meet and their interests intersect

²⁵ Author: Rear Admiral (ret.) Dr Constantin Ciorobea, Editor-in-Chief, Maritime Security Forum, www.forumulsecuritatiimaritime.ro.

interests. This region is home to two EU Member States (Bulgaria and Romania) and three NATO member states (Bulgaria, Romania and Turkey). It also includes states seeking to join the EU which are, at the same time, NATO partner countries (Ukraine, the Republic of Moldova and Georgia), meaning that any instability in the area directly affects the EU and the Alliance.

Geographically, the Black Sea region lies between South-Eastern Europe, the Caucasus, the Middle East and the Mediterranean, acting as both a bridge and a dividing line – a position which offers certain advantages but also a number of political, economic and military disadvantages. It is here, in this region, that Europe, the Balkans, Russia, the Middle East and the Caucasus meet, and it is the place where the forces of Western democracy, Russian imperial and military aggression from the north, Chinese economic influence from the east and the instability of the Middle East from the south converge.

The Cold War reinforced the USSR's belief that the Black Sea was a 'Soviet lake', but following the break-up of the USSR, the Russian Federation realised that it was beginning to lose its influence in the Black Sea. Indeed, with the expansion of NATO and the European Union, the Black Sea gradually became a 'European lake', with Russia's access to the sea effectively limited to the ports of Rostov, Novorossiysk and Sochi.

In order to maintain its influence in the region, Russia instigated a series of conflicts, and in fact, since the end of the Cold War, the Extended Black Sea Area (ZEMN) has seen the highest number of military conflicts: the Transnistrian War (1992), the Abkhazian War (1992–1993 and 1998), the Georgian Civil War (1991–1993), the Chechen Wars (1994–1996; 1999–2000), the war between Russia and Georgia (2008), the occupation of the Crimean Peninsula and the war in the Donbas in 2014, and the Russian invasion of Ukraine on 24 February 2022. As a result of these conflicts, Russia has once again become a major player in the region, and with the annexation of Crimea, Moscow has regained control of the Black Sea.

Russia's destabilising actions have been the focus of attention ever since the NATO Summit in Warsaw in July 2016, when allied leaders clearly stated that 'Russia's recent activities and policies have reduced stability and security, increased unpredictability and altered the security environment'²⁶. Furthermore, the conflict in Ukraine has drawn everyone's attention to the importance of this region, but particularly that of EU countries, which are primarily concerned with their economic prosperity, and of Africa, which is so dependent on supplies of grain and fertiliser to feed its growing population. The Black Sea is a 'choke point' of particular global importance for commodity and energy supply chains, similar to the Gulf of Aden, the Suez Canal or the Strait of Malacca.

Regardless of how the conflict in Ukraine unfolds, it is certain that there is currently no unified approach to security in the Black Sea region amongst NATO member states, the EU and those in the wider Black Sea region. For these reasons, alongside recognition of the importance of NATO and the EU, another crucial shift in the perception of the regional security architecture may lie in a greater awareness of the role of actors in Central and Eastern Europe, who have demonstrated their ability and willingness to actively counter the Russian threat, whilst 'old Europe' has shown a lack of proactivity in the security sphere, particularly in the early stages of the war.

As a member of NATO and the European Union, Romania can rely on its own forces, on some declarative support and on de facto backing from Europe's multinational security institutions, which are themselves in the process of adapting to the new threats and realities.

The Black Sea security quartet: NATO, Russia, the EU and the US. What role could Romania play?

Looking at the security environment in the Black Sea area, there is currently a marked increase in turbulence in the region, and in this context, NATO and EU member states, or those aspiring to join these organisations, do not have a common strategy and are in fact far from having a common approach to the main issues of regional importance. Each state has its own approach to the security situation and, in particular, to the security architecture, an approach which is often subject to change.

²⁶ NATO Summit in Warsaw (8–9 July 2016), <https://www.mae.ro/node/36635>.

Bulgaria has based its interests in the region on the fact that the Black Sea is of paramount importance to its own economy in terms of transport, trade, energy and raw materials routes, tourism, etc., and its stance on developments in the region has been based on several key aspects. As a member of NATO and the EU, it emphasises the need for both organisations to play a more active role in ensuring security in the region, as well as in its economic development. On the other hand, it seeks to avoid unnecessary confrontations with Russia and to maintain relations with Moscow. For Bulgaria, the main security challenges in the Black Sea region are linked to the situation in Ukraine and the lack of progress in resolving frozen conflicts.

However, despite this assessment of security risks in the Black Sea region, Bulgaria has a specific approach towards Russia, which warrants particular attention: the two countries share many ties that extend beyond commercial and pragmatic dimensions. Furthermore, a significant number of Bulgarians hold pro-Russian views, which not only shape and influence political discourse but also have the potential to steer certain aspects of the country's foreign policy. Furthermore, the country is energy-dependent on Russia, both for natural gas imports and for nuclear fuel for the Kozloduy Nuclear Power Station.

On the other hand, Bulgaria has been engaged in ongoing discussions with NATO regarding the Alliance's role in protecting the eastern flank and the possibilities for using Bulgarian military airfields for naval patrol flights.

This illustrates a kind of dual approach on Bulgaria's part, in the medium and long term regarding the security dynamics of the Black Sea – to maintain pragmatic relations with Russia, which are, to a large extent, driven by the pro-Russian sentiments of many Bulgarians, whilst also intensifying regional cooperation, within NATO and the EU, to enhance defensive capabilities along the eastern flank.

Turkey is seeking to reclaim its status as a regional power, and recently there has been a slight tendency to distance itself from its NATO partners (but particularly from the US), whilst relations with Russia have become more cordial; on the other hand, Ankara has provided political and diplomatic support to Ukraine both before and after the attack in February 2022.

Recently, Turkey has been acting as a regional power, increasingly emphasising its ambitions to become an international actor with its own regional agenda, which often differs from – if not is directly opposed to – that of the US, the EU and NATO.

In 2016, President Erdoğan complained about NATO's weak presence in the Black Sea, stating on that occasion: 'The Black Sea has almost become a Russian lake, and if we do not act, history will not forgive us'. In this context, Turkey supported Romania's initiative to establish, together with Bulgaria, a fleet in the Black Sea; this project failed after Bulgaria withdrew from the arrangement. To the cooling of relations between Turkey and NATO, we can also add the relatively strained relations with the European Union, particularly due to bilateral disputes with Greece and Cyprus and the complicated negotiations regarding Turkey's possible accession to the EU.

In its quest to maintain its position as a regional power, Turkey's foreign policy has undergone the most dramatic transformation. Following the failed coup against President Erdogan in 2016, Turkey drew closer to Putin's Russia, even purchasing Russian missiles against the advice of its NATO partners. Now, following Russia's invasion of Ukraine, Turkey has significantly strengthened its ties with Kyiv, with Ankara supplying, amongst other things, the much-praised and highly effective Bayraktar drones, creating a point of contention between Russia and Turkey.

In this context, the issue of Turkey's position within NATO must be analysed very carefully, given that Turkey depends on NATO, which provides it with security guarantees. The '1946 Turkish Straits Crisis' – when the Soviet Union increased its military presence in the Black Sea and pressured the Turkish government to accept the establishment of military bases on Turkish territory – is a case in point.

Russia is the country with the largest territory but with limited access to the sea, and this fundamentally defines its geopolitical strategy of striving to push its borders westwards or southwards. Furthermore, NATO and the EU control Russia's access to the oceans; Russia effectively has three points through which it can access international maritime trade: via the Black Sea and the straits – a route controlled by Turkey; via the Baltic Sea and Danish waters from St Petersburg; and via the Arctic Ocean via Murmansk, passing through Greenland, Iceland and the United Kingdom. On the other hand, Russia has lost the geostrategic superiority afforded by its vast territory and, given the absence of significant natural barriers, it is predictable that it will do everything possible to maintain

a broad 'buffer zone', with neighbouring states divided and constantly subjected to information warfare, in order to secure its western border.

At a regional level, Russia regards the Black Sea and the countries in the region as critical elements in establishing a buffer zone to protect against Western influence and NATO expansion, as well as the growing Islamist threat. Thus, Ukraine is regarded as an integral part of Russia; indeed, in the past it was the very heart of Russia and part of its cultural heritage. Kyiv is viewed by Russians as the 'mother city' of their entire civilisation. In Vladimir Putin's speech on 21 February 2022, he stated that 'Ukraine is not just a neighbouring country for us. It is an inalienable part of our own history, culture and spiritual space', and further, 'These are our comrades, those dear to us – not just colleagues, friends or people who once served together, but also relatives, people bound by blood and family ties.'²⁷

From this perspective, Russia regards the policy of NATO/EU enlargement to include Ukraine as an attack on its security, an attack to which it must respond appropriately. Russia's strategy is to shift its border as far west as possible; the European countries on the eastern front line—namely the Baltic states, Belarus and Ukraine—can provide Russia with the depth from which it can project its power and capitalise on economic opportunities.

In this context, Russia is seeking to maintain its spheres of influence over neighbouring countries in the region and to limit their integration into Euro-Atlantic structures, whilst simultaneously ensuring the stability of its domestic regime, improving its military defence capabilities and projecting its power into the eastern Mediterranean and the Middle East. Since President Vladimir Putin came to power, Russia has strengthened its military power and combined this with an unrestrained information war against countries in the region, as well as against EU and NATO member states. Most experts in Russia believe that Moscow is doing this primarily in pursuit of its strategic objective of achieving great-power status and establishing zones of privileged influence.

All of Russia's actions since 1990 support this assertion. The most serious threats to the European security architecture, which continue to openly undermine the established world order, have occurred in the Black Sea region: support for separatist actions in Transnistria in 1992, Russia's conflict with Georgia in 2008, the illegal annexation of Crimea in 2014, the attack on Ukraine on 24 February 2022, or, as Russia presents it, 'special military operation to demilitarise and denazify Ukraine', and, last but not least, the ongoing destabilising activities targeting all countries in the region. Beyond the use of conventional military force, Russia employs asymmetric means of warfare, designed to disrupt and undermine the sovereign decisions of nations and their processes of democratisation and Euro-Atlantic integration.

Undoubtedly, maintaining Russia's status as a great power entails undermining and even diminishing NATO's role in Eastern Europe, exerting pressure on neighbouring states to join the Eurasian Union, preventing them from becoming members of NATO and the EU, and taking steps to influence states that are already members of NATO and the EU so that they do not obstruct Russia's objectives within international organisations and in the region. In this context, the Black Sea plays a crucial role in achieving the proposed geopolitical objective, which aims, on the one hand, to protect Russia's southern flank, but also to intimidate neighbouring states, thereby preventing Ukraine, the Republic of Moldova and the states of the Caucasus region from joining NATO.

In the Black Sea region, Russia wishes – or rather needs – to counteract NATO's continued eastward expansion, to deter Ukraine from aligning itself with the West, and to have a Russia-friendly government in Kyiv that can ensure the country's pro-Russian orientation. Furthermore, in the maritime domain, as emphasised in the Maritime Doctrine of the Russian Federation of 31 July 2022, the region is considered a key area for safeguarding the national interests of the Russian Federation. It represents a key strategic objective for Russia, as it is from this area that the Kremlin can build up and then project capabilities into the Caucasus, the Balkans, the Middle East and even the Eastern Mediterranean.

Surprisingly, the US and NATO have in the past paid little attention to the Black Sea region, given that, unlike the situation during the Cold War and the significance of the inter-German border with the USSR and the Warsaw Pact, today only five of the 31 NATO member states share a direct border with Russia: Estonia,

²⁷<https://adevarul.ro/blogurile-adevarul/apologia-imperiului-analiza-discursului-lui-2151362.html>.

Latvia and Finland in the Baltic Sea region, Norway in the north and the United States in the waters off the Alaskan peninsula. The list can be extended to include two further members, Poland and Lithuania, if we take into account the Russian enclave on the Baltic Sea, Kaliningrad.

Despite the conflicts and instability in the Black Sea region, US and EU officials and analysts have not paid as much attention to the security challenges in the region as they have to those in Northern Europe. Unlike the situation in Northern Europe, with its well-established bases, access for NATO forces to the Black Sea is more difficult. The Bosphorus and the Dardanelles are the only routes of access from the Mediterranean Sea, and the Montreux Convention restricts the presence of warships in terms of number, type, tonnage and duration, whilst also prohibiting access by submarines belonging to nations that do not have a coastline on the Black Sea.

Prior to 2014, before the occupation of Crimea and the outbreak of the war in Ukraine, Article 5 was considered to be of primary relevance to the Black Sea and served as a further reason not to view the region as a strategic opportunity. This approach was based on the fact that, if Russia were to attack the three NATO states on the Black Sea, a land invasion would have to pass through Ukraine, incurring heavy losses to reach Romania, or proceed by sea and air to advance against Bulgaria, Romania and Turkey. This would require capabilities that Russia does not possess and will not acquire in the short term, but the current situation in Ukraine may clearly alter this calculation. Whilst NATO struggles to respond to Russia's invasion of Ukraine, the Black Sea – which had not previously been a focus of NATO's attention – is highlighting its strategic value. And given that the Alliance has failed to prevent Russia from establishing a presence in the region, it has effectively favoured Russia, which has virtually total control of the northern Black Sea, from where it exercises unhindered power projection over Ukrainian territory.

Moscow's foreign policy towards Western countries has proved to be two-pronged: engaging with larger states whilst coercing or employing hybrid means to pursue specific objectives in smaller states, regardless of whether or not they are members of NATO or the EU, in order to achieve its aims. Consequently, NATO recognised too late the vital strategic importance of the Black Sea region to the Alliance.

The European Union had previously shown little interest in the Black Sea region, but has become increasingly concerned with achieving the objective set out in the Treaty of Lisbon itself, regarding a common defence and security policy, receiving the necessary impetus to accelerate defence integration processes following Russia's aggression in Ukraine, given that Russian aggression has heightened the sense of insecurity among all Europeans. The European Strategy for the Black Sea was structured in particular through the 'Black Sea Synergy – A New Regional Cooperation Initiative', launched in Kyiv in 2008 and forming part of the Neighbourhood Policy. It focused on good governance, the environment, security and energy. The European Parliament also addressed this issue by adopting, in 2011, a resolution on 'An EU Strategy for the Black Sea', noting that 'the Black Sea region needs active policies and sustainable solutions to tackle the significant transnational challenges it faces'²⁸.

The European Union had demonstrated its inability to mount an effective military response in crisis situations, both in Libya and in Mali, but particularly in Syria. European battle groups proved to be nothing more than bureaucratic entities, with insufficient commitments, instruments reduced to command capabilities, virtually non-existent combat structures, and a rather discouraging level of genuine commitment from Member States. The immediate objectives of the western and central core of the Union, prior to the Ukrainian crisis, were focused on North and Central Africa, whilst in its eastern region it appeared that the strategic priority lay in encouraging the pro-European development of the Western Balkan states, including the resolution of the Kosovo issue. The differing objectives of the Union's northern and southern member states, even in relation to Russia, led to a largely ad hoc response to the growing threat from Moscow, with some states finding themselves adversely affected by decisions that directly conflicted with their particular interests in bilateral relations with the Russian Federation. Consequently, France was forced to abandon the sale of the Mistral helicopter carrier, Germany was forced to renegotiate the gas supply situation, and Italy was forced to set aside its own interests, particularly those relating to gas and oil.

The failure of the EU's accession negotiations with Turkey (on the terms demanded by Turkey), against the backdrop of the accelerated Islamisation of all aspects of Turkish social life, compounded by the disputes over Syria, led to a marked cooling of relations. The failed coup against Erdogan in July 2016 was the last straw. And

²⁸ An EU strategy for the Black Sea – <https://eur-lex.europa.eu/legal-content/RO/TXT/PDF/?uri=CELEX:52011IP0025&from=EN>.

Erdogan struck where it was most difficult to counter: he supported migration, fuelling a wave of refugees from Syria to reach the continent, explicitly directing them towards Germany.

European values, based on respect for human rights, humanitarian aid and respect for all faiths, have become weaknesses, exploited by resurgent right-wing movements. Thus, the spectre of revisionism has begun to haunt Europe; Russia's revisionism has manifested itself in military territorial expansion (Georgia 2008, Ukraine 2014 and 2022), and this has emboldened other revisionist hotbeds in Europe, such as Hungary, which, whilst lacking Russia's military might, is capitalising on the precedent set by Moscow, using the promotion of human rights and religious freedom to pursue equally destabilising agendas.

The new policies and strategies drawn up by Western heads of state, which emphasise cohesion and convergence but propose a multi-tiered or multi-speed integration model, with new divisions, before all Member States have even been successfully integrated into the Schengen Area, demonstrate the many vulnerabilities of an extremely fragile structure. Here we might mention the idea of a European army, brought back into the discussion by the President of the French Republic, not by one of the leaders of the Eastern states fearful of Russian aggression. This is because Eastern Europeans do not believe in Europe's defence capabilities, nor do they believe that the Germans would fight against the Russians on behalf of Poland or Romania.

A hasty referendum on a major issue, which had not been sufficiently analysed, set in motion a process leading to the departure from the European project of a key stabilising force: the United Kingdom of Great Britain and Northern Ireland. This comes at a time when British society is beginning to be visibly affected by the war in Ukraine and the Muslim minority.

On top of all this, with the arrival of the Trump administration in the US, further challenges have arisen for Europeans. Whilst at the end of 2014 the European Council was steering efforts towards establishing a European defence industry that was as independent as possible, the attitude of the new US president was to confirm this decision – but not only that. The challenge to and denunciation of treaties and conventions of particular importance to Europeans – ranging from the Paris Climate Agreement to the nuclear deal with Iran – coupled with the renegotiation of tariffs on European Union products in key sectors, have fuelled mistrust in the strength of transatlantic relations, as well as a more careful assessment of Europe's own problems. Mutual recriminations in various situations, US pressure to increase defence spending, and dialogues with heads of state long recognised as anti-democratic have strained the transatlantic relationship, making it increasingly difficult. In 2019, just five years after Russia's annexation of Crimea, French President Emmanuel Macron stated, with regard to NATO – the guarantor of security for the region's member states – “we are on the verge of witnessing the brain death of NATO”²⁹, justifying this view by citing President Trump's stance and Turkey's behaviour. It took a series of global events: three wars of occupation (Georgia 2008, Ukraine 2014 and 2022), the ‘New Silk Road’ strategy, tensions in the South China Sea and over Taiwan, anti-democratic interference in the 2016 US elections and the Brexit vote, the Covid-19 pandemic, and Moscow's use of energy and food as leverage in 2022 to increase its global influence – for Europe to wake up.

Nevertheless, the hopes of Eastern European states still lie across the Atlantic, at least from a security perspective. And the shift in approach by the current administration – led by Joe Biden, a supporter of the transatlantic partnership who seems determined to sacrifice political capital at home for the sake of transatlantic relations – is encouraging.

The future of Georgia, the Republic of Moldova and Ukraine remains uncertain. Moldova and Georgia are small states with less advanced military equipment, and under these circumstances they are considered targets for a possible further expansion by Russia once the war in Ukraine has ended. As long as the Russian occupation continues, under existing treaties, they are, in practice, barred from joining the EU or NATO. However, in the case of Ukraine and the Republic of Moldova, Europe has sent a strong signal by granting them candidate country status. This is far more useful to the two countries in the short term than transposing the entire *acquis communautaire* whilst the war is raging in the region. Georgia's hopes of early EU accession have been dashed, as it was denied candidate status for the time being at the European Council of 23–24 June 2022: ‘The European Council is prepared to grant Georgia candidate status as soon as the following issues have been addressed

²⁹<https://www.agerpres.ro/politica-externa/2019/11/07/emmanuel-macron-considera-ca-nato-este-in-moarte-cerebrala--398521>.

the priorities set out in the Commission's opinion on Georgia's application for membership³⁰, which speaks volumes about Europe's desire to engage with the region.

Romania's objective in the region, as defined by President Klaus Iohannis, is to "strengthening the allied presence in Romania, in the Black Sea region and across the entire eastern flank", so that "this strengthened presence" is "unified, balanced and coherent, from the Baltic Sea to the Black Sea"³¹.

Until the conflict in Ukraine, NATO's priority had been the Baltic region, which was far more exposed and which, over the past 20 years, had had leaders who were more resolute, more consistent and better able to negotiate with Washington.

On the other hand, Romania, too, has not been particularly consistent; for example, in the country's National Defence Strategy, drawn up for the period 2015–2019, the Russian Federation was not mentioned either in the section on risks or in that on threats; these aspects have been included in the current National Defence Strategy for the period 2020–2024: 'The aggressive behaviour of the Russian Federation, its actions to militarise the Black Sea region and its hybrid operations, which are aimed at maintaining a climate of tension and insecurity in the area close to our country ...'³².

A radical shift in the Alliance's stance towards the Black Sea region was marked by the Vilnius Summit on 11–12 June 2023, which demonstrated the strength of the transatlantic bond and the unity of the Alliance. During the summit, the danger posed by the actions of the Russian Federation was strongly emphasised: 'Peace in the Euro-Atlantic area has been shattered. The Russian Federation has violated the norms and principles that have contributed to the creation of a stable and predictable European security environment. The Russian Federation is the most significant and direct threat to the peace, security and stability of NATO member countries in the Euro-Atlantic area. Terrorism, in all its forms and manifestations, is the most direct asymmetric threat to the security of our citizens and to international peace and prosperity. The threats we face are global and interconnected.'³³

The strategic importance of the Black Sea region was also emphasised: 'The Black Sea region is of strategic importance to the Alliance. This is further underscored by Russia's war of aggression against Ukraine. We underline our continued support for allied regional efforts aimed at maintaining security, safety, stability and freedom of navigation in the Black Sea region, including, where appropriate, through the 1936 Montreux Convention. We will continue to monitor and assess developments in the region and improve our situational awareness, with a particular focus on threats to our security and potential opportunities for closer cooperation with our partners in the region, as appropriate.'³⁴ This is the first time that the Black Sea has been given a separate paragraph in the Final Communiqué of a Summit, which, at Romania's request, mentions the Allies' efforts in the region to ensure security, safety, stability and freedom of navigation.

With regard to defence and deterrence, new NATO regional defence plans have been adopted, including a joint plan for the Mediterranean and Black Sea regions. A high level of security has thus been planned for the Eastern Flank, in the Black Sea region, including for Romania. Agreement was also reached on the framework for expanding the Battle Groups on the Eastern Flank to brigade level, should the situation require it. The processes for the pre-positioning of ammunition and equipment will be accelerated.

The summit also highlighted the importance of the defence industry: 'We need a robust and resilient defence industry, capable of sustainably meeting the need for a significantly strengthened collective defence. We have approved an action plan on defence production and its implementing measures. This Plan will ensure NATO's long-term commitment within the Alliance, based on the principles of transparency, fair treatment and inclusive participation.'³⁵ This approach can facilitate the development of our own defence industry capabilities, promoting the revitalisation of Romania's defence industry.

³⁰ European Council, 23–24 June 2022; <https://www.consilium.europa.eu/ro/meetings/european-council/2022/06/23-24/>.

³¹ <https://www.digi24.ro/stiri/externe/iohannis-intarirea-prezentei-nato-in-romania-la-marea-neagra-si-pe-intreg-flancul-estic-este-un-obiectiv-strategic-al-tarii-noastre-1882847>.

³² https://www.presidency.ro/files/userfiles/Documente/Strategia_Nationala_de_Aparare_a_Tarii_2020_2024.pdf.

³³ https://www.nato.int/cps/en/natohq/official_texts_217320.htm

³⁴ https://www.nato.int/cps/en/natohq/official_texts_217320.htm

³⁵ https://www.nato.int/cps/en/natohq/official_texts_217320.htm

It has been decided to establish in Romania, together with the Netherlands and other countries, a regional training hub for Romanian F-16 pilots, which will also be used by Allied pilots and those from partner countries. Furthermore, a regional command dedicated to special forces will be set up in conjunction with Bulgaria.

The illegal, unjustifiable and unprovoked war of aggression launched by the Russian Federation against Ukraine is condemned by the members of the Alliance, and Russia bears full responsibility for undermining Euro-Atlantic and global security. It was stated at the summit that “Russia must immediately halt this illegal war of aggression, cease the use of force against Ukraine, and withdraw all its forces and equipment completely and unconditionally from Ukrainian territory within its internationally recognised borders, extending to its territorial waters”³⁶. As for Ukraine, it has not received an invitation to join, nor a roadmap, but only security guarantees, which have even been formalised within the NATO–Ukraine Council. In practice, a middle ground has been chosen between what is possible and what we would like. It was also reiterated that NATO will continue to support this country ‘for as long as necessary’, and the NATO–Ukraine Council was established, a body created to further strengthen cooperation between Ukraine and the North Atlantic Alliance. The Allies have also committed to providing long-term bilateral security assistance to Ukraine.

Regarding the situation of NATO’s partner countries in the region, the Alliance’s members emphasised their support for the territorial integrity and sovereignty of the Republic of Moldova and Georgia within their internationally recognised borders. The issue of Transnistria was also kept on the public agenda, with a call on Russia to withdraw all its forces stationed in the Transnistrian region, emphasising firm support for Moldova’s right to determine its own future and foreign policy course, free from external interference.

In response to the security challenges on NATO and the EU’s eastern border, Romania is working to ensure a more solid anchoring of the two organisations in the region, practical cooperation with regional allies, and support for the states of the Western Balkans and the Eastern Neighbourhood in their own processes of institutional transformation, democratisation and integration into European economic flows. Romania believes that the path towards future EU accession for all Balkan states will provide the framework for development and for achieving a decent standard of living for all their inhabitants. Military cooperation within the frameworks established in the region, the development and promotion of broad, innovative concepts with European and regional allies and partners, and the implementation of national initiatives adopted at the allied level all contribute to achieving the objective of maintaining regional and European security.

Furthermore, supporting the Republic of Moldova’s European path, by participating in bilateral strategic interconnection projects and backing our neighbour’s efforts to strengthen its democratic institutions and enhance its resilience, also forms part of Romania’s strategy to contribute to the political, economic and security stabilisation of the NATO/EU neighbourhood, with direct benefits for all citizens of the Republic of Moldova and for the entire community sharing the Romanian language, identity, history and culture.

At the same time, Romania considers it important to intensify its bilateral and multilateral cooperation with allies located in the vicinity of NATO’s eastern flank. Existing dialogue formats can increase their relevance if, like Romania, the other parties step up their efforts to consistently promote economic and security objectives at regional level.

Romania, as the most stable and responsible political actor in the region, is seeking to become the most important pillar of European engagement in the wider Black Sea region, emerging as a key player in the region in terms of security and defence, and acting as a bridge for multilateral commitments and regional initiatives. From an economic perspective, Bucharest would like to contribute actively to Ukraine’s reconstruction and wishes to assist Kyiv and Chişinău on their path towards Europe.

Romania is keen to ensure the freedom of navigation in the Black Sea for the development of trade, the resolution of frozen conflicts in the area, protecting economic activities carried out in the Black Sea Exclusive Economic Zone, as well as developing projects aimed at diversifying access to resources, increasing interconnection capacity and competitiveness.

³⁶https://www.nato.int/cps/en/natohq/official_texts_217320.htm

At present, Romania is by far the strongest advocate of a substantial Alliance presence in the region and, following the signing of a 10-year cooperation agreement with the US, can be regarded as an anchor of stability for NATO in the region. Romania's participation in the development of the European component of the US missile defence system represents a success for our country, thereby consolidating its position as a reliable ally within NATO. Romania has also facilitated and encouraged the expansion of NATO's military presence on its territory and is working to develop capabilities for access, stationing, training, protection and the coordinated deployment of forces.

Our country supports the strengthening of NATO's support for partner states in the eastern neighbourhood (Georgia, Ukraine, the Republic of Moldova), being actively involved in the implementation of the measures decided upon, and supporting the deepening of partnerships with allied states on NATO's eastern flank and in the south-eastern region, as well as cooperation with NATO partners in the region.

For Romania and its Naval Forces, it is necessary to be equipped with: vessels capable of monitoring and defending maritime communication lines and economic targets within the EEZ, with long-range cruise missiles capable of striking targets at great distances from the coastline; various sensor systems and anti-submarine and anti-surface vessel weaponry, possibly even deployed on unmanned platforms; and the acquisition of submarines capable of launching cruise missiles or unmanned platforms. Given that amending the provisions of the Montreux Convention may give rise to international or regional tensions, ways must be identified for NATO's direct involvement in strengthening the regional defence system. Consequently, fast, smaller Allied vessels (even unmanned ones) armed with ship-to-ship missiles or long-range missiles could be deployed on the Danube. The Danube must also be regarded by NATO as a viable logistical route for ensuring transport.

The importance of the Three Seas Initiative and the B9 Forum for Romania

The West is facing unprecedented political and military developments in the Black Sea region, which has become one of the most vulnerable geographical areas in modern Eurasian geopolitics. The Black Sea is not only the theatre of the Russian-Ukrainian military conflict, but also the point where two geopolitical axes intersect, driving the geostrategic reshaping of this region. Russia views the region as a buffer zone for the defence of its traditional borders, as well as a springboard for its geopolitical objectives in the Mediterranean. Moscow has adopted a regional strategy based on the principle that Russia must control this area and that the West should have limited access to it. Russia's pressure on the states in the region and, in particular, the war against Ukraine, represent not only Moscow's response to the West's attempt to support the countries in the region, but also Russia's desire to return to the global elite with the intention of playing a part in reshaping the world order.

Turkey, for its part, has sought to maintain its prominent position in this region, which has always been characterised by a more or less stable balance between Russia and Turkey, and the two countries have endeavoured to maintain good relations. However, the annexation of Crimea in 2014 shattered Turkey's dream of continuing this approach and temporarily heightened tensions between the two regional powers. Turkey continues to maintain a balanced relationship with Russia against the backdrop of Russian aggression in the region, even during the war in Ukraine. Despite Turkey's dependence on Russia for energy, tourism and trade, experts agree that maintaining this balance will become more difficult for Turkey if the war in Ukraine drags on.

Turkey must use the opportunity presented by the war in Ukraine to mend its relations with the West, given that the Russian Federation views Turkey not only as a transit country and a customer for gas, but also as a critical platform for its military ambitions.

In this complex region, where ensuring the economic development of countries and security is paramount, there is an urgent need for a new regional status quo, and the 'Three Seas Initiative' and the 'B9 Forum' can provide a suitable framework for shaping the region's future.

The 'Three Seas Initiative' (3SI) is a political platform for the countries of Central and Eastern Europe. The express aim of the 3SI is to stimulate cooperation in the region, accelerate infrastructure modernisation processes and strengthen energy independence. This initiative was launched by the presidents of Poland and

Croatia, Andrzej Duda and Kolinda Grabar-Kitarović, in 2015 and currently comprises 12 Member States of the European Union, situated between the Baltic Sea, the Adriatic Sea and the Black Sea.

Firstly, 3SI aims to contribute to the economic development of Central and Eastern Europe through infrastructure connectivity in three main areas: transport, energy and digital. The second objective is to enhance real convergence among EU Member States, thereby helping to strengthen unity and cohesion within the Union. Thirdly, the 'Initiative' is intended to help strengthen transatlantic ties.³⁷

The Three Seas Initiative offers an opportunity for the countries situated between the Baltic Sea, the Adriatic Sea and the Black Sea to strengthen their economies and reduce their dependence on the economic plans of Moscow and Beijing. The initiative helps to secure funding and coordinate the implementation of infrastructure, energy and digitalisation projects, with the aim of establishing a 'north-south' energy and infrastructure corridor in the region.

Another important regional initiative is the 'Bucharest 9 Format' or B9, comprising the nine countries on NATO's eastern flank and in Central Europe: alongside Romania and Poland, the three Baltic states, Bulgaria, Hungary, the Czech Republic and Slovakia.

The Bucharest 9 group is a project designed to ensure unity of action and promote the interests of Eastern European countries, created as a joint response to the aggressive and unpredictable intentions of the Russian Federation.

The B9 format is strongly supported and encouraged by the United States. As a well-defined group, Bucharest 9 has become a key player within NATO and the EU on Europe's eastern flank, particularly during this period characterised by Russia's aggression towards countries in the region and, above all, its attack on Ukraine. This group represents a demonstration of strength and unity.

It also provides an institutional framework for analysing the strengthening of NATO's deterrence and defence posture in a balanced, credible, coherent, sustainable and tailored manner across the entire Eastern Flank, given that credible deterrence can form the basis for preventing future military adventures similar to the situation in Ukraine.

The Montreux Convention – a factor for stability or a catalyst for insecurity in the Black Sea region? What should Romania's position be?

The Black Sea region has been and remains a particularly distinctive area, characterised by a number of unresolved issues, and the Russian Federation's attack on Ukraine further complicates the situation in the region. This region has long been subject to the complex relationship between Russia and Turkey and the interests of the global powers of the time, and precarious stability has become the area's defining feature. These issues have given rise to the need for international regulation of transit through the Black Sea straits, matters addressed by the provisions of the Montreux Convention.

The 'Convention on the Regime of the Black Sea Straits', or the 'Montreux Convention' for short, was signed on 20 July 1936 by Turkey, Bulgaria, Romania, the USSR, France, the United Kingdom, Greece, Japan and Yugoslavia, followed by Italy in 1938. Japan withdrew from the Convention after the Second World War. The US has not ratified the Montreux Convention, but complies with its provisions. The Convention regulates the transit of ships through the Bosphorus and Dardanelles straits according to their type (warships or merchant ships) and in relation to four situations, namely: peacetime; a period of war in which Turkey is not a belligerent state; a period of war in which Turkey is a belligerent state; and a period in which Turkey considers itself to be under threat.

Thus, freedom of passage is guaranteed for all civilian vessels in peacetime, whilst military vessels are subject to certain restrictions, such as: the obligation to give 8 days' notice (for riparian states) or 15 days' notice prior to transit to the Turkish authorities, who, in turn, must inform the parties to the convention; restrictions on the type, number and tonnage of warships belonging to countries other than those bordering the Black Sea: the stay of such vessels is limited to 21 consecutive days; aircraft carriers and submarines are not permitted access.

³⁷https://ro.wikipedia.org/wiki/Ini%C8%9Biativa_celor_Trei_M%C4%83ri.

In the event of war, where Turkey is neutral, no warship belonging to a belligerent country may pass through the Bosphorus and Dardanelles straits, except where such vessels are returning to their port of departure. Furthermore, in times of war, Turkey has the right to take whatever decisions it deems appropriate and may authorise the transit of any vessel.

The Convention was based on the idea that the riparian states must hold the key to access, and the great Romanian diplomat Nicolae Titulescu supported the move to hand over the key to the Black Sea to the Turks. This was also accepted by the USSR, and subsequently by the Russian Federation, as it was in line with one of its most important strategic objectives, namely control over the Black Sea, forming part of Russia's policy to regain international power and limit NATO's presence. In this way, the Russian Federation holds the key to access to the region, limiting the presence of NATO and other countries that do not border the Black Sea, whilst using Turkey – which ostensibly exercises control over access – to its own advantage.

The war launched by the Russian Federation against Ukraine, the modern geostrategic realities represented by the Alliance's eastern flank—which includes the Black Sea region—and the political, economic and cultural links with the Eastern Mediterranean, the Middle East and the South Caucasus all mean that the Black Sea continue to be part of an arc of instability, which is a cause for concern – and must remain so – for the countries in the region, NATO and the EU. Thus, the Black Sea region, which has traditionally been treated as a less important area, is taking on new strategic significance.

A first step towards achieving regional stability could be to analyse the status of the Black Sea: it may remain an enclosed sea in accordance with the provisions of the Montreux Convention, or it may become an open sea through the application of the provisions of the Montego Bay Convention. The United Nations Convention on the Law of the Sea – UNCLOS (the Montego Bay Convention), signed in 1982, defines the rights and responsibilities of nations regarding the use of the world's seas and oceans, and is regarded by experts as 'a comprehensive constitution for the world's oceans and seas'. Article 35 of the Convention stipulates that the legal regime of straits for which international conventions have been concluded shall continue to be governed by those conventions. Even under these circumstances, Turkey refused to sign the Montego Bay Convention.

From 2004 onwards, following the accession of Romania and Bulgaria to the EU, the vision of changing the status of the Black Sea to that of an open sea began to take shape. In practice, EU Member States support the development of infrastructure projects in the Black Sea, and under these circumstances they must have unrestricted access to these investments and facilities.

Between 2004 and 2005, the European Union launched the European Neighbourhood Policy, and in 2007, Romania contributed to the implementation of the Black Sea Synergy concept, which seeks to initiate a joint effort by the coastal states to transform the Black Sea into an open sea. All these efforts were met with reluctance from Turkey, the Russian Federation and Bulgaria. The issue lost its relevance in 2008, following the NATO Summit in Bucharest, a summit which failed to offer Ukraine and Georgia any substantial prospects of joining NATO. A few months after this summit, Russia attacked Georgia, and Georgia lost control of South Ossetia and Abkhazia. In 2014, the Russian Federation significantly increased its influence in the Black Sea by taking full control of the Crimean Peninsula and the Kerch Strait. For these reasons, the entire process was effectively halted, and the Black Sea remained a closed sea.

The Russian Federation's invasion of Ukraine, which began in February 2022, further highlighted the limitations of the Montreux Convention. As is well known, on 28 February 2022, Turkey invoked the Montreux Convention and closed the Black Sea straits to military vessels belonging to the belligerent states in the conflict in Ukraine. This disrupted the logistical supply line for Russian troops in Syria, hampered Russia's ability to rotate forces in the Mediterranean Sea, and prevented the deployment of additional warships to the Black Sea. Although Turkey's invocation of the Convention would appear to have affected the Russian Federation, the issues require closer analysis.

Faced with the closure of the Turkish straits, Russia has found ways to ensure logistical support for its forces in Syria and for its operations in Ukraine, by using private companies or civilian vessels. This involvement of commercial vessels in supplying combat operations contravenes the spirit of the Montreux Convention, and there is a need to regulate these matters.

The Russian Federation has also breached the provisions of the Convention regarding the transit of submarines. Article 12 stipulates that coastal powers have the right to pass through the straits 'for the purpose of returning to base, their submarines built or purchased outside this sea' and 'submarines belonging to the said Powers may also pass through the Straits to be repaired in shipyards situated outside the Black Sea'. It is clear that there is no provision for the transit of submarines from the Black Sea to operate in the Mediterranean Sea, a common practice for the Russian Federation.

On the other hand, Turkey has on several occasions exercised its right to interpret the provisions of the Convention concerning the transit of warships in Russia's favour, and not only in the case of submarines. Under the Montreux Convention, the transit through the straits of 'surface warships, other than aircraft carriers' is permitted under specified conditions. However, Turkey has, on several occasions in the past, exercised its right to interpret the terms of the Convention in Russia's favour for political reasons. One such instance was the permission granted to the aircraft carrier KIEV in 1976, with the USSR declaring that this vessel was an anti-submarine cruiser. Another instance was when it permitted the passage of the aircraft carrier Admiral Kuznetsov in 1981; on this occasion, the vessel was declared a heavy aircraft-carrying cruiser.

Another issue concerns the interpretation of access to the Black Sea; implicitly, this raises the question of the duration of stay in the region for vessels using routes other than the Bosphorus and Dardanelles straits. In practice, the rivers and waterways of the Black Sea basin do not fall within the scope of the Convention. A case in point is the Second World War, when Germany brought warships up the Danube to support the Romanian Navy, which possessed the only fleet capable of opposing that of the USSR in the Black Sea. Given these considerations, it is possible that Romania could once again find itself in the same situation as during the Second World War (where the Allies were prevented from sending ships into the Black Sea), in which case measures must be taken, both in terms of modernising the Naval Forces and in terms of the infrastructure for the construction and maintenance of warships.

The prospect of a change in the status of the straits, through a revision of the Montreux Convention, has raised concerns regarding the subsequent implications.

Russia has expressed its opposition to this proposal in various ways, as the current regime guarantees its status as the sole power in the Black Sea, effectively safeguards its interests and imposes restrictions against a possible increased presence of warships from non-Black Sea littoral states or NATO vessels. Although there have been voices in Russia that have at times argued for the need to amend the Convention regarding restrictions on the access of warships from non-littoral states and the duration of their stay, the prevailing view in Moscow appears to be one that does not support a revision of the Convention.

On the other hand, several US officials have stated that the provisions of the Montreux Convention are outdated and no longer adequate to address the security situation in the region. In this regard, it has been proposed that the rules governing the entry of warships, the duration of their stay and the requirements for notifying Turkey regarding the passage of warships through the straits be revised.

Turkey, as I have outlined, also has its own approach to the straits regime, promoting its own interests and demonstrating to all that it maintains control over the straits, even to the point of unilaterally altering their regime. Thus, on 20 July 2018, Turkey indirectly amended the Montreux Convention by imposing new rules considered by Ankara to be domestic, as follows: 'Commercial vessels carrying warships must pass through the Turkish straits under the status of warships'.

The construction of the Istanbul Canal will also automatically necessitate a review of the Convention's provisions; in a straightforward interpretation, the very creation of a new corridor—which is not provided for in the Straits Convention—is, in a sense, equivalent to a de facto revocation of the Convention.



To all these points we may add the fact that some of the Black Sea littoral states (Ukraine and Georgia) did not take part in the preliminary negotiations leading to the signing of the Convention, thus giving rise to an increasing number of arguments in favour of initiating steps to amend the Montreux Convention, in order to take account of the reality of the situation in the region.

The Montreux Convention was drafted when the Black Sea was under the control of the Soviet Union and Turkey, with the Soviet Union holding the upper hand, but the situation in the region has now changed. The Black Sea region is taking on new significance in economic and security terms, becoming increasingly militarised, unstable and contested; it is a region which, in order to stabilise, urgently requires a new regional status quo. Furthermore, two trends regarding control of the Black Sea are emerging in the region: for the Russian Federation, control over the Black Sea is one of its most important strategic objectives; on the other hand, Turkey's aspirations to become a regional power are becoming increasingly evident, and it must act with great diplomacy – or make concessions in other areas – to avoid a clash of interests with both Russia and the states in the region, as well as with the US, NATO and the EU.

Indeed, the fragile balance upon which the Convention was founded – the control exercised by the Soviet Union and Turkey – threatened to unravel at the end of the Second World War, when tensions flared between the two states due to pressure exerted by the USSR on Turkey to renegotiate the Montreux Convention, so that the Soviets could share control of the Bosphorus and the Dardanelles with Turkey (the '1946 Turkish Straits Crisis', during which the Soviet Union increased its military presence in the Black Sea and pressured the Turkish government to accept the establishment of military bases on Turkish territory). This situation led to Turkey's efforts to join NATO, which it did in 1952.

Whilst regulating passage through the Straits, the Montreux Convention also addresses the security concerns of the Black Sea littoral states. A continued interpretation of the provisions in Russia's favour could undermine the interests of the other littoral states and, at some point, even Turkey's own interests. No one can guarantee that today's good relations between Turkey and Russia will last forever, and we may at some point witness a repeat of the events of the '1946 Turkish Straits Crisis'.

The Black Sea's status as an enclosed sea has enabled Russia to hold a military advantage there, and the strong relations between Russia and Turkey – neither of which acts as a guarantor of respect for democratic values and the

the rule of law, are not reassuring when it comes to security in the area. Romania, Ukraine, Georgia and even Bulgaria are keen to see a greater presence of the US, NATO and the EU in the Black Sea, in order to establish a stable security environment in the region that is conducive to development. In this context, a review of the restrictions currently imposed by the Montreux Convention on non-Black Sea littoral states' vessels cannot be ruled out.

Romania, on the other hand, must anticipate the possibility that the international agenda may raise the question of whether the Black Sea should remain a closed sea in accordance with the provisions of the Montreux Convention, or become an open sea through the application of the Montego Bay Convention. This is a most opportune moment, given that the actions of the Russian Federation have led to a breach of the spirit of the Convention, and in recent years, with a by no means negligible contribution from Romania and Romanian diplomacy, the region has received increasing attention on the agendas of the EU, NATO and the US, as evidenced by numerous initiatives relating to this region.

Specific features of maritime security in the Danube region. The Danube Convention and its importance for Romania³⁸.

The Danube has been of geopolitical and geostrategic interest from antiquity to the present day. Throughout this period, the course of the Danube has served as: a border between empires and states; a route of communication, used for commercial or military purposes; an area of settlement for human communities, with rich natural resources; and an area with direct or indirect hydroelectric potential. The Danube's role as a transport artery has fluctuated over time, depending on the political and legal systems in place during various historical periods.

The issue of navigation on the Danube only gained international attention after the Crimean War (1853–1856), which concluded with the Treaty of Paris. The victory of the Franco-Anglo-Turkish-Piedmontese coalition brought about a new balance of power in Europe, with Russia deprived of the means to intervene in the Danubian principalities. For the first time, a general international regime for navigation on the Danube was established. In accordance with the provisions of the treaty, the principle of freedom of navigation on the river was enshrined. Through this treaty, France and Great Britain, as the victorious powers, assumed the role of guarantors of Europe's interests on the Danube. On this occasion, the European Commission of the Danube (ECD) was established, with Austria, Russia, Prussia, Sardinia and Turkey also joining. In fact, the establishment of this Commission was dictated by the interests of France and Great Britain on the Lower Danube, in relation to Russia, Austria-Hungary, Turkey and Germany. The Commission had its own flag, administration, fleet, police force and court, and was empowered to prohibit riparian countries from constructing dams and hydroelectric facilities if these contravened the interests of the two great powers. One of the Commission's achievements was the development of the Sulina branch, involving the deepening of the channel from 2.74 to 7 metres.

Following Romania's attainment of state independence from the Ottoman Empire (1878), shipping saw significant growth. However, the most important development was the union of Dobruja with Romania, which gave our country access to the Black Sea and the world's oceans, thereby enabling Romania to develop its maritime transport.

In 1919, as a result of the great powers' desire to extend their dominance over the river, the Inter-Allied Danube Commission was established, with the smaller riparian countries being relegated solely to the role of fuel suppliers for ships. Initially, the commission was based in Belgrade, before moving to Budapest. The 1921 Paris Peace Conference formalised the internationalisation of the entire navigable system of the Danube from Ulm to the Black Sea. To this end, the administration of the Danube was divided into two major sectors. One was the 'Maritime Danube' sector, from the mouth of the river to Brăila, for which the authority of the CED—established in 1856 and comprising Great Britain, France, Italy and Romania—was re-established. The second sector was that of the 'River Danube' from Brăila to Ulm, for which the International Danube Commission (IDC) was established, with its headquarters in Vienna from 1927, comprising, alongside Great Britain, France and Italy, the riparian states of Germany, Austria, Hungary, Czechoslovakia, Yugoslavia and Romania.

It was the CED organisation that decided on all matters through a four-vote system, which meant that Romania was always in the minority. Under this arrangement, Romania's national sovereignty over the maritime sector of the Danube was not guaranteed, even though its headquarters were in Galați. It can be said that, through the

conclusion of these agreements, navigation on the Danube was unified for the first time since the Roman Empire. Under its statutes, the CED functioned as

³⁸ Author: Rear Admiral (Ret.) Cornel ROGOZAN

a government with the power to enact laws, issue judicial rulings and enforce those rulings. Consequently, Romania campaigned for the dissolution of the CED and the restoration of its sovereignty over the lower reaches of the Danube. In this context, Romania proposed that the CED's supervisory functions be extended to include the Bosphorus and Dardanelles straits, with its headquarters moved to Istanbul. In 1939, an agreement was concluded in Bucharest whereby Germany was admitted to the CED.

Following the Second World War and Germany's defeat, a new framework was established for the legal regime governing the Danube. At the Belgrade Conference in 1948, France and the United Kingdom sought to revive the 1921 Convention. The conference was also attended by the riparian states – Austria, Bulgaria, Czechoslovakia, Yugoslavia, Romania, Hungary and Ukraine – as well as the USA. From this point onwards began the period of Soviet domination, during which the USSR secured the annulment of the 1921 Convention, the exclusion of Western states and Germany, and the abolition of the free zone regime for certain ports. Thus, after almost a century of Western dominance, the period of Soviet dominance began, with the USSR establishing total control over the Danube through its satellite states. Owing to the cooling of relations between the USSR and Yugoslavia, the headquarters of the Danube Commission was transferred to Budapest. At the same time, the USSR transferred its membership rights to Ukraine. The new Danube Commission adopted a unified navigation system, harmonised health and river control measures, and a general plan for river regulation works. It is worth noting that the legal regime of the Danube is closely linked to that of the Black Sea straits, which provide access to the Mediterranean and beyond. Nicolae Titulescu emphasised at the Montreux Conference in 1936 that 'the straits are the very heart of Turkey. But they are also, at the same time, the lungs of Romania.'

With regard to the organisation of shipping, on 18 August 1948, the 'Convention on the Regime of Navigation on the Danube' was drawn up in Belgrade, on the basis of which the intergovernmental organisation 'Danube Commission' was established in 1954 in Budapest, comprising 11 riparian states: Austria, Bulgaria, Yugoslavia (after 1991 – Croatia, Serbia), the USSR (after 1991: Moldova, Ukraine, Russia), the GDR and the FRG (after 1990: Germany), Romania, Czechoslovakia (after 1993: Slovakia and the Czech Republic – observer), and Hungary. Four other states have the status of 'observer' status: France, the Netherlands, Turkey and the Czech Republic. The period 1960–1990 was when Romanian shipping experienced the most spectacular growth in its entire history, owing to Romania's economic situation.

The current regional geopolitical context, which also influences navigation regulations on the Danube, is heavily marked by the Russian-Ukrainian conflict which, through the Russian Federation's aggression that began on 24 February 2022, has spread from the two separatist regions in eastern Ukraine (Donetsk and Luhansk) to the whole of Ukrainian territory.

Whilst upstream of Galați the Danube has become a key pillar of European integration – a status conferred by the accession of most of the states located in its upper and middle reaches to European and Euro-Atlantic structures – between the Galați–Reni line and Musura Bay, it is tending to become a source of instability against the backdrop of the Kremlin's attempts to change borders by force of arms and regain control over the river's estuaries. From this perspective, one of the scenarios for the development of the Russian–Ukrainian conflict (referred to as the 'coastal scenario') envisaged the conquest of the entire southern part of Ukraine, bordering the Black Sea, thereby linking the separatist regions of Donetsk and Luhansk (whose independence was unilaterally proclaimed and recognised by Moscow), Crimea (illegally annexed, also by force, by Russia in 2014) and Transnistria, a pro-Russian separatist territory within the Republic of Moldova. The geostrategic significance of Russia's occupation and annexation of this territory is amplified by the fact that the Kherson and Zaporizhzhia regions, situated in the lower Dnieper basin, constitute the source of fresh water for the Crimean peninsula.

In addition to the threat posed by the Russian Federation's potential advance towards the Danube estuary, the controversies surrounding Ukraine's ambitions regarding the Bâstroe Canal must also be borne in mind. Whilst this canal may have beneficial effects for Ukraine, it will have adverse consequences for Romania. In addition to the inevitable damage to the Delta's ecosystems, economic and social implications are also anticipated. Thus, the reduction in water flow on the Sulina branch, in favour of the Chilia branch, will necessitate increased dredging efforts at the sandbar and along the canal to maintain navigable conditions, leading to higher costs for carrying out this work. The opening of the Bâstroe Canal will also result in direct economic losses for Romania, as once the canal is open, some of the vessels that until now have been passing through the Sulina Canal will opt for the Bâstroe route. The

development of the Bâstroe Canal, beyond its economic implications, is set to become a serious environmental issue due to its long-term consequences,

as it threatens to jeopardise the stability of one of the last refuges for rare species, this final bastion of biodiversity in Europe – the Danube Delta.

The strategic importance of the Danube today lies, first and foremost, in its economic value. Against a backdrop of deteriorating relations between the riparian states, fuelled by other interested states or groups of states, the adoption of restrictive measures on navigation can only have catastrophic consequences for the entire volume of European trade carried out on the river. The Rhine–Main–Danube Canal is a means of facilitating economic development and accelerating the integration of the riparian countries into European structures. With the completion of the canal, the navigable waterway between the North Sea and the Black Sea has become a cross-border entity, whose impact extends beyond the borders of the riparian countries and constitutes a strategic element at European level. A retrospective look at the establishment and evolution of the legal regime governing the Danube, from the earliest regulations to the present day, reveals that this river – particularly its estuary – has, over the centuries, been the source of significant geopolitical controversy; and that, amidst the constant conflicts of interest amongst the great powers, the small riparian states have consistently been the losers. The geopolitical and geostrategic importance of the Danube takes on new dimensions when one considers the entire river system, which includes tributaries, navigable waterways and hydrotechnical structures; these can have stabilising or destabilising effects not only on the environment but also on political, social, cultural, economic and military aspects. In the new international context, maintaining control over the mouth of the Danube is fundamental for Romania's development and the preservation of its national security, as well as for its European and Euro-Atlantic integration. Romania is situated at the confluence of geographical areas harbouring latent or overt tensions, on the border between the former USSR and NATO and the EU; in this context, it must not be forgotten that the Danube may become a major source of risk, alongside all the opportunities it offers.

At present, and with a view to full European and Euro-Atlantic integration, it is essential for the Romanian state to ensure: that navigation on the Danube remains open; that traffic on the Danube–Black Sea Canal is made more efficient; strengthening vigilance to prevent any attempts to 'sabotage' navigation; ensuring more rigorous control of the Danube Delta and the Danube estuaries; establishing a stricter regime for the environmental protection of the section of the Danube basin falling within our country's territory; consistently promoting the development of the Black Sea economic area and its functionality in order to link the interests of the European Union Member States more closely with river navigation towards the Middle East and Asia; promoting initiatives to establish broad Danube-wide cooperation with a view to jointly exploiting the advantages offered by the direct link between the North Sea and the Black Sea; strategically reassessing the river's operational zones; establishing an inland waterway network and connecting it to the River Danube.

We are currently experiencing a period of growing global instability, caused by a combination of Cold War-era echoes, the emergence of revisionist threats and a clash between moral, political and religious value systems. Against the backdrop of this general instability in the Black Sea region, we now face an open conflict where all aspects of global instability are concentrated, but which also serves as a testing ground for NATO and the EU. In this context, developments in the geopolitical situation in this region may have consequences beyond its borders, affecting the security interests of democratic states.

Romania must utilise its geostrategic position to accelerate the development of its trade relations and beyond. Given its position on Europe's main river transport route, through which it manages the lower reaches of the Danube jointly with its neighbours, we believe that this offers our country the opportunity to become one of the major river powers. However, only a fitting riverine naval policy and strategy can turn Romania's opportunity into reality.

CHAPTER 3³⁹

MARITIME SECURITY AND THE LAW OF THE SEA

The oceans and seas play a vital role in the global economy and the wider security environment; maritime transport, the exploration and exploitation of natural resources, and other maritime activities contribute to the prosperity and security of nations across the world. At the same time, the maritime domain is also characterised by a complex web of legal and political issues, including disputes over territorial boundaries, the management of shared resources, and the prevention of conflicts and security threats. The law of the sea provides the legal framework for managing these issues, setting out the rights and obligations of coastal states and other actors with regard to navigation, the exploration and exploitation of natural resources, and other maritime activities.

At the heart of the law of the sea lies the principle of balancing the rights and interests of coastal states and other maritime actors. Coastal states have the sovereign right to exploit the natural resources in their adjacent waters, including fish stocks, oil and gas deposits and minerals, and to regulate navigation and other activities in their territorial waters and exclusive economic zones (EEZs). At the same time, other states have certain rights and freedoms with regard to navigation and other maritime activities, including freedom of navigation and overflight, the laying of submarine cables and pipelines, and the conduct of scientific research.

This balance of rights and interests is reflected in the various regimes of navigation established by the law of the sea, including innocent passage, transit passage, passage through archipelagic sea lanes and the freedoms of the EEZ. Each of these regimes establishes different rights and obligations for ships and other actors operating in the maritime domain, reflecting the balance between the rights and interests of coastal States and the rights and interests of ships and other actors engaged in international navigation and other maritime activities.

One of the key challenges currently facing the law of the sea and maritime security is the need to address emerging security threats, such as piracy, drug and arms trafficking, maritime terrorism and illegal fishing. These threats pose significant risks to the safety and security of ships and crews, as well as to the economic interests of coastal states and the international community as a whole. To tackle these threats, there is a need for greater cooperation and coordination between coastal states and other maritime actors, including through the development of regional agreements and mechanisms for the management of shared resources and the prevention of conflicts.

Another challenge facing the law of the sea and maritime security is the need to address the impact of climate change on the maritime domain. Changes in sea level, ocean currents and other factors could have a significant impact on the management of marine resources and on the security of coastal states, including the potential displacement of coastal communities and the spread of diseases and other environmental risks.

In conclusion, the law of the sea plays an essential role in managing the complex legal and political issues arising in the maritime domain, balancing the rights and interests of coastal states and other actors with regard to navigation, the exploration and exploitation of natural resources, and other activities. To ensure the continued security and prosperity of the maritime domain, ongoing efforts are required to address emerging security threats, to promote cooperation and coordination between coastal states and other actors, and to tackle the impact of climate change on the marine environment.

Maritime security operations refer to the various activities undertaken to ensure the safety and security of maritime activities and assets. These operations aim to prevent illegal activities, such as piracy, smuggling, drug trafficking and terrorism, amongst others. Some examples of maritime security operations include:

³⁹ Author: Admiral (ret.) Dr Aurel POPA, President of the Maritime Security Forum, <https://www.forumulsecuritatiimaritime.ro,aurelpp5@gmail.com> .

- maritime surveillance – this involves the use of technologies such as radar, ships, aircraft, sonar and satellites to monitor maritime activities and identify potential threats;
 - maritime patrolling – this involves the use of military vessels to deter
- ;
- port security – this involves checking goods and personnel entering or leaving ports, to prevent the smuggling of illegal goods or materials;
 - maritime inspection – this involves stopping and boarding suspicious vessels to inspect their cargo and detain individuals who may be involved in illegal activities;
 - search and rescue – involves deploying resources to assist vessels in distress and to save lives in emergency situations;
 - maritime intelligence – involves gathering and analysing information to identify potential threats and prevent illegal activities.

In general, maritime security operations are essential for maintaining the safety and security of maritime activities and assets, as well as for promoting international trade and commerce.

Navigation regimes

Navigation regimes refer to the legal frameworks governing the rights and obligations of states and other actors with regard to navigation and other activities in various maritime zones. The law of the sea recognises primary navigation regimes, each of which establishes different rights and obligations for ships and other actors operating in the maritime domain:

The regime of transit passage: This regime applies in international straits that provide access between two parts of the sea or between one sea and another. Ships have the right to pass continuously and without interruption through these straits, subject to the established rules of navigation.

Transit passage through a strait: This regime applies to straits that provide passage between two separate maritime areas, such as the Suez Canal or the Panama Canal. Ships have the right to pass through these straits continuously and without interruption, in accordance with the established rules and without interfering with the safety of navigation in the straits in question.

The regime of innocent passage: This regime applies in the territorial waters of a coastal State. Foreign vessels have the right of innocent passage through territorial waters, subject to certain restrictions and rules laid down by the coastal State, such as the maintenance of public order and safety, environmental protection, etc.

The regime of passage through archipelagic sea lanes – this refers to the right of foreign vessels to navigate through designated sea lanes in archipelagic waters. This right is subject to certain limitations, including the requirement that vessels use the maritime corridors for rapid and continuous passage and do not deviate from the maritime corridors except in cases of force majeure or danger.

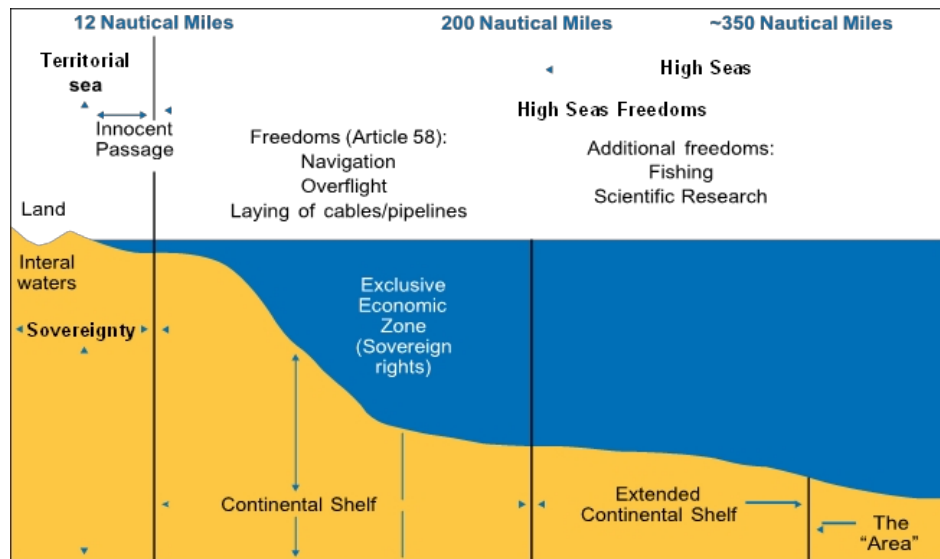
The regime of exclusive jurisdiction or ‘regime of sovereign jurisdiction’ – This regime applies within the exclusive economic zone (EEZ) of a coastal State. The coastal state has the exclusive right to explore and exploit the natural and energy resources of the sea within the EEZ, as well as to establish and enforce rules and regulations in various fields, such as the conservation of the marine environment, scientific research, the protection and management of natural resources, fisheries and so on. However, with regard to freedom of navigation, foreign vessels have the right of innocent passage through the EEZ, similar to the regime of innocent passage through territorial waters.

Within an EEZ, coastal states have certain rights regarding the exploration and exploitation of natural resources, but vessels from other states also have certain freedoms, including freedom of navigation and the freedom to carry out certain economic activities, such as fishing and scientific research. However, these freedoms are subject to certain limitations, including the requirement that they must not interfere with the coastal state’s rights to explore and exploit the natural resources within the EEZ.

In general, navigation regimes play a vital role in regulating the rights and obligations of States and other actors with regard to navigation and other maritime activities. The various regimes reflect

the balance between the rights and interests of coastal states and the rights and interests of ships and other actors involved in international navigation and other maritime activities.

Exclusive Economic Zone



An exclusive economic zone (EEZ) is a maritime zone extending 200 nautical miles (370.4 kilometres) from the baseline of a coastal state and which, in some cases, may be extended, within which the state has special rights over the exploration and exploitation of natural resources. The EEZ was established by the United Nations Convention on the Law of the Sea (UNCLOS), which came into force in 1994 and has been ratified by over 160 countries.

Within the EEZ, a coastal state has sovereign rights for the purpose of exploring, exploiting, conserving and managing natural resources, including fish stocks, oil and gas deposits, and minerals. The coastal state also has jurisdiction over the creation and use of artificial islands, installations and structures for scientific research and other purposes. However, the EEZ does not confer sovereignty on the coastal state over the waters or the airspace above them, which remain subject to the rights of other states to exercise freedom of navigation and overflight.

The concept of the EEZ reflects the balance between the rights of coastal states to exploit the natural resources in their adjacent waters and the rights of other states to engage in international navigation and other maritime activities. UNCLOS provides for a range of rights and freedoms for other states within the EEZ, including freedom of navigation and overflight, the laying of submarine cables and pipelines, and the conduct of scientific research.

In general, the EEZ is an important concept in the law of the sea, providing coastal states with a framework for the sustainable management of their marine resources and helping to prevent disputes between neighbouring states over the exploitation of these resources.

Maritime awareness

Maritime awareness refers to efforts to increase knowledge and inform the public about the importance and impact of the maritime sector on the economy, the environment and society as a whole. This field covers a wide range of activities and issues, including maritime transport, international trade, maritime security, marine environmental protection, the conservation of marine resources and the sustainable development of the maritime zone.

Awareness of the maritime sector is crucial, as approximately 90 per cent of world trade is carried out by sea, and a large proportion of natural resources and energy comes from the oceans. Furthermore, maritime areas provide a habitat for a wide variety of marine species and help regulate the global climate by absorbing carbon dioxide.

To raise awareness, various initiatives and programmes have been implemented. These include public information campaigns, educational projects in schools and universities, maritime events and exhibitions, as well as cooperation between international organisations, governments, the maritime industry and civil society.

The objectives of maritime awareness include promoting the sustainable development of the maritime sector, reducing negative impacts on the marine environment, strengthening security and safety in maritime areas, encouraging innovation and research in the field, and fostering a global perspective on the importance of the oceans and seas.

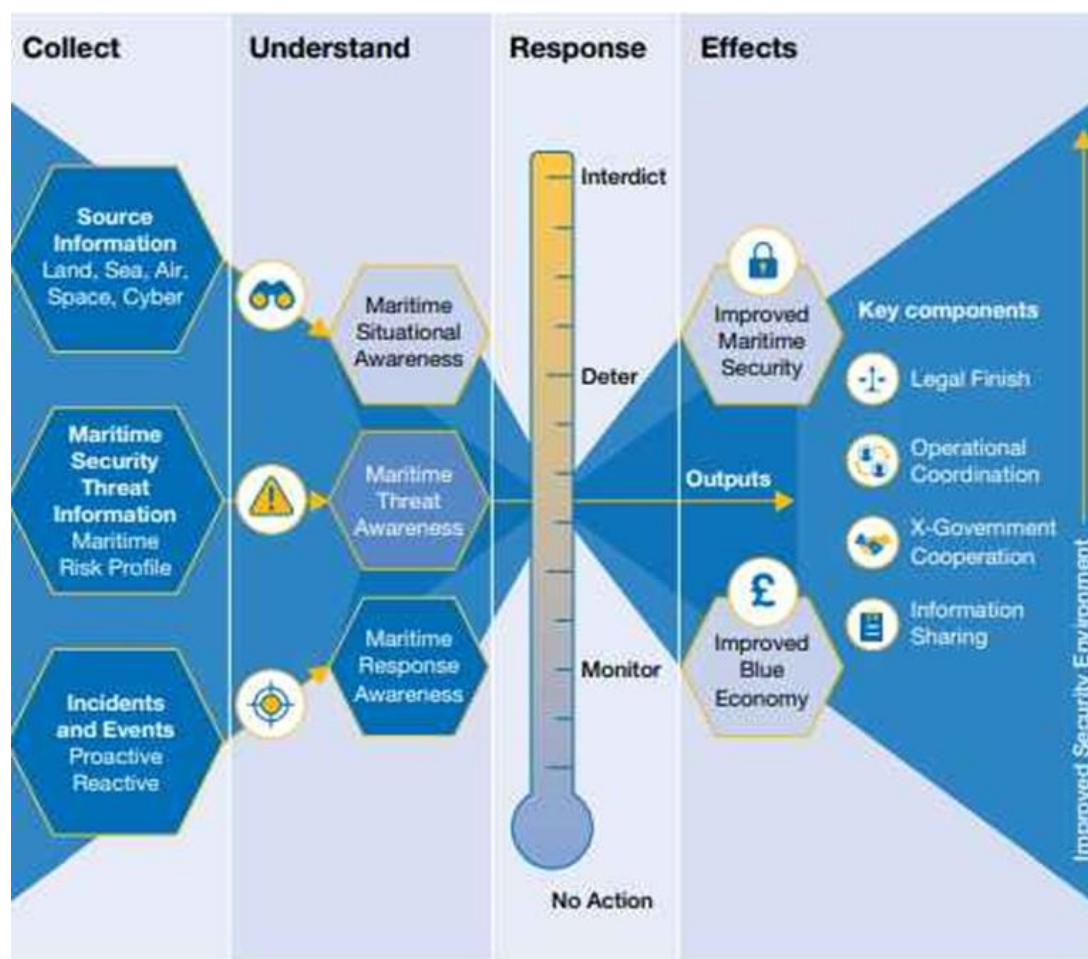
It is important to understand that maritime awareness and education measures are not limited to the maritime community alone, but are aimed at the general public, as the implications and impact of the maritime sector are relevant to all citizens of the world.

Maritime Domain Awareness (MDA) is a concept and a framework that refers to the ability to collect, monitor, analyse and understand relevant information about activities and events taking place in the maritime domain. The main aim of MDA is to enhance understanding and awareness of the maritime situation in order to facilitate effective decision-making and to ensure security and safety in the maritime domain.

MDA involves the integration and analysis of data from a variety of sources, such as radar, maritime traffic monitoring systems, satellites, surveillance aircraft, information from vessels, reports from maritime stakeholders and other relevant resources. This information is processed and analysed to identify patterns, trends, risks and potential threats in the maritime domain.

By implementing the MDA concept, maritime authorities, security forces and other relevant organisations can obtain a comprehensive picture of maritime activities, such as maritime traffic, the illegal trade in goods, drug trafficking, piracy, terrorist activities or any other threat to maritime security and safety.

MDA helps to improve coordination between the various agencies and organisations involved in the maritime sector, including law enforcement authorities, security agencies, port authorities and maritime operators. It facilitates the exchange of real-time information and effective collaboration to respond swiftly and appropriately to emergencies or unexpected events.



The UK model of maritime domain awareness.⁴⁰

In summary, Maritime Domain Awareness is an approach and a system aimed at collecting, analysing and understanding information about maritime activities in order to enhance security, safety and efficiency in the maritime domain. It plays a crucial role in protecting maritime interests and promoting stability and sustainable development in the maritime domain.

The results/effectiveness are highly dependent on capability. All are necessary to ensure a safe and secure maritime environment.

The threat posed by piracy⁴¹ in the Gulf of Guinea region

The Gulf of Guinea region (GGR), situated off the western and central coasts of Africa, is a vast maritime area that has attracted significant attention from various external actors. This interest stems from the region's historical ties, trade, oil and fisheries, as well as its strategic importance as a gateway between Europe and Africa. However, the region is also characterised by various forms of maritime crime, including piracy, which has become a significant threat to the safety and security of those operating in the area.

⁴⁰ National Maritime Security Strategy, UK.

⁴¹ Only acts committed outside territorial waters are considered acts of piracy.



Photo: Wikipedia

According to recent reports, 95 per cent of all acts of piracy worldwide have taken place in the GCC, which highlights the seriousness of the threat posed by piracy in the region. The reasons for the high level of piracy in the region are complex and include factors such as poverty, weak governance and the lack of an effective maritime security infrastructure. The vastness of the GOG, combined with the limited resources of individual states, makes it difficult to maintain adequate security across the entire region, and this has allowed criminal actors to thrive.

External actors have become increasingly involved in addressing the threat posed by piracy in the GCC. This involvement has taken various forms, ranging from the deployment of naval forces to ensure security to capacity-building initiatives aimed at strengthening the maritime security infrastructure of individual states. The response to piracy in the GCC has been characterised by cooperation between external actors, individual states and regional organisations, such as the Economic Community of West African States (ECOWAS)⁴² and the Gulf of Guinea Commission (GGC).

Whilst the involvement of external actors has brought the necessary attention and resources to the threat of piracy in the GGC, it is important to recognise the limitations of external interventions. Sustainable solutions to the threat of piracy in the region require a comprehensive approach that tackles the root causes of piracy, such as poverty, weak governance and a lack of economic opportunities. Furthermore, external interventions must be sensitive to local contexts and must work in partnership with local actors to ensure that solutions are effective and sustainable.

In conclusion, the threat posed by piracy in the Gulf of Guinea region is a complex issue that requires a comprehensive and coordinated approach involving multiple stakeholders. Whilst external interventions can play a significant role in tackling the threat of piracy, sustainable solutions will require a long-term commitment to addressing the root causes of piracy and working in partnership with local actors to build a more effective maritime security infrastructure in the region.

⁴² The Economic Community of West African States (ECOWAS) was established by the Treaty of Lagos, signed in Lagos, Nigeria, on 28 May 1975. It was established to promote economic trade, regional cooperation and monetary union for growth and development throughout West Africa. <https://ro.eferit.com/care-este-comunitatea-economica-a-statelor-africii-de-vest-ecowas/> accessed 12 March 2023.

Maritime operations to combat piracy

To combat piracy, a series of maritime operations have been developed by various organisations and countries, which often work in collaboration with one another. These operations focus on different aspects of the piracy problem, ranging from prevention to interdiction and prosecution.

One of the most prominent international efforts to combat piracy has been the



the Combined Maritime Forces (CMF) in the Gulf of Aden. This is a multinational naval partnership, established in 2002 to promote maritime security, deter piracy and promote free and open trade. The CMF operates under a United Nations mandate and currently comprises 33 participating nations. The CMF conducts maritime patrols, escorts commercial vessels and engages in information-sharing to deter

pirate attacks. The European Union launched Operation Atalanta in 2008, which focused on preventing and deterring acts of piracy and armed robbery off the coast of Somalia. Atalanta involved naval and air assets from European countries and was mandated by the European Union's Common Security and Defence Policy. The operation succeeded in reducing the number of successful pirate attacks in the region.



maritime operations to combat piracy. The frigate 221 King Ferdinand took part in Operation Atalanta, during which it captured and neutralised a vessel suspected of piracy. The North Atlantic Treaty Organisation (NATO) has also carried out maritime operations to combat piracy, in particular Operation Ocean Shield, which took place between 2009 and 2016 in the Gulf of Aden and the Somali basin. Like other anti-piracy operations, Ocean Shield involved naval patrols, the exchange of intelligence and the provision of armed escorts for commercial vessels.

The International Maritime Organisation (IMO) has also played a role in the fight against piracy by drawing up a series of guidelines and recommendations for the shipping industry aimed at reducing the risk of pirate attacks. These guidelines include best practices for shipowners, operators and crews, as well as guidance on the use of armed security personnel on board ships.

Despite the successes of these maritime operations, piracy remains a persistent threat in some regions. Piracy off the coast of West Africa, for example, has increased in recent years, with criminal groups targeting ships in the Gulf of Guinea. To tackle this problem, the Economic Community of West African States (ECOWAS) has established a regional maritime security architecture, which includes a maritime cooperation zone and

a multinational maritime coordination centre. These initiatives aim to improve information-sharing and coordination between the various countries in the region, in order to combat piracy and other threats to maritime security.

In conclusion, piracy is a significant threat to maritime security, and combating it requires a multi-faceted approach involving the coordinated efforts of various organisations and countries. Maritime operations focusing on prevention, interdiction and prosecution, as well as the development of best practices and regional coordination, can help to reduce the threat of piracy and ensure the safety and security of seafarers and international trade.

The influence of national legislation on maritime security operations

National legislation plays a vital role in establishing an appropriate legal framework for maritime security operations and ensuring compliance with relevant international standards. Although there are international conventions and treaties governing maritime security, these are transposed into the national legislation of each state.

Consequently, each state has its own laws and regulations setting out maritime security standards for ships registered under its flag and for its ports, as well as the responsibilities of ship operators and port owners. These national laws may include provisions setting out security requirements for ships, such as the prevention of acts of piracy and robbery, the protection of port facilities, and the enhancement of security through the monitoring and control of access to sensitive areas of the port.

During the wave of piracy that has affected the Somali coast in recent years, multinational naval forces have captured a large number of suspected pirates and vessels used in acts of piracy. However, due to legal constraints and a lack of adequate infrastructure, many of these captured vessels and suspected pirates were released on the Somali coast, rather than being tried in national or international courts. This has led to a sense of impunity amongst pirates, as they knew that the risk of being punished for their activities was relatively low.

This situation has highlighted the importance of strengthening international cooperation and harmonising national legislation in the fight against maritime piracy. A coherent and harmonised approach is necessary to tackle the threat of piracy and to ensure that those involved in piracy are brought to justice and punished for their crimes. It is also important to establish the necessary infrastructure and resources to enable these cases to be tried in national or international courts, and to ensure that all states involved in the fight against piracy assume their responsibility for bringing pirates to justice.

Transnational crime

Transnational crime is a major challenge in the field of maritime security today.

Transnational crime is one of the most pressing maritime security challenges of our time. Criminal activities such as drug trafficking, human trafficking, arms smuggling and piracy are increasingly taking place at sea and have significant implications for global security and stability.

By its very nature, transnational crime is difficult to combat using traditional law enforcement methods, as it often involves actors from multiple jurisdictions who operate across borders and exploit the vast, open spaces of the ocean to carry out their activities. This makes it difficult to monitor and control maritime activities and allows criminal organisations to exploit weaknesses in national and international legal systems.

One of the key challenges in tackling transnational crime at sea is the need for greater cooperation between states and international organisations. Effective responses require coordinated efforts from a range of actors, including law enforcement agencies, navies, coastguards and

international organisations, such as the United Nations Office on Drugs and Crime (UNODC) and the International Maritime Organisation (IMO).

In recent years, there have been a number of initiatives aimed at tackling transnational crime at sea. These include the adoption of international conventions and protocols, the establishment of regional information-sharing networks, and the deployment of joint patrols and task forces to monitor and control maritime activities. Despite these efforts, the challenge posed by transnational crime at sea remains significant. Criminal organisations continue to adapt and evolve their tactics and strategies, and the vastness of the ocean makes it difficult to monitor and control all activities at sea. As such, it is clear that the fight against transnational crime at sea requires continuous collaboration and innovation, as well as recognition of the critical role that maritime security plays in global security and stability.

Migration

In the Mediterranean region, states have increasingly focused on preventing migration, often through a security-based approach that emphasises maritime security. This approach aims to strengthen border control measures, improve surveillance and intelligence gathering, and enhance cooperation between states and with international organisations.



The Mediterranean Sea has long been a focal point for migration, with migrants and refugees attempting to cross the sea from North Africa to Europe in search of a better life. However, in recent years, this migration has become increasingly irregular, as organised crime networks have exploited the insecurity and instability in the region to facilitate irregular crossings and exploit vulnerable people. States in the region have responded to this phenomenon with a series of measures designed to strengthen their maritime security. These include deploying military vessels and aircraft to patrol the seas, strengthening coastguard and

improve situational awareness and coordinate responses. In reducing the number of illegal crossings, they have also been criticised for their security-focused approach, which has often led to the criminalisation of migration and human rights violations. Consequently, there have been calls for a more balanced approach to maritime security in the region, one that takes into account the humanitarian dimension of migration and seeks to address the root causes of irregular movements.

Such an approach would require increased investment in development and conflict prevention initiatives in the region, as well as a renewed commitment to international law and human rights. It would also require closer cooperation between states and international organisations and a recognition of the shared responsibility of all actors in addressing the challenges posed by irregular maritime movements in the Mediterranean.

The management of maritime migration must be framed within the multitude and overlap of regimes governing state assistance to people at sea, namely with regard to the safety of life, search and rescue, and refugee law.

Safety of life at sea is a fundamental principle of international maritime law, and all states have a responsibility to ensure that persons in distress at sea are rescued and provided with the necessary assistance. This responsibility is particularly relevant in the context of maritime migration, where individuals often undertake risky journeys by sea in search of safety and better opportunities.

Search and rescue operations are therefore an essential component of managing maritime migration, and states have an obligation to provide these services in a timely and effective manner. This can be a complex task, particularly in areas where the number of migrants crossing the sea is high and the resources available to respond are limited.

In addition to the principle of safety of life at sea, refugees and migrants at sea are also protected by international and regional refugee laws. These laws recognise the right of individuals to seek asylum and prohibit states from returning individuals to countries where they face persecution or harm.

Given the complexity of managing maritime migration, it is important for states to adopt a holistic and integrated approach that takes into account the various legal regimes and principles that apply. This requires a comprehensive and coordinated response involving multiple actors, including governments, international organisations, civil society groups and affected communities.

Effective management of maritime migration must be based on a clear understanding of the needs and vulnerabilities of people at sea, as well as an awareness of the various legal frameworks that apply. It must also be based on a commitment to international law, human rights and humanitarian principles, and be guided by a spirit of cooperation and shared responsibility amongst all the actors involved.

Perspectives and policy-making on the management of maritime migration.

Perspectives and policy development on the management of maritime migration should take into account the complex and multifaceted nature of this issue. Some potential considerations and recommendations include:

- addressing the root causes – a sustainable, long-term solution to the management of maritime migration must address the root causes of migration, such as poverty, conflict and environmental degradation. This requires a comprehensive and multidimensional approach that addresses the economic, social and political factors driving migration;
- supporting countries of origin and transit – countries of origin and transit play a vital role in managing maritime migration and must be supported through development aid, capacity-building and technical assistance. This can help to strengthen border management, improve search and rescue capabilities and provide support to migrants in transit;
- Strengthening cooperation and coordination – the effective management of maritime migration requires a coordinated and cooperative approach amongst all relevant stakeholders, including governments, international organisations, civil society groups and affected communities. Greater cooperation and coordination can help to reduce duplication of effort, improve the exchange of information and promote more effective responses to migration crises;
- promoting a rights-based approach – a rights-based approach to the management of maritime migration emphasises the protection of the human rights and dignity of all persons, regardless of their migration status. This requires compliance with international human rights and refugee law, as well as ensuring that migrants have access to basic services such as healthcare, education and legal aid;
- promoting safe and orderly migration – safe and orderly migration is a key objective of effective maritime migration management and requires a range of measures, including strengthened border management, enhanced search and rescue capabilities, and greater support for voluntary return and reintegration;
- encouraging regional and international cooperation – migration is a global phenomenon requiring a global response. Regional and international cooperation can play a vital role in promoting more effective migration management, including through the exchange of information, joint capacity-building and the development of common policies and frameworks;

In general, the effective management of maritime migration requires a long-term, comprehensive and rights-based approach that takes into account the various legal frameworks, political considerations and practical challenges involved. By working together and adopting a coordinated and cooperative approach, stakeholders can promote safe, orderly and humane migration that respects the rights and dignity of all those involved.

Maritime terrorism: key debates in the field.



Maritime terrorism refers to any terrorist act taking place at sea or against maritime targets. It is a complex issue that has attracted considerable attention from researchers and policy-makers in recent years. There are three key debates in the field of maritime terrorism:

- the definition of maritime terrorism. Some researchers argue that the term ‘maritime terrorism’ should be used only to describe acts of terrorism taking place on board a ship, whilst others argue that the term should be used to describe any act of terrorism affecting maritime security, such as attacks on ports, oil rigs or coastal installations. This debate is important because it influences the way in which policymakers develop strategies to combat maritime terrorism and allocate resources in this area;
- the assessment of the maritime terrorism threat. Some researchers argue that maritime terrorism is an exaggerated threat that has been overestimated by governments and security agencies. Others argue that the threat is real and that terrorist groups have the capacity to carry out attacks against maritime targets. This debate is important because it affects the way in which governments and security agencies allocate resources to maritime security and counter-terrorism activities;
- response and prevention – the third key debate in the field of maritime terrorism concerns response and prevention strategies. Some researchers argue that the best way to prevent maritime terrorism is to enhance the security of ships, ports and other maritime facilities. Others argue that the best way to prevent maritime terrorism is to address the underlying social, economic and political factors that contribute to the emergence of terrorist groups. This debate is important because it influences how policymakers develop strategies for preventing and responding to maritime terrorism.

In conclusion, the field of maritime terrorism is complex, and there are several debates surrounding the definition of the term, threat assessment, and response and prevention strategies. It is essential that policymakers and researchers engage in these debates and strive to reach a comprehensive understanding of maritime terrorism, which can underpin effective strategies to combat this threat.

Combating the trafficking of arms and goods in the maritime sector. Global efforts for international security

⁴³https://twitter.com/specialforces_1.

The trafficking of arms and illicit goods poses a serious threat to peace and stability worldwide. The maritime sector plays a crucial role in this issue, as it is often used by traffickers to transport and conceal illegal goods. Combating this phenomenon requires concerted efforts at a global level, involving states, international organisations and the private sector.



In a tense international context, the proliferation of conventional weapons poses a threat to the stability of certain regions of the world and, indirectly, to Romania's interests. Indeed, numerous criminal networks (terrorists, pirates, traffickers, etc.) exploit these instabilities to procure small arms or heavy weapons by sea.

Traffickers thus benefit from low transport costs and a high degree of discretion, blending into containerised cargo flows, carrying out transshipments at sea, by hijacking vessel positioning systems or by falsifying the cargo manifest

. The main affected areas are the Eastern Mediterranean, the Black Sea, the Indian Ocean – including the Red Sea – and the Horn of Africa.

International conventions and treaties

The fight against the trafficking of arms and goods at sea is addressed through international conventions and treaties. These include the United Nations Convention against Transnational Organised Crime⁴⁴ (UNTOC), the UN Arms Trade Treaty⁴⁵ (UN Arms Trade Treaty) and the Protocol against the Smuggling of Migrants by Sea. These agreements establish standards and procedures for the prevention, detection and eradication of arms and goods trafficking.

Arms trafficking is a dangerous and devastating phenomenon that threatens international security and contributes to the destabilisation of regions across the world. The proliferation of this phenomenon in the maritime sector has become a major problem, with serious implications for peace and stability.

Causes of the proliferation of arms trafficking at sea:

- A grey area of legality: Some regions and maritime zones exist in a legislative vacuum or a grey area of legality, thereby facilitating arms trafficking. These zones provide traffickers with a conducive environment in which to operate and conceal illegal goods.
- Corruption and collusion by officials: Corruption and collusion by customs and port officials facilitate arms trafficking via seaports. These illegal activities undermine the integrity of the security system and allow traffickers to evade checks and carry out illegal operations.
- Regional instability and conflicts: Regions affected by armed conflict and political instability are often hotbeds of arms trafficking. When governments are weak or ineffective, traffickers often find opportunities to capitalise on the chaos and supply arms to illegal groups and insurgents.

Consequences of the proliferation of arms trafficking at sea:

⁴⁴ The UNTOC (United Nations Convention against Transnational Organised Crime) was adopted in 2000. It was established as an international legal instrument to combat and prevent transnational organised crime globally.

⁴⁵ The United Nations Arms Trade Treaty (UN ATT) was adopted on 2 April 2013. This treaty entered into force on 24 December 2014, 90 days after the deposit of 50 ratifications by UN member states. Although the UN ATT has been adopted by a large part of the international community, it is important to note that not all UN member states have signed or ratified this treaty. Its implementation and the effective enforcement of its provisions remain the responsibility of each State Party individually.

- Rising levels of violence: Arms trafficking fuels armed conflicts and exacerbates violence in already unstable regions. Illegal weapons fall into the hands of criminal, terrorist and insurgent groups, intensifying threats to the security and lives of citizens.
- Devastating effects on civil society: Illegal weapons often end up in the hands of criminals and so-called 'illiberal actors', contributing to rising crime, armed violence and drug trafficking. These effects have a devastating impact on civil society and on the process of development and stability.
- Terrorist financing: A crucial aspect of combating the trafficking of arms and goods in the maritime sector is preventing the financing of terrorism. The financial flows associated with these illicit activities are monitored and tracked in close collaboration with financial institutions and international organisations. The implementation of measures to combat money laundering and the financing of terrorism helps to disrupt the traffickers' supply chain.

Measures to combat the proliferation of arms trafficking at sea:

To address the issue of the proliferation of arms trafficking at sea, a comprehensive approach and cooperation between the states concerned are required. Here are some key actions that can be taken:

- Strengthening legislation and customs controls: States should improve and enforce strict legislation to control arms trafficking and develop effective customs control capabilities. This includes rigorous checks on cargo and containers in ports and the involvement of judicial authorities in investigating and prosecuting arms traffickers.
- International cooperation and information sharing: States should strengthen international cooperation by sharing relevant information on arms trafficking by sea. This can be achieved through international organisations, such as Interpol and the United Nations, which facilitate the rapid and secure exchange of information between countries and law enforcement agencies.
- Maritime surveillance and patrolling: States are advised to step up surveillance and patrolling of maritime areas to detect and intercept vessels involved in arms trafficking. This may involve deploying patrol vessels, surveillance aircraft and the use of advanced detection technologies to identify and track suspicious activities.
- Improving cooperation with the private sector: Collaboration between government authorities and the private sector, including shipping companies, port operators and maritime security firms, is essential in combating arms trafficking. Information sharing, the development of security standards and the implementation of responsible practices within supply chains can help to identify and prevent arms trafficking.
- Awareness-raising and education: Awareness-raising and education campaigns play an important role in combating arms trafficking. These may include training maritime and port personnel to identify and report suspicious activities, as well as educating the public about the dangers of arms trafficking and the importance of reporting such activities to the authorities.

Romania has taken a series of measures to combat arms trafficking and prevent the proliferation of this phenomenon. Romania has rigorous legislation in place regarding the control of arms and arms trafficking. This includes the Law on Arms and Ammunition, which regulates the acquisition, possession and transit of arms and ammunition. There are also specific regulations governing the import and export of arms and ammunition.

The Romanian authorities operate an effective customs control system and carry out rigorous checks on arms exports and imports. This involves checking documents and records, scanning and physically inspecting consignments, and collaborating with similar authorities in other countries. Romania cooperates with other states and international organisations to combat arms trafficking

arms. This includes exchanging information and cooperating with Interpol, the United Nations and other relevant bodies to identify and track arms-trafficking networks.

The Romanian maritime authorities monitor and secure the maritime border to prevent the illegal trafficking of arms. This involves the use of vessels and surveillance equipment, as well as cooperation with other countries in joint maritime operations, and places particular emphasis on the training and education of personnel involved in arms control and the fight against arms trafficking. This includes training police officers, customs officers and other law enforcement officers to identify and intervene in cases of arms trafficking.

Romania works closely with international organisations such as Europol⁴⁶ and the United Nations to combat arms trafficking globally. Through these bodies, Romania contributes to the exchange of information and the coordination of international efforts to identify and track down arms traffickers.

Romania's National Authority for the Control of the Export and Import of Arms, Ammunition and Military Products and Technologies⁴⁷ (ANCEX) is responsible for monitoring and regulating the arms trade. This includes granting export and import licences, verifying compliance with international rules and embargoes, and collaborating with similar authorities in other countries.

Romania is actively involved in regional cooperation to combat arms trafficking. Participation in regional initiatives and programmes, such as the Regional Action Group against Illicit Firearms Trafficking in South-Eastern Europe (SEESAC), facilitates the exchange of information and best practice between countries and helps to improve capabilities to combat arms trafficking.

Romania actively contributes to international operations to combat arms trafficking. For example, its participation in European Union maritime operations, such as Operation Atalanta⁴⁸ and Operation Irini⁴⁹, demonstrates Romania's commitment to preventing illegal arms trafficking at sea and to promoting maritime security globally.

These measures taken by Romania reflect the country's ongoing efforts to combat arms trafficking and prevent the proliferation of this phenomenon both domestically and in the region. Through international cooperation, rigorous monitoring and regulation, as well as involvement in international operations and initiatives, Romania contributes to international efforts to combat this phenomenon.

Combating the trafficking of arms and goods in the maritime sector is a complex challenge that requires a comprehensive and coordinated approach. By implementing international treaties, strengthening international cooperation, utilising advanced technology and raising awareness, the international community is making sustained efforts to counter this phenomenon. It is essential to continue these efforts, improve legislation and enhance collaboration between states, international organisations and the private sector to ensure security and prevent the proliferation of illegal arms and goods in the maritime sector. Only through joint efforts and integrated approaches can we achieve effective results in combating the trafficking of arms and goods, thereby ensuring international peace and security at sea.

⁴⁶ Europol, the European Police Office, was established in 1994. This organisation was established as a European Union agency, with its headquarters in The Hague, the Netherlands. Europol's aim is to facilitate cooperation and the exchange of information between the police forces of the European Union's Member States with a view to combating cross-border crime and threats to security in Europe.⁽⁴⁷⁾ ANCEX (the National Authority for the Control of Exports and Imports of Arms, Ammunition and Military Products and Technologies) was established in 2003 in Romania. It was set up to regulate and monitor trade in arms, ammunition and military products and technologies in accordance with national and international legislation.

⁴⁸ Operation Atalanta is a European Union (EU) naval operation launched in December 2008 with the aim of combating piracy and armed robbery off the coast of Somalia and in the adjacent waters of the Gulf of Aden and the Indian Ocean. It represents the international community's response to the rise in incidents of piracy in the region and aims to protect commercial vessels and ensure the security of the strategic maritime transport corridor. Romania participated in this operation with the Frigate 221.

⁴⁹ Operation Irini is a European Union (EU) naval operation launched in March 2020, with the aim of supporting the implementation of the UN arms embargo on Libya. It represents a continuation of international efforts to maintain peace and security in the Mediterranean region, with the primary objective of monitoring and enforcing the arms embargo on Libya. Romania is participating in this operation with Frigate 221 and Frigate 222.

Strategic energy security. Geopolitical variables

Maritime security risks are shaped by a range of strategic, geopolitical and operational factors, all of which must be taken into account when developing effective maritime security processes. At a strategic level, energy security requirements play a major role in shaping maritime security risks, as the majority of the world's oil and natural gas resources are transported by sea.

Disruptions to energy supply chains can have significant economic and political consequences, making them an attractive target for state and non-state actors seeking to achieve their political or economic objectives.

Geopolitical factors also contribute to maritime security risks, as competition for maritime resources and access to key maritime routes can lead to conflict and instability. Territorial disputes, competing claims over maritime boundaries and tensions between neighbouring states all contribute to the risk of maritime security incidents.

Operational realities also play a key role in shaping maritime security risks, as technological advances have made it easier for non-state actors to operate at sea. Smaller, faster vessels and the proliferation of small arms and light weapons have made piracy and other forms of maritime crime more attractive and easier to carry out. Furthermore, the vast expanse of the world's oceans and the difficulty of monitoring and patrolling such a large area make it challenging to detect and respond to threats to maritime security.

To address these complex maritime security risks, effective maritime security processes must be developed that take all these factors into account. This requires a coordinated, multi-stakeholder approach involving collaboration between states, international organisations and the private sector. Such an approach should focus on developing a comprehensive understanding of maritime security risks and addressing the root causes of these risks, such as economic inequality and political instability. Furthermore, effective maritime security processes should involve the deployment of appropriate technologies and operational procedures to detect, monitor and respond to maritime security incidents in a timely and effective manner.

In general, the complexity of contemporary maritime security risks requires a nuanced and multifaceted approach to develop effective maritime security processes that can protect vital maritime routes and ensure the safety and security of the people and communities that depend on the oceans for their livelihoods.

Cyber security

Cyber security plays a vital role in the maritime industry due to increasing digitalisation and automation, which have led to the emergence of new threats and regulatory requirements. This digital transformation is proving to be a double-edged sword, as it is essential for the operation of critical maritime transport systems. However, it also poses a major risk to maritime infrastructure and vessels, leaving them vulnerable to cyber-attacks. The consequences of such cyber-attacks have a significant impact on the safety of personnel and the environment.

The increasingly widespread use of digital technologies and automation in the maritime industry has led to a growing awareness of the need for effective cybersecurity measures to prevent cyber-attacks on ships and critical maritime transport systems. Cybersecurity threats to

the maritime industry include malware⁵⁰, ransomware⁵¹, hacking⁵² and other types of attacks that can disrupt operations, compromise data security and even endanger the safety of crews and the environment.

Furthermore, regulatory requirements relating to cyber security in the maritime industry are evolving rapidly, as more and more countries and organisations recognise the need for cyber security standards and best practices. For example, the International Maritime Organisation (IMO) has introduced guidelines for the management of cyber risks for ships and shipping companies, including a requirement for companies to draw up cyber risk management plans.

Effective cybersecurity in the maritime industry requires a holistic approach involving all stakeholders, including shipowners, operators and crew members, as well as regulatory bodies and cybersecurity experts. This approach should include measures such as regular staff training and awareness-raising, periodic vulnerability assessments and penetration tests, the implementation of a secure network architecture and access controls, as well as the use of encryption and other security technologies to protect data and systems.

Maritime security and the Convention on the Law of the Sea

The United Nations Convention on the Law of the Sea (UNCLOS), which entered into force in 1994, is the principal international legal framework governing the use and protection of the world's oceans and marine resources. UNCLOS addresses a wide range of maritime issues, including maritime security.

UNCLOS recognises the right of all states to carry out maritime security operations within their maritime zones, subject to certain conditions and limitations. Specifically, UNCLOS recognises the right of coastal states to take the necessary measures to protect their national security, including prohibiting foreign vessels engaged in illegal activities within their territorial waters, such as drug trafficking, piracy and human trafficking. However, these measures must be carried out in accordance with the principles of international law, including respect for human rights and the obligation to avoid causing harm to innocent vessels.

UNCLOS also provides for the establishment of exclusive economic zones (EEZs) within which coastal states have special rights regarding the exploration and exploitation of natural resources. However, these rights are subject to certain limitations, including the obligation to respect the rights and freedoms of other states and to ensure that maritime security operations within the EEZ do not interfere with other lawful uses of the sea.

In general, UNCLOS plays a vital role in promoting maritime security by providing a legal framework for states to cooperate in preventing and suppressing illegal activities in the maritime domain, whilst ensuring that maritime security operations are conducted in accordance with international law and with respect for human rights.

Many countries have extended their jurisdiction over vast maritime areas through UNCLOS, which grants them exclusive rights to explore and exploit natural resources, as well as authority over activities such as fishing and maritime transport. However, monitoring and safeguarding such large areas can pose a significant challenge for many countries, particularly those with limited resources and technical capabilities. This can create vulnerabilities that may be exploited by transnational maritime crime networks, such as illegal fishing or the smuggling of goods or people. Strengthening maritime security capacity is therefore a key priority for many countries, with a view to effectively managing and securing their maritime areas.

⁵⁰ Malware is a term derived from the phrase 'malicious software'. It refers to any type of software created with the intention of causing damage or gaining unauthorised access to a computer system or its data.

⁵¹ Ransomware is a type of malware (malicious software) that encrypts files or blocks access to the operating system of a computer or device, and then demands a 'ransom' to unlock or decrypt the data in question.

⁵² Hacking refers to the act of accessing, modifying or exploiting computer systems and networks in a manner that is unauthorised or unlawful. The term 'hacker' is often used to describe individuals who engage in such activities.

The strong interplay between the law of the sea and security

The law of the sea provides the legal framework for maritime security, whilst security issues, in turn, influence the interpretation and implementation of the law of the sea.

Maritime security encompasses a wide range of activities and issues, including piracy, terrorism, smuggling, drug trafficking and the protection of critical infrastructure. The law of the sea plays a vital role in addressing these issues by defining the rights and responsibilities of states and other actors in the maritime domain, including the various maritime zones and their associated legal regimes.

For example, the United Nations Convention on the Law of the Sea (UNCLOS) establishes the legal framework for maritime security operations, including the interdiction of vessels engaged in illegal activities within a state's territorial sea, the protection of critical infrastructure in the exclusive economic zone (EEZ) and freedom of navigation through international straits.

At the same time, security issues also influence the interpretation and implementation of the law of the sea. For example, the threat of piracy and other illegal activities in the waters off the coast of Somalia has led to the adoption of UN Security Council resolutions authorising international naval forces to operate in Somali waters and to engage in maritime security operations.

Furthermore, the ongoing global war on terrorism has led to increased attention being paid to maritime security, particularly in the context of counter-terrorism, through the adoption of the International Ship and Port Facility Security (ISPS) Code and other measures designed to enhance the security of maritime transport and port facilities.

In short, the law of the sea and security are deeply intertwined, with the law providing the legal framework for maritime security, whilst security considerations, in turn, influence the interpretation and implementation of the law.

The way forward

The way forward for the law of the sea and maritime security will likely involve ongoing efforts to balance the rights and interests of coastal states and other actors with regard to navigation, the exploration and exploitation of natural resources, and other maritime activities. Potential areas for future development include the following:

- continuing efforts to promote cooperation and coordination between coastal states and other maritime actors, including through the development of regional agreements and mechanisms for the management of shared resources and the prevention of conflicts;
- developing new technologies and practices for the sustainable management of marine resources, including fisheries, oil and gas fields, and minerals;
- efforts to address new threats to maritime security, such as piracy, maritime terrorism and illegal fishing;
- ongoing efforts to strengthen the legal frameworks for the management of marine resources, including through the development of new international agreements and the implementation of existing ones;
- addressing the challenges posed by climate change and its impact on the maritime domain, including the potential for changes in sea level, ocean currents and other factors that could affect the management of marine resources and the security of coastal states.

In general, the law of the sea and maritime security will continue to be important areas of interest for the international community, as the oceans and seas continue to play a critical role in the global economy and the wider security environment.

The role of international law in maritime security

Maritime security is a dynamic and complex issue that requires a multifaceted approach. International law plays an essential role in managing maritime security, providing a framework within which states can respond to threats from non-state actors and engage in inter-state cooperation.

The United Nations Convention on the Law of the Sea (UNCLOS), together with other treaties and agreements, sets out the parameters within which states may act in the maritime domain and establishes the basic rules for cooperation between states.

UNCLOS, which entered into force in 1994, is widely regarded as the cornerstone of international maritime law. The Convention defines the rights and responsibilities of states regarding the use of the world's oceans, setting out rules for all aspects, from navigation and fishing to the exploration and exploitation of natural resources. UNCLOS also provides a legal framework for the settlement of disputes, including disputes between states and disputes between states and non-state actors.

One of the main advantages of an approach to maritime security based on international law is the emphasis placed on the peaceful settlement of disputes. UNCLOS provides for a mechanism for the peaceful settlement of disputes between states, including negotiation, mediation and arbitration. This approach helps to prevent the escalation of conflicts and promotes the development of cooperative relations between states.

Another advantage of an approach based on international law is the recognition of the rights and obligations of all actors in the maritime domain. UNCLOS recognises the right of coastal states to control activities within their territorial seas and exclusive economic zones, whilst at the same time providing for freedom of navigation and overflight for other states. This balance between rights and obligations helps to establish order at sea and prevent conflicts between states and other actors.

However, there are limitations to an approach based on international law. One of the main limitations is the difficulty of enforcing international legal norms. UNCLOS provides for the settlement of disputes between states, but lacks a robust enforcement mechanism. This means that states must rely on diplomatic pressure, economic sanctions and other non-legal means to enforce international legal norms.

Another limitation of an approach based on international law is the complexity of the legal regime. The maritime domain is subject to a complex web of international legal norms, including treaties, customary international law and soft law instruments. This complexity can make it difficult for states to navigate the legal framework and can create uncertainty and ambiguity in the application of international legal norms.

Maritime security is not merely about ensuring the safety and security of ships and their cargo, but also about the safety and security of the people working and travelling on these ships. These people come from different backgrounds and are situated within social hierarchies of gender, class, race or ethnicity. Understanding these social hierarchies is crucial for developing effective policies and strategies to ensure the safety and security of all people in maritime spaces.

In conclusion, an approach to maritime security based on international law, and in particular on UNCLOS, is an important component of efforts to manage maritime security. The legal framework provided by UNCLOS and other international legal instruments helps to establish order at sea, prevent conflicts between states and other actors, and provide a mechanism for the peaceful settlement of disputes. However, there are inherent limitations to an approach based on international law, including difficulties regarding law enforcement and the complexity of the legal regime. As such, a comprehensive approach to maritime security must include a range of strategies, including legal, diplomatic, economic and military measures.

Maritime security through the lens of securitisation theory⁵³

Maritime security is a complex and multifaceted issue that requires a comprehensive approach. One way of understanding maritime security is through the lens of securitisation theory. This approach focuses on the policy of treating maritime issues as threats to a valued reference object, such as national security or economic interests. Securitisation theory can be used to examine how the seas have been regarded as a space of insecurity and how issues such as transnational crime have been incorporated into states' security agendas.

According to securitisation theory, security is not an objective phenomenon, but a process involving the identification of a threat to security and the mobilisation of resources to address that threat. This process is driven by security policies, which involve constructing a discourse that frames a particular issue as a threat to security. In the context of maritime security, the theory of securitisation suggests that the seas are not inherently insecure, but are constructed as such through security policies.

An example of this is the way in which piracy has been constructed as a threat to maritime security. Piracy has been a problem for centuries, but it was not until the early 2000s that it was regarded as a security threat requiring a coordinated international response. This framing was driven by a narrative that presented piracy as a threat to global trade and economic stability. This narrative was constructed by a range of actors, including states, international organisations and the media.

Another example of securitisation in the maritime domain is the way in which transnational crime has been incorporated into states' security agendas. Transnational crime, such as drug trafficking, human trafficking and arms smuggling, has long been a problem in the maritime domain. However, it was not until the end of the 20th century that it began to be regarded as a threat to security. This framing was driven by a discourse that presented transnational crime as a threat to national security and public safety.

Securitisation theory helps to explain how maritime security is constructed through security policy. It suggests that issues considered to be threats to security in the maritime domain are not inherently unsafe, but are constructed as such through a discourse that frames them as threats to a valuable object of reference. This framing is shaped by a range of actors, including states, international organisations and the media.

In conclusion, securitisation theory provides a useful framework for understanding how maritime security is constructed through security policy. This approach highlights the importance of discourse and the construction of security threats in shaping maritime security agendas. By understanding maritime security policy, policy-makers can develop more effective strategies to address the complex and multifaceted challenges in the maritime domain.

Non-state actors relevant to maritime security.

Non-state actors are becoming increasingly relevant to maritime security, and their number and variety are staggering. These actors can range from criminal networks involved in smuggling, trafficking and piracy to environmental activists campaigning against unsustainable fishing practices and oil drilling in sensitive areas. Private maritime security companies (PMSCs) also play an important role in protecting

⁵³ The theory of securitisation was originally formulated by security theorists in the field of International Relations. There are several academics and thinkers who have contributed to the development and shaping of this theory. One of the best-known theorists to have addressed the theory of securitisation is Barry Buzan, a British professor of International Relations. Together with Ole Wæver, he developed the theory of sectoral security and introduced the concept of 'securitisation' to explain how certain issues become security concerns within a given context. Their work has significantly influenced the study of security within the field of International Relations and, by extension, the theory of securitisation. Other theorists such as Ole Wæver, Thomas Biersteker, Keith Krause and Didier Bigo have also contributed to the development of securitisation theory through their research and academic articles. These thinkers have offered different perspectives and approaches to security and the way in which it is constructed and managed in various contexts.

ships and their crews, whilst non-state actors may even include individuals and groups who use the sea for cultural or spiritual purposes.

Terrorist organisations and insurgent groups are also non-state actors that can pose significant threats to maritime security, either by attacking seagoing vessels or by using the sea as a route for smuggling arms or illicit goods. Non-state actors may also engage in cybercrime against maritime and port infrastructure, including the theft of intellectual property and data breaches.

There are approaches and theories that explore the potential for covert actions by state actors through non-state actors or third parties. This approach focuses on the concept of 'proxy war' and involves a state using non-state entities, such as terrorist groups or rebel movements, to advance its interests or achieve its objectives, whilst avoiding direct confrontation with other state actors.

The financing of terrorism is a relevant example in this regard. Some states may provide financial support to terrorist organisations or militant groups in an attempt to achieve their political objectives, destabilise regions or influence events in a way that is advantageous to them. This may include the provision of funds, resources or military equipment, as well as the provision of logistical support and training.

Analyses of covert actions by state actors carried out through non-state actors emphasise that these tactics allow states to avoid direct responsibility for their actions, whilst providing them with a degree of plausibility and deniability. These actions can be used to achieve political or military objectives without triggering an open conflict or facing diplomatic repercussions.

It should also be noted that such approaches can be difficult to prove or investigate, as the state's direct involvement is often concealed or denied, and the boundaries between state and non-state actors can be blurred.

There are specific historical cases in which it has been alleged or demonstrated that certain state actors have used non-state actors or third parties to achieve their objectives. Here are some notable examples:

Pakistan's support for the mujahideen in the Afghan War⁵⁴ (1979–1989): During the Soviet–Afghan War, Pakistan provided financial, logistical and military support to the Afghan mujahideen, including the Taliban. This was carried out in collaboration with the United States and other Western nations, in an effort to weaken Soviet influence in the region.

Iran's support for Hezbollah⁵⁵: Hezbollah, a Lebanese militant group, has received financial, logistical and military support from Iran. This has included the supply of weapons, military training and support for terrorist activities. Hezbollah has acted as a tool through which Iran has promoted its influence in the Levant region.

Saudi Arabia's funding of terrorism: There are suspicions and allegations that certain individuals and organisations in Saudi Arabia have provided financial support to terrorist groups, such as Al-Qaeda. Although the state's involvement in this matter is disputed, there is evidence to suggest that individual or private funding has taken place.

Russia's involvement in the conflict in Ukraine: Russia has been accused of supporting separatist rebels in eastern Ukraine by providing them with military support, including weapons and troops, during the conflict in the Donbas. This was regarded as a covert operation carried out through non-state actors, as Russia has officially denied any direct involvement.

These are just a few examples, and it should be noted that some allegations or implications may be disputed or have been the subject of ongoing investigations. The study and analysis of these cases contribute to an understanding of

⁵⁴ Steve Coll, **Ghost Wars: The Secret History of the CIA, Afghanistan, and Bin Laden, from the Soviet Invasion to 10 September 2001**. Steve Coll provides a detailed analysis of the events and policies behind the war in Afghanistan and the CIA's involvement in supporting the Afghan mujahideen in their fight against Soviet troops. The book explores how the support provided by the United States and its allies contributed to the mobilisation and radicalisation of the mujahideen fighters, including Osama bin Laden.

⁵⁵ Matthew Levitt, **Hezbollah: The Global Footprint of Lebanon's Party of God**. Matthew Levitt highlights the fact that Iran was Hezbollah's main supporter and played a crucial role in the organisation's growth and consolidation. He explores how Iran provided financial resources to Hezbollah, including through the Iranian banking system and via channels of illegal financing channels.

how state actors can utilise non-state actors for strategic purposes and in achieving their foreign policy objectives.

These approaches are subjects of study in the fields of international relations and international security, and researchers analyse the ways in which state actors can utilise non-state actors to promote their interests, as well as the implications these tactics have for global stability and security

Given the wide range of non-state actors involved in maritime security, it is essential that governments, law enforcement agencies and private-sector stakeholders work together to develop effective strategies and responses. Cooperation and information-sharing between different actors, as well as the development of international legal frameworks, are essential to addressing the numerous challenges posed by non-state actors in the maritime domain.

The impact of war on the marine environment

War and armed conflict have a devastating impact on the environment, and the marine environment is no exception. The ocean and its ecosystems are often collateral damage in times of war, and the consequences can be far-reaching and long-lasting. In this sub-chapter, we will explore the ways in which war can impact the marine environment and the consequences of these effects.

The impact of armed conflicts on the marine environment can have a wide range of implications that extend far beyond the direct effects of explosions and oil spills. These impacts can have long-lasting effects on the ocean and its ecosystems and can have significant consequences for marine life, human communities and the global economy.

The marine environment plays a crucial role in military conflicts, as it provides strategic access to resources, transport routes and areas for military operations. At the same time, military activities in the marine environment can have a serious impact on the delicate balance of marine ecosystems, causing damage to wildlife, habitats and the people who depend on them.

To address the impact of armed conflicts on the marine environment, it is important for the international community to work together to implement measures to minimise the impact of conflicts on the ocean and its ecosystems. These may include the development of safe and environmentally sound shipping practices, the establishment of effective spill response plans, and the protection of critical habitats and marine life. Furthermore, it is important to support the restoration and rehabilitation of the marine environment in areas affected by armed conflict.

The health of the ocean is crucial to the survival of countless species, as well as to the livelihoods and well-being of millions of people around the world, and it is our collective responsibility to protect it. By exploring the impact of armed conflicts on the marine environment and taking steps to minimise these effects, we can help ensure a healthy and vibrant ocean for future generations.

One of the most significant effects of military conflicts on the marine environment is oil spills and other forms of pollution. Wars can lead to damage to oil tankers, refineries and other vessels, causing oil spills and other forms of pollution that can harm marine wildlife and their habitats. For example, the 1991 Gulf War resulted in the largest oil spill in history, with over 200 million gallons of oil released into the Persian Gulf. The spill caused widespread damage to marine ecosystems, killing fish and other marine species and contaminating habitats.

Another significant impact of military conflicts on the marine environment is the destruction of marine habitats. Military activities, such as bombing and ground attacks, can destroy important marine habitats, such as coral reefs and seagrass beds, and disrupt the balance of marine ecosystems. For example, the bombing of the eastern coast of Libya during the 2011 Libyan conflict led to the destruction of several coral reefs and seagrass beds, disrupting the livelihoods of fishing communities and causing damage to the local marine environment.

The 1991 Gulf War led to the widespread destruction of mangroves in Kuwait and Iraq, which served as important breeding and feeding grounds for many species of fish, birds and other marine animals.

This loss of biodiversity can have cascading effects on the ocean's food web and lead to the decline of populations of key species.

War can lead to the displacement of wildlife and the loss of biodiversity in marine ecosystems, as well as the destruction of habitats that are important for migratory species. For example, the conflict in Syria has caused the displacement of many marine species, including turtles, dolphins and other marine mammals, disrupting the delicate balance of marine ecosystems.

Wars can also lead to changes in ocean chemistry, such as increased levels of carbon dioxide and other greenhouse gases. This can lead to ocean acidification, which can have a devastating impact on the ability of marine species to form and maintain their shells and skeletons. For example, the ocean's pH has fallen by around 0.1 units since the Industrial Revolution, which has already had a profound impact on the distribution and abundance of species such as pteropods and other shell-forming organisms.

The use of explosive devices, such as bombs and rockets, can also have a profound impact on the marine environment. Explosions can create massive underwater shock waves, which can damage the seabed, destroy habitats and kill marine life. Furthermore, debris resulting from explosions, such as sunken ships, missiles and equipment, can affect marine life and disrupt ecosystems.

Armed conflicts can also have a significant impact on the fishing and harvesting activities of local communities. For example, the conflict in Syria has led to the displacement of fishing communities and the destruction of fishing boats, which has disrupted traditional fishing grounds and led to overfishing. This can have a significant impact on the livelihoods and food security of local communities and can also contribute to a decline in fish stocks.

Wars can also lead to the destruction of coastal infrastructure, such as ports and oil refineries. This can have a significant impact on the local economy and can also contribute to the spread of pollution and the degradation of the marine environment. For example, the conflicts in Yemen and Ukraine have led to the destruction of several major ports, which has disrupted the countries' ability to export goods and resulted in the spillage of oil and other hazardous substances into the ocean.

Disruption to maritime transport and trade can have a significant impact on the global economy. For example, the conflict in the Persian Gulf has disrupted the flow of oil and other goods through the Strait of Hormuz, which is one of the busiest maritime transport routes in the world. This has led to increased tensions and a rise in oil prices, which can have a significant impact on the global economy.

The war in Ukraine has had a significant impact on the country's economy and social stability, as well as on the region as a whole. It also has consequences for the marine environment, although the extent of these effects has not yet been fully documented.

The war in Ukraine has disrupted shipping and transport in the region, particularly in the Sea of Azov, which is an important commercial and fishing area. The conflict has led to an increase in military maritime traffic, which may have negative effects on the marine environment, such as increased pollution and the destruction of habitats.

Furthermore, military activities in the region, including the use of bombs and weapons, are certainly also damaging marine ecosystems and wildlife. For example, the bombing of the Ukrainian coastline during the conflict could cause damage to habitats and disrupt the delicate balance of marine ecosystems.

The blowing up of the Kakhovka dam, the largest technical accident in recent decades, is shaping up to be a major environmental disaster. The flood has affected a total of over 80 villages and towns downstream of the River Dnieper, including Kherson with a population of nearly three hundred thousand.



The destruction of the Nova Kakhovka dam on 6 June 2023, in the southern Kherson region, unleashed 18 cubic kilometres of water, which submerged villages and farmland.

The man-made flood washed chemical fertilisers from cultivated fields, flushed pollutants from the riverbed, submerged cemeteries and released at least 150 tonnes of engine oil from the breached dam, along with additional fuel and industrial waste that had likely been discharged from the plants surrounding it.

The floodwaters, contaminated with chemicals and animal carcasses, have become undrinkable and also increase the risk of waterborne diseases, including diarrhoea and cholera.

The ‘portmanteau’ term ⁵⁶, combining ‘ecology’ and ‘genocide’ to form ‘ecocide’, describes the deliberate destruction of the environment as a weapon of war and has been enshrined in national law by several states. Proponents of the term ‘ecocide’ have not yet succeeded in securing its adoption in international law, but Ukrainian activists hope that the circumstances of Russia’s war against Ukraine might provide momentum in this regard.



The dam breach constituted a “brutal ecocide”, and a number of habitats protected under the Convention on Wetlands of International Importance are likely to have been destroyed or severely polluted, including the Black Sea Biosphere Reserve, a UNESCO biosphere reserve, the Kinburn Spit Regional Landscape Park and numerous smaller sites.

The scale of the destruction of wildlife, natural ecosystems and entire national parks is incomparably greater than

the impact on wildlife of all military operations since the start of the large-scale invasion in February 2022, and its effects cannot yet be fully assessed

In conclusion, armed conflicts have a profound and far-reaching impact on the marine environment. The consequences of these conflicts can last for decades, even after they have ended, and can have a significant impact on the health of the ocean and its ecosystems. It is important to take measures to minimise the impact of armed conflicts on the marine environment, including through the use of safe and environmentally sound shipping practices, the development of effective spill response plans, and the protection of critical habitats and marine life. The international community should work together to support the restoration and rehabilitation of the marine environment in areas affected by armed conflict. The health of the oceans is essential for the survival of countless species, as well as for the livelihoods and well-being of millions of people around the world, and protecting them is our collective responsibility.

Maritime security viewed through the lens of the blue economy

Maritime security is thus discussed in relation to the blue economy, sustainable development, capacity-building and cooperation.

Maritime security is not merely a matter of protecting states’ interests, but is also closely linked to the sustainable use and management of the marine environment. This relationship is particularly relevant in the context of the blue economy, a concept that highlights the economic potential of the oceans and the importance of sustainable development.

⁵⁶ The term ‘portmanteau’ refers to a word formed by combining two or more existing words to create a new word with a meaning that combines the original terms. This concept is mainly used in linguistics and is similar to the creation of compound words, but the difference lies in the fact that, in the case of a portmanteau, the constituent parts of the word are modified or abbreviated to create a new word with a new meaning or a combined meaning.

The blue economy encompasses a wide range of activities, such as fishing, aquaculture, maritime transport, tourism, renewable energy and biotechnology. These activities provide significant economic benefits for many countries, particularly those with extensive coastlines and rich marine resources. However, they also present a number of security challenges, including piracy, illegal fishing, smuggling and pollution.

To address these challenges, it is essential to develop and implement effective maritime security policies and measures, based on cooperation and capacity-building. This approach can help ensure the sustainable development of the blue economy, whilst protecting the marine environment and the livelihoods of coastal communities.

Furthermore, international cooperation is essential to the success of maritime security efforts, particularly in regions where transnational crime and insecurity are rife. Cooperation can facilitate the exchange of information and best practice, the development of joint strategies and initiatives, and the pooling of resources and expertise.

In conclusion, maritime security and the blue economy are interconnected, and their sustainable development depends on effective governance, cooperation and capacity-building. By promoting maritime security, we can contribute to a safer, more prosperous and more sustainable future for coastal communities and the global community as a whole.

The blue economy: Balancing economic growth with ocean sustainability

The world's oceans cover over 70 per cent of the planet's surface and contain a wide range of resources that have the potential to drive economic growth and development. Consequently, the concept of the blue economy is becoming increasingly popular as countries seek to harness these resources in a sustainable and equitable manner. However, achieving this requires a careful balance between economic growth and the sustainability of the oceans.

The concept of the blue economy has gained significant attention in recent years, particularly in the context of sustainable development and global efforts to achieve the United Nations' Sustainable Development Goals (SDGs). At its core, the blue economy refers to the sustainable use of marine resources for economic growth, improving livelihoods and creating jobs, whilst maintaining the health of the ocean ecosystem. However, there is much debate regarding what the concept of the blue economy entails and how it should be pursued.

The blue economy aims to promote economic growth, social inclusion and the conservation of ocean health. The idea is to create a sustainable ocean-based economy that benefits all stakeholders and addresses the global challenges facing the world's oceans. These challenges include overfishing, pollution and climate change.

A key aspect of the blue economy is the promotion of sustainable fishing. Fishing is a vital source of food and income for millions of people around the world and, therefore, its sustainability is essential. Overfishing is a major problem in many parts of the world and can lead to the collapse of fish stocks and ecosystems. To promote sustainable fisheries, the blue economy emphasises the need for responsible fishing practices, effective management and the protection of critical habitats.

Another important aspect of the blue economy is the development of marine renewable energy sources. Given the rise in global energy demand and the move away from fossil fuels, marine renewable energy offers a sustainable and environmentally friendly alternative. Technologies such as offshore wind power, tidal and wave energy, and ocean thermal energy conversion offer significant potential for the future. However, the development of these technologies must be carried out in a sustainable and equitable manner that respects the rights and interests of all stakeholders.

The blue economy also recognises the importance of sustainable tourism, which can deliver economic benefits whilst promoting environmental conservation. Coastal and marine tourism is a significant industry, and it is important that it is developed sustainably. This includes protecting sensitive ecosystems, reducing waste and pollution, and involving local communities.

The concept of the blue economy also emphasises the importance of marine spatial planning. The oceans are vast, and various competing interests, such as fishing, shipping and conservation, must be balanced. Marine spatial planning involves mapping and regulating the various uses of the oceans to ensure that they are compatible and sustainable. This approach is essential for avoiding conflicts and promoting the sustainable use of ocean resources.

In conclusion, the blue economy has the potential to stimulate economic growth and development, whilst promoting the sustainability of the oceans. However, achieving this requires a careful balance between economic growth and environmental protection. The blue economy must be developed in a sustainable and equitable manner that respects the rights and interests of all stakeholders. In this way, we can create a more sustainable future for our oceans and for the people who depend on them.

The interdependence between maritime security and the blue economy

In addition to the emphasis on sustainable development, the blue economy is also closely linked to the issue of maritime security. The security and stability of the marine environment are essential to ensuring that the blue economy can thrive. Consequently, promoting maritime security is often regarded as a prerequisite for the development of a sustainable and prosperous blue economy.

One way in which maritime security and the blue economy are linked is through the role of the oceans in global trade. More than 90 per cent of global trade is carried out by sea, and the shipping sector is a major driver of economic growth. Ensuring that trade routes remain safe and secure is essential for the functioning of the global economy. Consequently, promoting maritime security is regarded as a key component of supporting the blue economy.

Another way in which the blue economy and maritime security are linked is through the management of marine resources. The ocean is home to a wide variety of valuable resources, including fish, minerals and energy sources. The sustainable use of these resources is essential for the long-term health of the ocean ecosystem and for the development of a sustainable blue economy. However, the exploitation of marine resources can also lead to conflict and insecurity, particularly in areas where several countries have competing claims. Therefore, managing marine resources in a sustainable and secure manner is an essential component of the blue economy agenda.

Finally, the blue economy and maritime security are linked to the issue of climate change. The ocean plays a crucial role in regulating the Earth's climate, and the impact of climate change is acutely felt in marine environments. Rising sea levels, ocean acidification and changing weather patterns all have a significant impact on the ocean ecosystem, which, in turn, has a profound effect on the livelihoods and well-being of people who depend on the ocean for their livelihoods. Addressing the challenges posed by climate change and its impact on the ocean is therefore a key component of both the blue economy agenda and the maritime security agenda.

In conclusion, the blue economy and maritime security agendas are interdependent. A sustainable and prosperous blue economy requires a safe and stable ocean environment, whilst promoting maritime security is essential for the development of a sustainable and prosperous blue economy. As the world continues to face the challenges of sustainable development and global security, it is clear that the blue economy and maritime security will remain essential components of the global agenda.

The Open Seas Treaty

Reaching a multilateral treaty has always been a difficult task. Negotiations often depend on how specific stages are organised, as well as on the resources of the parties⁵⁷. The same applies to amending

⁵⁷ With regard to the Convention on Biological Diversity, which is to be analysed as a case study in this article, I cite the example of the representative from Samoa, who, speaking passionately on behalf of the small island developing states in the Pacific, explained the importance of

multilateral treaties, ranging from the revision or creation of new rights and obligations to the establishment of new institutional mechanisms⁵⁸.

Over time, we have seen how the law of the sea has been, and continues to be, a source of inspiration. For example, the legal status of outer space and celestial bodies is still governed by the rule of freedom of use derived from the law of the sea, as noted in legal doctrine, which confirms use for exclusively peaceful purposes, the principle of cooperation, and the international responsibility of states⁵⁹.

According to the High Seas Alliance⁶⁰, on 24 December 2017 the UN General Assembly adopted by consensus Resolution 72/249, to convene an intergovernmental conference and undertake formal negotiations for a new legally binding international instrument under the United Nations Convention on the Law of the Sea (UNCLOS) for the conservation and sustainable use of marine biological diversity in areas beyond national jurisdiction. The European Union is the negotiating party on behalf of all Member States. The conference has opened to draft the first treaty on the biological diversity of the oceans. Resolution 72/249, with 141 government co-sponsors, sends a resounding message of support for the need to protect this neglected half of our planet. The enthusiasm for this initiative is not without certain obstacles⁶¹.

A recent development concerning the high seas is a much-publicised attempt at codification. On 15 August 2022, an article was published announcing that: ‘UN member states will gather in New York to finalise a long-awaited treaty which, if agreed, will govern the planet’s last lawless wilderness: the high seas’.

Two hundred nautical miles beyond territorial waters and national jurisdiction, the high seas have been treated “recklessly”, according to environmental groups.

It was stated at the time that the outcome of the talks – which run until 26 August – would determine the fate of the ocean for generations to come, and calls were made for world leaders to agree to an ambitious, legally binding treaty to protect marine life and reverse the loss of biodiversity.

“The high seas symbolise the tragedy of the commons,” said Marco Lambertini, Director General of WWF International. “Because they belong to no one, they have been treated with recklessness and impunity. We need a common governance mechanism for our oceans to ensure that no man’s waters do not become everyone’s waters – and everyone’s responsibility.”⁶²

This initiative comes against the backdrop that only 1 per cent of the high seas can be said to be protected. The media also highlights the fact that one hundred nations have committed to protecting 30 per cent of the planet’s land and seas by 2030. But without an agreement, these commitments will have no legal basis in the high seas.

The international zone, or, as it is more simply known, ‘the Zone’, consists of the seabed and ocean floor and their subsoil, beyond the limits of national jurisdiction.

Among the general principles governing activities in ‘the Area’, we list the following:

- the Area and its resources are inalienable and constitute the common heritage of mankind, and activities in the Area shall be carried out for the benefit of all mankind;
- no State may claim sovereignty or sovereign rights over any part of the Area or over its resources;

vital to the negotiation process for his delegation. The Pacific Islanders had travelled from afar in good faith, spending \$260,000 to bring 24 people. He explained how this represented a significant investment, arguing that these funds had not been spent on roads, medicines or schools at home, but on travel to come ‘here’.

⁵⁸ For further details, see Buga, Irina, ‘Modification of Treaties by Subsequent Practice’, Oxford, 2018, introductory chapter.

⁵⁹ R. Miga Beștelu, ‘Public International Law. University Course’, C.H. Beck, 2015, p. 233.

⁶⁰ Since its establishment in 2011, the High Seas Alliance (HSA), with its more than 40 non-governmental members and the International Union for Conservation of Nature, has worked to protect 50 per cent of the planet that is the high seas. As a region of the global ocean lying beyond national jurisdiction, the high seas encompass some of the world’s most biologically significant, least protected and most threatened ecosystems.

⁶¹ Cristina Elena Popa, ‘The Law of the Sea – a new treaty on marine biodiversity?’, <https://heinonline.org/HOL/LandingPage?handle=hein.journals/univjurid2022&div=169&id=&page=>, accessed 5 April 2023.

⁶² See The Guardian, 15 August 2022, article entitled: ‘UN member states meet in New York to hammer out high seas treaty’ and further details here: <https://press.un.org/en/oceans-and-law-sea>, accessed on 19 April 2023.

- the area must be used exclusively for peaceful purposes and must remain open to peaceful use by all states, without discrimination;

- States Parties to UNCLOS must ensure that operators who hold their citizenship or nationality, or are controlled by them, strictly comply with the Convention's rules regarding the exploitation of the area's resources⁶³.

Today, in addition to issues relating to delimitation, exploration and exploitation, there is discussion about the possibility of living underwater. We all remember the great explorer Jacques-Yves Cousteau. His grandson, Fabien Cousteau, has a new vision of how people can live and work in the ocean. He envisages that long-term underwater stays could be made possible by building underwater habitats that would resemble houses, rather than sealed, submarine-like bubbles – features that may raise new, specific issues under international law. According to recent press reports (March 2022), the project, known as Proteus, is said to be a marine analogue of the International Space Station and would primarily house aquanauts – the ocean's equivalent of astronauts. Proteus Ocean Group, a private company that will operate and manage Proteus, has recently signed an engineering, procurement and construction (EPC) contract with a firm that has experience in creating hyperbaric and pressurised vessels for the ocean environment. Much of what Proteus is doing in terms of the technology it is exploring is similar to space technology. Consequently, the rules of international law might apply by analogy or through the introduction of new regulatory treaties.⁶⁴ This remains a topic of research for future specialists in international law.

As for the institutional structures for the exploitation of the area's resources, we note: the International Authority for the Seabed (with an administrative role); The Enterprise (the operational entity responsible for the management and exploitation of the area); the Chamber for the Settlement of Disputes concerning the Seabed (with a role in dispute resolution, forming part of the International Tribunal for the Law of the Sea)⁶⁵.

With regard to the Arctic and Antarctica, we note the following:



- The Arctic is the part of the Arctic Ocean that forms the ice cap surrounding the North Pole (UNCLOS recognises the right of states bordering ice-covered areas to take measures to protect and control pollution within a distance of up to 200 miles);

- Antarctica is the ice-covered continent surrounding the South Pole, not subject to the sovereignty of any state, the status of which is governed by the 1959 Washington Treaty on Antarctica (cooperation, peaceful use, denuclearisation and demilitarisation, and a ban on the dumping of radioactive waste)⁶⁶.

FT montage / AFP | View of the Chinese military base on King George Island, in Antarctica

After 10 years of negotiations, nations have reached a historic agreement to protect the world's oceans.

The High Seas Treaty aims to help transform 30 per cent of the oceans into protected areas by 2030, in order to protect and restore marine life.

The agreement was concluded on 4 March 2023⁶⁷, following 38 hours of discussions, at the UN headquarters in New York.

The text of the treaty has not yet been published

⁶³ R. Miga Beștelu, op. cit., p. 227.

⁶⁴ The article was published in *Popular Science* in March 2022. See: <https://www.popsoci.com/technology/fabien-cousteau-proteus-underwater-international-space-station/>, accessed on 19 August 2022. The article reports that the first unit will be installed off the coast of Curaçao, an island north of Venezuela, in a marine protected area at a depth of approximately 60 feet. The team is seeking additional locations in Europe and the US for future stations – their aim being to create a network of them. They have already completed a 3D mapping of the seabed around the general area where Proteus will be located.

⁶⁵ See Cristina Popa Tache, 'Public International Law. University Course', C.H. Beck, 2022.

⁶⁶ R. Miga Beștelu, op. cit., p. 228.

⁶⁷ <https://www.bbc.com/news/science-environment-64815782> accessed 1 April 2023

The United Nations Convention on the Law of the Sea, signed in Montego Bay in 1982, continues to play a role in codifying and regulating concepts such as: the delimitation of maritime zones between neighbouring states; the rights of coastal states over the exclusive economic zone; the exploitation of resources in the international zone of the seabed; combating pollution; and scientific research; and the creation of two new international bodies: the International Seabed Authority and the International Tribunal for the Law of the Sea.

These efforts are set to be complemented by the new Convention on the Conservation and Sustainable Use of Marine Biological Diversity in Areas Beyond National Jurisdiction. In this way, humanity's common heritage stands a good chance of being protected and safeguarded, with the convention effectively serving as the instrument entrusted with the noble task of saving it from danger. When is it due to be signed? How will it be implemented? Will its noble aim overcome the obstacles posed by financial interests? These are questions to be answered by the legal doctrine and practice of the future.

CHAPTER 4⁶⁸

THE EMERGENCE AND DEVELOPMENT OF MARITIME SECURITY STUDIES AS A NEW FIELD OF GEOPOLITICAL REFLECTION AND RESEARCH

The conceptual approach to maritime security has become an extremely important issue on the security studies agenda in recent decades, attracting the attention of both researchers and practitioners in the maritime sector worldwide. In a broader sense, maritime security can be interpreted as referring to a state in which maritime transport, port operations and the use of maritime transport routes take place free from any danger. Based on this interpretation, it is easy to see that the issues addressed by maritime security are by no means new; on the contrary, they are as old as humanity's interaction with the sea. Over time, however, these issues have been increasingly linked to the historical context in which humanity has evolved, and have thus taken on geopolitical interpretations and become key indicators of international security.

The current understanding of maritime security has its roots in the 15th century, when European overseas expansion began. Since then, the free use of the world's seas and oceans has raised a number of practical issues relating to sovereignty and jurisdiction over maritime areas close to the coast, as well as those further afield, and to the security and protection of maritime transport and other activities carried out in coastal waters. Furthermore, given that the majority of these issues arose outside national territory – often at a great distance from it – the idea emerged of promoting a concept that would define the maritime security regime for these areas, as well as the key elements of such regimes. Thus, for more than five centuries, a broad understanding of global maritime security and ocean governance has become a key area of study and research for specialists in the maritime field. Nevertheless, the issue of conceptualising and understanding contemporary maritime security seems more relevant than ever.

In this context, this chapter briefly outlines the historical evolution of the conceptualisation of maritime security, highlighting the main shifts that have shaped the understanding of this concept over time. At the same time, it assesses how maritime security is reflected in specialist studies and evaluates several directions for its development as a field of study and research.

The historical evolution of maritime security

It appears that the world's first document to lay the foundations of international maritime thought is the papal bull **Romanus Pontifex**, issued by Pope Nicholas V in 1455⁶⁹, which describes the world's first global maritime security regime. This was followed by *the Treaty of Tordesillas*⁷⁰ of 1494 (which sought to divide all the seas and lands outside Europe at that time between Spain and Portugal) and the famous treatise by Hugo Grotius,

⁶⁸ Author: Commander (ret.) Prof. Dr. Ioan Craciun, Chair of the Scientific Committee of the Maritime Security Forum, <https://www.forumulsecuritativamaritime.ro>, ioan.craciun@ici.ro.

⁶⁹ Davenport, F.G., **European Treaties Bearing on the History of the United States to 1648**, Washington DC: The Carnegie Institution of Washington, 1917 (this is an English translation of the Latin text. The papal bull was preceded by more than a century of controversy between Castile and Portugal regarding rights over the Canary Islands, the North African port of Ceuta, and rights to trade along the Guinea coast.

⁷⁰ The treaty was an agreement between Spain and Portugal aimed at resolving disputes concerning the lands newly discovered or explored by Christopher Columbus and other explorers from the late 15th century.

Mare Liberum⁷¹, published in 1609, comprises writings that can be regarded as the cornerstones of maritime law, sovereignty and maritime security.

As mentioned, the papal bull **Romanus Pontifex**, issued in 1455, established the world's first maritime security regime based on the principle of **mare clausum**⁽⁷²⁾. In this context, the Portuguese king was granted sovereignty and exclusive rights over newly discovered territories and seas, and their use by other Europeans was not permitted without submitting a special request and paying a tribute.

On the other hand, the papal bull reiterated the ban on the sale of weapons, iron or timber for construction to infidels (a term applied in particular to Muslims) and specifically declared that anyone who dared to teach them the art of navigation, thereby turning them into more powerful enemies of the king, should be subject to the most severe penalties. Furthermore, no Catholic was permitted to sail the southern seas, nor to trade in African ports or fish at sea without paying a tribute and obtaining a special licence issued by the Portuguese king⁷³.

These provisions of the papal bull **Romanus Pontifex**, together with those in other documents issued subsequently, show us that the need to establish order on the high seas by imposing a maritime security regime dedicated to this purpose was a priority from the very earliest days of European overseas expansion. Consequently, even from those times, the aim was that the world's seas and oceans should not be characterised by anarchy and general insecurity, but, as far as possible, should be organised and subject to international laws and treaties between sovereign nations.

Subsequent writings and treaties relating to the maritime sphere have addressed, in increasingly concrete terms, the need to ensure law and order at sea through the establishment of maritime security regimes. These documents, whilst not always drawing a clear distinction between what is moral and what is legal in activities carried out at sea, provided the basis for regulating various issues relating to sovereignty or of a legal nature, such as the right to exploit natural resources, to navigate or to trade in distant waters.

Against the backdrop of Dutch overseas expansion in the late 16th century – and one might even say in contradiction to this historical reality – Hugo Grotius put forward his own argument on freedom of navigation at sea, '*mare liberum*', in 1609. Invoking natural law and the physical and geographical characteristics of the sea, he rejected as unfounded all legal and sovereignty claims made by states over the sea. Instead, Grotius upheld the right of all (even non-Christians) to navigate, trade and fish in the waters of the world's seas and oceans⁷⁴. Despite much controversy surrounding this interpretation, and even the subsequent clarifications made by Grotius himself regarding the concept of the '*mare liberum*', his argument was widely accepted until the modern era, becoming a cornerstone of international maritime law.

Freedom of navigation and free trade at sea brought great benefits to private maritime trading companies, particularly the Dutch East India Company, which made enormous profits in the 17th and 18th centuries. On the other hand, however, each shipowner was in principle responsible for their own security measures for the voyages they undertook, with the state no longer being responsible for this beyond its territorial waters, defined by the maximum range of a cannon fired from the shore. Consequently, merchant ships, particularly those belonging to the major European companies, became sufficiently armed to withstand attacks by pirates or European or Asian enemies. These measures led to *the so-called privatisation of maritime security*.

However, towards the end of the 18th century, the power and profits of commercial companies began to decline gradually, largely due to the rising costs of ensuring the security of maritime transport. The decline of shipping companies, coupled with the increase in the number of states

⁷¹ **Mare Liberum** (or **The Freedom of the Seas**) is a treatise on international law written in Latin by the Dutch jurist and philosopher Hugo Grotius, first published in 1609. In this treatise, Grotius formulated a new principle according to which the sea is international territory and all nations were free to use it for maritime trade.

⁷² *Mare clausum* – a Latin legal term meaning '*enclosed sea*'; the term is used in international law to refer to a sea, an ocean or another navigable body of water under the jurisdiction of a State which is enclosed or not accessible to other States.

⁷³ *Ibid.*, pp. 22–23.

⁷⁴ Grotius, H., **The Free Sea** [1609, 1916], edited and with an introduction by David Armitage, Indianapolis, IN: Liberty Fund, 2004, pp. 63–75, available online at: https://scholar.harvard.edu/files/armitage/files/free_sea_ebook.pdf, accessed on 12 March 2023.

imperialist powers in early 19th-century Europe resulted in the state gradually assuming responsibility for global maritime security; the state was now far better equipped than in the 16th century to undertake this task⁷⁵.

Thus, following the end of the Napoleonic Wars in 1815, Great Britain became the dominant global maritime power and, from this position, assumed ever-greater responsibilities with regard to maritime security. Subsequently, throughout the 19th century, states such as France, the Netherlands and the United States substantially increased their capacity to project power overseas and, together with the British, contributed to the establishment of a global maritime security regime, securing both their dominance over the world's seas and oceans and control over maritime communication routes.

Thus, in the first half of the nineteenth century, Britain imposed a state-controlled maritime security regime in the Atlantic Ocean, aimed at enforcing the British ban on the slave trade introduced in 1807. The British assumed the role of guardians of the Atlantic and justified their actions by defining slave traders as pirates, whose activities were regarded as a crime against humanity⁷⁶. Subsequently, the British, supported by other powers, extended their dominance to other maritime areas, particularly in Asia, including the Persian Gulf, the Strait of Malacca, the South China Sea, the Sulu Sea and the Gulf of Tonkin⁷⁷. In most cases, maritime dominance resulted in the colonial territorial expansion of Great Britain.

The marked expansion of colonialism in the nineteenth century led the colonial powers to intensify their large-scale use of maritime communications around the world and, as a result, to make maritime security a top priority, vital to their economies and political interests. Furthermore, the sustained pace of technological and military development in the West paved the way for the establishment of a more or less global maritime security regime, underpinned by powerful naval forces.

On the other hand, the development of steam power and its use in navigation, combined with the construction of steel-hulled ships, the use of on-board defence systems and improvements to artillery and small arms, provided the colonial powers with the necessary means to impose their desired maritime security regimes and ensured their dominance over most of the world's maritime areas. This explains why, at the beginning of the 20th century, there were few threats to maritime security that could have jeopardised the economic and political interests of the colonial powers. Consequently, the security regime based on the interests of the major shipping companies, characteristic of the 17th century, was replaced by another security regime, based on maritime capabilities designed for the control and domination of maritime spaces established by states. Under these circumstances, the need to arm merchant ships diminished, and from the second half of the 19th century onwards, they almost entirely dispensed with the armaments installed on board.

This maritime security regime led to the conviction that security was the general prerequisite for navigation at sea, and that the fulfilment of this prerequisite depended on the coercive capabilities of the maritime security forces maintained by the great powers. For this reason, the period from the mid-19th century to the end of the Cold War – which historically marks the duration of this type of maritime security regime – is recognised, as it was termed by the illustrious naval strategist and maritime security analyst Alfred Thayer Mahan in 1890, as the '*age of sea power*'⁽⁷⁸⁾. Essentially, Mahan argued that a globally powerful state requires a strong navy, capable of projecting military power into distant seas. In this way, the state will be able to successfully promote its economic and commercial interests and achieve its geopolitical objectives.

⁷⁵ Glete, J., **Navies and Nations: Warships, Navies and State Building in Europe and America, 1500–1860**, Volume 2, Stockholm: Almqvist & Wiksell International, 1993, p. 482.

⁷⁶ Lloyd, C., *The Navy and the Slave Trade: The Suppression of the African Slave Trade in the Nineteenth Century*, London: Frank Cass, 1968, p. 42.

⁷⁷ Warren, J., **Iranun and Balangingi: Globalisation, Maritime Raiding and the Birth of Ethnicity**, Singapore: Singapore University Press, 2002, p. 34.

⁷⁸ Mahan, A.T., *The Influence of Sea Power upon History 1660–1783*, New York: Hill and Wang, 1957 [1890], pp. 25–28, available online at:

http://www.enabed2016.abedef.org/resources/download/1403180516_ARQUIVO_MahanInfluenceofSeaPowerUponHistory.pdf, accessed on 15 March 2023.

Although the two world wars at the beginning of the 20th century appear to contradict Mahan, the principle of freedom of navigation on the world's seas and oceans was nevertheless reaffirmed after the end of these conflicts as the cornerstone of the international order that followed. On the basis of this principle, the victors of the two world wars at the start of the last century – the United States, the United Kingdom and France, on the one hand, and the Soviet Union, on the other – established their own systems of naval presence capable of projecting power on a global scale.

This state of affairs was to last until the 1980s and early 1990s, when a series of factors brought about a change in the conditions for ensuring maritime security, leading to a decline in states' responsibilities in this area. First and foremost, and perhaps the most important factor, was the international détente following the end of the Cold War. This led to a reduction in the naval capabilities of the major powers, which was reflected in a diminishing of their global presence. Secondly, under the United Nations Convention on the Law of the Sea (UNCLOS), adopted in 1982, there was an extension of states' territorial waters. Consequently, many countries which, although not classified as major powers (Indonesia, the Philippines, Somalia, etc.), recognising the economic benefits they could derive from exploiting their territorial waters, have declared vast exclusive economic zones, within which they have concentrated their efforts to ensure maritime security. Under these circumstances, the focus on achieving maritime security has shifted from the global to the regional level; yet, even so, the resources required to maintain effective maritime security regimes have often proved insufficient or have been diverted towards the oversizing of maritime security forces. Thirdly, the erosion of the predominant role of states as actors in the international system and their decline in favour of private actors has encouraged the latter to assume greater roles, including in ensuring maritime security. Furthermore, the threat posed by pirate attacks in the Gulf of Aden and along the Somali coast since 2000 has brought the issue of arming commercial vessels back into the spotlight for shipowners⁷⁹ and has prompted the world's most powerful navies to join forces to combat this phenomenon.

Taking these aspects into account, it was at one point considered that the trend in maritime security pointed to a return to the era of its so-called privatisation. However, in the author's view, these signs do not clearly indicate that we are once again facing a privatisation of maritime security. If we consider recent international tensions, the assertive stances of Russia and China regarding the maritime domain (Russia's reassertion of its access to the Black Sea and its claims in the Arctic region, or the disputes in the East and South China Seas), we can easily see that the trend towards the reprivatisation of maritime security has slowed, and the trend even appears to have reversed in favour of states.

The rise of contemporary maritime security studies

Given both the long historical evolution of concerns regarding maritime security and its political, economic and social importance at a global level, one might expect maritime security to represent a well-established academic field of study and research. In reality, however, this is far from the case. As a field of study, maritime security was virtually unknown before 1990, even though various aspects of it – such as piracy, maritime smuggling or disputes over the delimitation of maritime boundaries – had attracted considerable interest, both from a theoretical and a practical perspective. The struggle for global dominance during the Cold War between the United States and the Soviet Union, based primarily on military supremacy, pushed security studies into the background, with specialists of the time being more interested in strategic studies than in security studies. Consequently, a number of concepts specific to security studies remained unexplored, including maritime security. Thus, what we now refer to as maritime security from a geopolitical perspective was studied primarily from a military standpoint and was grouped under the term '*maritime power*'. It was only after

⁷⁹ Liss, C., '*Regulating private security providers in the maritime sphere: Legal challenges and dilemmas*', International Review of the Red Cross, Volume 94, Number 887, Autumn 2012, pp. 941–960, available online at: <https://international-review.icrc.org/sites/default/files/irrc-887-percy.pdf>, accessed on 16 March 2023.

In 1990, with the revival of security studies, the concept of maritime security began to be mentioned sporadically in some specialist works⁸⁰.

Gradually, however, the concept of *maritime security* established itself as an area of interest for security studies, particularly as its meaning needed to be clarified, but also due to the need to explain developments in the maritime sector during the 1990s in a non-traditional way. Although the issues were not new (piracy and armed robbery against ships, smuggling at sea, trafficking in drugs and other prohibited materials, migration, illegal fishing, etc.), after 1990 they took on a new significance due to changes in the geopolitical landscape (increased commercial traffic, movement of people, the intensification of socio-economic activities at sea and in coastal areas, etc.) and, consequently, the need arose to explain them in a non-traditional way, moving beyond the security tensions specific to the Cold War. Furthermore, attempts to broaden the general concept of security to encompass so-called '*human security*' have also influenced the way in which maritime security has been approached. Consequently, there has been growing concern regarding marine pollution, the protection of groups of people whose livelihoods depend on the sea – such as fishermen – and the safety of coastal communities from natural disasters. Nevertheless, the influence of the 'broad concept of security' on maritime security has been limited; the issues on which researchers in the field have focused their efforts have remained those of the modern era, namely freedom of navigation and the protection of maritime communication routes, the establishment of national maritime boundaries, jurisdiction over maritime territories and resources, and so on.

Following the terrorist attacks of 11 September 2001, interest in maritime security (and security in general) increased, with the maritime domain being identified by both specialists and policy-makers as a likely future target for terrorists, against the backdrop of rising piracy in previous years. Even so, research into maritime security, as part of security studies more broadly, remained at a low level even after 2001.

The approach to maritime security in contemporary security studies

Paradoxically, although activities now recognised as maritime security have a long history, the theoretical framework for this concept remains underdeveloped. Current concerns regarding the theoretical approach to maritime security can be grouped into two distinct sub-fields: the formulation of sectoral policies relating to the maritime domain; and the interdisciplinary academic field of study and research. Clearly, maritime security is currently a field of great political interest. Issues in the maritime domain since the 1990s have led both military analysts and civilian decision-makers worldwide to take the problems in this field increasingly seriously and to seek solutions to them. Consequently, the demand for specialist studies and analyses has grown, and this has spurred the emergence of maritime security as an interdisciplinary field of research. Particularly since the year 2000, a series of works has appeared, authored by a diverse range of specialists – from historians, international relations scholars, legal experts, political scientists and security studies scholars, to business consultants, journalists, lawyers, military experts and specialists in the maritime transport industry. Consequently, the increase in the number of research studies in this field has led to the emergence of specialist periodicals which have consistently supported the efforts of those involved in their production. Piracy, maritime terrorism and illegal migration have been favoured topics for these studies, but over time these have been supplemented by other topics relevant to contemporary maritime policies, such as illegal fishing and environmental security. All of this has led to the emergence of maritime security as a field of study and research. However, there is still a long way to go before this field is institutionalised as an academic discipline of study and research. This would primarily involve the establishment of academic structures, research centres or specialised institutes within universities or as stand-alone institutions, combined with the formation of national or international associations. Through the promotion, organisation and delivery of educational programmes, the production and publication of specialist studies and

⁸⁰ Buzan, B.; Hansen, L., *The Evolution of International Security Studies*. Cambridge, UK: Cambridge University Press, 2009, pp. 200–2012, available online at: <https://ir101.co.uk/wp-content/uploads/2018/10/buzan-the-evolution-of-international-security-studies-compressed.pdf>, accessed on 16 March 2023.

The organisation of scientific events should serve as the driving force behind the development of the maritime security sector, contributing both to the creation of sector-specific knowledge and to the education of future generations in the spirit of the sea and the safeguarding of maritime security.

As regards academic institutions worldwide that train specialists for the maritime sector, it appears that there is little focus on educating graduates in the spirit of maritime security. Nor is the situation much better in military academic institutions. However much importance is attached to maritime security as a field of study and research, it is usually incorporated within departments or research centres with broader responsibilities. Consequently, no international academic associations dedicated to maritime security have emerged, despite the fact that networks of researchers, associations of decision-makers, security officials, representatives of the maritime industry, etc., have nevertheless begun to form.

In this context, it is worth noting that the situation in our country is somewhat similar to the international one. There are some concerns regarding the shaping and development of the field of maritime security, but matters are still at an early stage. For this reason, the initiative by the Romanian Admirals' Club Association to establish, as early as 2021 and under its patronage, a scientific forum known as the Maritime Security Forum is to be commended. The forum's primary aim is to promote and develop the field of maritime security as an area of study and research, as well as to provide highly qualified expertise in this field. Through the scientific activities it has carried out, the partnerships it has forged and the expertise it has provided to date, the Maritime Security Forum has established itself as a true centre of expertise, and its future projects position it as a scientific body that is steadily building a reputation not only domestically but also internationally.

However, in our country, maritime security still lacks institutional and academic coherence, as well as links with and between non-academic institutions. The differing interests and the lack of concern amongst stakeholders in the maritime sector regarding maritime security make it extremely difficult to attempt to define this field from an intellectual perspective. Consequently, the lack of vision, coupled with the lack of funding for research in this field, will make the task of those seeking to develop maritime security studies in Romania an extremely difficult one.

International maritime security studies are now a rapidly growing field of analysis. The need for clear maritime policies on the part of various military and civil authorities, as well as the interests of commercial actors—including those in the shipping industry—have increasingly highlighted the value of maritime security studies. However, in order to provide a better understanding of contemporary global maritime security challenges, experts in this field should develop an independent research agenda that meets the requirements of all stakeholders in the maritime sector. In this way, maritime security studies can generate the knowledge needed to devise a maritime security regime fit for the 21st century.

We are convinced that the Maritime Security Forum will play a decisive role in promoting this field in our country and that, together with all the institutions supporting its work, it will succeed in creating the synergy needed to establish maritime security as a genuine field of study and research in our country.

CHAPTER 5⁸¹

THE CONCEPTUAL APPROACH TO MARITIME SECURITY IN CONTEMPORARY SECURITY STUDIES, CONCLUSIONS FOR THE SITUATION IN ROMANIA AND THE NEED TO ADOPT A ROMANIAN MARITIME SECURITY STRATEGY

Over the past two decades of this century, maritime security, as a specific concept, has become a buzzword and is frequently used in international relations. Christian BUEGER, an expert involved in most of the major events, conferences and papers relating to the study, development and definition of this concept, attempted to find a possible answer to the question ‘What is Maritime Security?’⁸² in a comprehensive article which served as the starting point for our efforts to draft the first version of the Romanian concept of maritime security.

Key international actors in the maritime sector have included the concept in their working agendas, established the main directions and developed the concepts in line with the specific interests and realities within which they operate, and have reformulated and adapted it in line with the significance of this concept, which draws attention to new challenges in the maritime domain and brings together the efforts of all stakeholders (state and non-state) involved in finding appropriate responses to them.

However, an international consensus on the definition of maritime security has not yet been reached; nevertheless, all these variants that have already been developed can provide a common working framework through which to identify the common and divergent aspects of the actors who have adopted them.

The adoption of a concept of maritime security is not the sole preserve of major actors; therefore, identifying a suitable Romanian concept can provide the Maritime Security Forum with a solid foundation from which to pursue its stated aims and objectives.

Tracing the history of the concept’s emergence and its evolution, the first concrete manifestation was the National Maritime Security Policy adopted by the US in 2004 in response to the increased threat posed by maritime terrorism following 11 September 2001⁸³.

With the rise in piracy off the coast of Somalia between 2008 and 2011, the threat to international trade highlighted the maritime dimension of global security posed by terrorism to maritime security; the North Atlantic Treaty Organisation (NATO) included maritime strategy as a key objective in its 2011 Maritime Security Strategy.⁸⁴

In 2014, the United Kingdom (UK)⁸⁵, the European Union (EU)⁸⁶ and the African Union (AU)⁸⁷ launched ambitious maritime strategies, recognising the need to adopt such documents.

The Maritime Safety Committee (MSC) of the International Maritime Organisation (IMO) included maritime security on its list of tasks in 2014.

In recent years, regional inter-state tensions in the Arctic Ocean, the South China Sea and the East China Sea (which are currently at a high ebb), as well as major investments in the maritime forces of

⁸¹ Author: Rear Admiral (ret.) Dr Ion Custura, Deputy Director, Maritime Security Forum, www.forumulsecuritatiiimaritime.ro

⁸² ‘What is maritime security?’/ “What is maritime security?” – Prof. Christian BUEGER, Department of International Relations at the University of Copenhagen, Denmark, and the Department of Politics and International Relations at Cardiff University, UK – Article published in the journal “ELSEVIER”/ “Marine Policy”, 3 December 2014.

⁸³ National Security Strategy of the United States, Sept. 2005, <https://georgewbush-whitehouse.archives.gov/homeland/maritime-security.html>.

⁸⁴ NATO. Alliance Maritime Strategy. Brussels: NATO; 2011.

⁸⁵ UK Government. National Strategy for Maritime Security. London: UK Government; 2014.

⁸⁶ European Union. European Union Maritime Security Strategy. Council of the European Union Doc. 11205/14. Brussels: European Union; 2014.

⁸⁷ *African Union. African Integrated Maritime Strategy. Addis Ababa: African Union; 2014.*

The activities of emerging powers, such as India and China, operating on the high seas and oceans, have heightened awareness of the need to treat the oceans as areas requiring security.

Russia's recent aggression against Ukraine has 'revitalised' the concept, emphasising the importance of ensuring maritime security in the event of an invasion and the blockading of ports and maritime and river transport routes.

Monitoring developments in the global geopolitical situation and paying particular attention to the concept of maritime security, the UK recognised the need to issue a second strategy in this field, which it published in August 2023.

Possible approaches to the concept of maritime security

In specialist literature and publications, there are many approaches to this concept put forward by maritime experts, but at an international level, three perspectives on the concept can be distinguished:

1. the matrix perspective – the concept of maritime security can be understood within a matrix, in which it correlates with other concepts, such as maritime safety, maritime power, the 'blue economy' and resilience;
2. the perspective of securing the maritime domain. This allows for the study of how threats arise in the maritime domain and what political demands – which are sometimes divergent – these entail, in order to uncover the political interests and ideologies underlying them;
3. the perspective of practices in applying security theory – this enables an examination of what stakeholders actually undertake when calling for the strengthening of maritime security by national or international maritime actors.

In Fig. 1⁸⁸ we have a matrix listing the possible concepts that can be linked to the concept of maritime security, the importance of which is readily apparent. Working with such a matrix allows, first and foremost, for the study of the types of relationships established by various actors, as well as the connections between maritime security and the other concepts within it.

This approach provides a basis for identifying which actors are included or excluded in each concept of maritime security developed by state or non-state actors, even though the interpretation of threats may vary considerably depending on which actors are involved. One issue may be linking the concept to the economic dimension, whilst other links may relate to those of national security or maritime safety.

The matrix serves as an analytical tool for understanding the differences and common perspectives of the various actors and enables any actor interested in achieving maritime security within the maritime space in which they can assert, promote and defend their interests to adopt and adapt the concept.

⁸⁸ "What is maritime security?"/ "What is maritime security?" – Prof. Christian BUEGER, Department of International Relations at the University of Copenhagen, Denmark, and the Department of Politics and International Relations at Cardiff University, UK – Article published in the journal "ELSEVIER"/ "Marine Policy", 3 December 2014.

THE MARINE ENVIRONMENT		ECONOMIC DEVELOPMENT	
MARITIME SECURITY		BLUE ECONOMY	
ACCIDENTS/ POLLUTION/ SMUGGLING		CLIMATE CHANGE	
TERRORIST ACTS	MARITIME MARITIME		PIRACY/ IUU FISHING
WEAPONS PROLIFERATION			HUMAN TRAFFICK ING
INTER-STATE DISPUTES			
NAVAL POWER		RESILIENCE	
NATIONAL SECURITY		HUMAN SECURITY	

Fig. 1

A matrix-based approach to the concept of maritime security

We consider this to be the most appropriate approach for developing the Romanian concept of maritime security, as it ensures maximum coverage of the concepts and their interconnections, particularly as, at any given time, depending on the political and military situation facing Romanian society, the elements most relevant to the implementation of the concept and the adoption of the necessary practical measures could be readily identified and prioritised.

Approaching the concept of maritime security from the perspective of securing the maritime domain

Securing the maritime domain implies that the threats to which this domain is subjected are constructed on the basis of a series of claims made by certain actors who generate a particular rhetoric, such that an issue such as piracy may constitute an existential threat either to a nation state or to the entire globe, for example to international trade.

From this perspective, the construction or identification of threats is usually accompanied by a proposal for the measures that must be taken to protect one or more objectives against the threat; these measures are generally extraordinary and often extreme, and may involve military instruments ranging from the simplest actions, to the scale of military conflict or the drastic curtailment of civil liberties.

This approach is based on the contemporary perception of the seas and oceans as a space of insecurity, taking into account how the threats arose (their history), how they have evolved over time, and how they have been countered.

Most international actors define maritime security by identifying a number of threats that they include within this concept (see the UN Secretary-General's Report/2008 on '*Oceans and the Law of the Sea*': piracy and armed robbery; terrorist attacks; illicit trafficking in arms and weapons of mass destruction; illicit trafficking in narcotics/drugs; smuggling and trafficking in persons by sea; illegal, unreported and unregulated fishing; and the deliberate and unlawful degradation or destruction of the marine environment)⁸⁹.

Recent strategic documents from the EU and the UK are similar to that of the UN; they refer to 'maritime security risks' rather than threats and group several issues under

⁸⁹ United Nations. *Oceans and the law of the sea. Report of the Secretary-General, UN General Assembly Document A/63/63*, 10 March 2008. New York: United Nations; 2008.

just one, such as, for the UK, “the disruption of maritime routes vital to trade as a result of war, crime/breaches of maritime law, piracy or changes to international regulations”. ‘Cyber-attacks on maritime navigation/trade and maritime infrastructure’ have also been added to the list, as these could have disastrous economic consequences⁹⁰.

The EU has expanded the list of the seven original threats by adding “maritime territorial disputes, acts of aggression and armed conflicts between states”, as well as “the potential impacts/consequences of natural disasters, extreme events and climate change on the maritime transport system and, in particular, on maritime infrastructure’ and ‘conditions at sea and in coastal areas that undermine the potential for economic growth and job creation in the maritime sectors’⁹¹.

In our view, this approach can also be useful to us, drawing inspiration from the practical activities that will need to be carried out to support the concrete application of the concept.

Approaching the concept of maritime security from the perspective of security practices

This perspective analyses what the actors involved actually do in the name of maritime security, that is, what sort of activities are carried out when they claim that these activities achieve maritime security.

Such a perspective also highlights which tools and technologies are used in maritime security practice as being the most appropriate and having the greatest impact, such as, for example, warships and satellites.

In most of these approaches, there is a range of common practices – constituting the conventional aspect of maritime security – which agencies employ regardless of the situation, such as: Maritime Domain Awareness (MDA), which involves surveillance via radar, satellites or data tracking, as well as the distribution and fusion of this information through maritime databases and service centres; activities at sea, such as patrolling, interdiction, checks and inspections, as well as practical exercises designed to improve these activities; law enforcement activities, such as the arrest or transfer of suspects, as well as the apprehension, prosecution and imprisonment of offenders involved in illegal activities; the coordination of activities at various levels, which may involve meetings and conferences, the harmonisation of standards, procedures and legal mandates, or the development of strategies and the implementation of joint plans; other potential practices, which may be observed in activities such as naval diplomacy, capacity-building, and naval combat.

Studies of the routine, day-to-day practices listed above highlight how maritime security can be established and institutionalised through a distinct set of practices adopted by the majority of states with access to the sea or the ocean.

Should disputes or contradictions arise between state or non-state actors, it will be necessary to investigate whether a particular set of activities needs to be carried out in the name of maritime security. Examining the controversies surrounding these practices allows us to identify how certain actors understand and define the notion or concept of maritime security, and whether such activities are carried out in the name of maritime security or for other purposes.

As with the approach to the concept from the perspective of securing the maritime domain, this approach can also be useful to us, drawing inspiration from the practical measures that will need to be taken to support the concrete application of the concept.

⁹⁰ UK National Strategy for Maritime Security, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1100525/national-strategy-for-maritime-security-web-version.pdf, Aug. 2022.

⁹¹ European Union. *European Union maritime security strategy*. Council of the European Union Doc. 11205/14. Brussels: European Union; 2014.

In light of what has been presented so far, a possible definition of this concept could be:

1. *In general: Maritime security represents a coordinated set of organisational and practical measures adopted by a state or non-state actor at the domestic, national or international level, enabling it to assert, promote and, where necessary, defend its maritime interests in relations with other state and non-state actors involved in and/or carrying out activities in the maritime domain, as well as to protect them against any risks and threats.*”

2. For Romania: “Maritime security, as part of national security, represents a coordinated set of organisational and practical measures that ensure a favourable domestic and international political climate, enabling the assertion, promotion and, where necessary, defence of Romania’s maritime interests in relations with other state and non-state actors involved in and/or carrying out activities in the maritime domain, as well as the protection of these interests against any risks and threats”.

Defining maritime security from a Romanian perspective is a major challenge for the agencies involved in this process, and requires engagement even at the national level.

The process of defining maritime security must begin with defining Romania’s national interests in the maritime domain and analysing the risks and threats to these interests, as other states and organisations that have developed and adopted this concept have done.

CHAPTER 6 ⁹²

A PERSPECTIVE ON THE PROCESS OF DRAFTING AND IMPLEMENTING THE NATIONAL MARITIME SECURITY STRATEGY

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National security policy and strategy form the foundation for protecting a nation's interests and ensuring its stability. In a world characterised by complex and constantly evolving threats, the development of an integrated and coherent approach to national security is crucial.

A well-functioning Romania means a secure country that provides its citizens with all the necessary conditions to lead a better life in complete safety, and which protects its identity, values, heritage and resources, as well as the principles of the rule of law.

National security policy, alongside foreign policy, constitutes one of the public policies⁹⁴ whose formulation and implementation are the constitutional and legal prerogative of the President of Romania.

The Importance of National Security Policy and Strategy: safeguarding the nation's interests and stability

National security policy refers to the set of principles, objectives and guidelines adopted by the government to ensure the security and well-being of the nation. This involves identifying and managing internal and external risks and threats, as well as promoting national interests and values.

The national security strategy is a document that translates security policy into concrete actions and implementation plans. It sets out the priorities, objectives and courses of action for protecting and promoting⁹⁵ national security in a coherent and integrated manner.

Protecting national interests and sovereignty

National security policy and strategy play a vital role in protecting a nation's interests and sovereignty. They aim to identify and assess threats to a country's territorial, economic, political and social integrity. By adopting appropriate measures, the aim is to maintain sovereignty and protect the nation's key interests.

A well-developed national security policy and strategy enable the effective identification, assessment and management of the risks and threats facing a nation. These may include military threats, terrorism, cross-border crime, natural disasters, cyber espionage or cyber attacks. Through preventive, reactive and proactive approaches, national security becomes more robust and better suited to current challenges.

A coherent and effective approach to national security helps to create a stable and secure environment for economic development, social progress and general well-being. By protecting infrastructure

⁹² Author: Rear Admiral (ret.) Dr Sorin LEARSCHI, Director of the Maritime Security Forum, www.forumulsecuritatiiamaritime.ro.

⁹³ Maritime Security Forum.

⁹⁴ <https://www.europarl.europa.eu/factsheets/ro/sheet/159/politica-de-securitate-si-aparare-comuna> – accessed on 20 March 2023.

⁹⁵ Promoting national security in a coherent and integrated manner refers to adopting a holistic and comprehensive approach to ensuring a country's security. This involves coordinating and integrating efforts between the various government institutions and agencies responsible for national security, such as the defence forces, intelligence services, the police, border authorities and other relevant organisations.

By safeguarding critical infrastructure, financial systems, natural resources and the environment, national security facilitates sustainable growth and protects a nation's economic interests.

National security policy and strategy are not confined to the national level, but also involve international cooperation. In an interconnected world, cross-border threats such as terrorism, climate change, the proliferation of nuclear weapons and pandemics require a joint and collaborative approach. By establishing partnerships and promoting regional and international cooperation, a nation can strengthen its security capabilities and respond more effectively to shared challenges.

National security policy and strategy cannot be implemented without the involvement and responsibility of citizens. Every individual has a role to play in safeguarding national security by obeying laws and regulations, reporting suspicious activities and promoting national values and interests. Education and public awareness also play an important role in fostering a culture of national security and supporting government efforts.

National security policy cannot be the expression of a single person's will, although it is the result of a process that is realised through the powers of the President of Romania. It must be, at least in principle, built on fundamental values and principles, and be the expression of national consensus and a shared national effort.

However, as Voltaire insisted, before any academic debate⁹⁶, defining the terms is essential.

Initially, we must begin our analysis by clarifying the main frameworks for the practical application of these concepts: maritime strategy, maritime security strategy, maritime policy, etc.

The question arises: which is hierarchically superior – policy or strategy? And so we begin a brief analysis of the general concepts!

In Table 1, using a set of comparative elements, we can observe the main differences and, in particular, the subordinate and derivative role of Strategy in relation to Policy:

Comparison Comparison	Policy	Strategy
Hierarchy	A policy is a pre-established guiding principle that aids logical decision-making.	A strategy is a comprehensive plan, derived from policy, designed to achieve organisational objectives.
What it is	Principle of action	Action plan
Flexibility	Fixed, but allows for exceptional circumstances	Flexible
Finality	Decision	Action
Level	Senior management	Middle management senior and middle management

Table 1 – Comparative analysis of policy and strategy

A comparison of the role of national policy and strategy in ensuring national security

⁹⁶<https://www.forumulsecuritatimaritime.ro/are-nevoie-romania-de-o-politica-maritima-si-o-strategie-maritima/> – accessed on 20 March 2023

National security policy and strategy are two interconnected and complementary concepts that play distinct roles in ensuring national security. We will analyse and compare the roles of these two essential elements and highlight their importance in protecting a nation's interests and prosperity.

National security policy sets the general direction and strategic orientation regarding national security. It represents the expression of a nation's political will and encompasses its fundamental values, objectives and priorities. National policy provides a general and stable framework within which national strategy is developed and implemented.

The national security strategy focuses on translating policy into concrete actions and implementation plans. It identifies specific threats and risks, sets objectives and proposes the measures and resources required to achieve them. The national strategy provides detail and clarity in the approach to national security.

The national security policy is generally more stable and less subject to change, reflecting a nation's long-term values and directions. It can serve as a basic guide in managing national security and may be less susceptible to rapid changes in the security environment.

The national security strategy is more flexible and adaptable. It can be reviewed and updated periodically to respond to new threats, challenges and changes in the security environment. The national strategy can adjust short- and medium-term priorities and actions, thereby ensuring a more dynamic approach and a faster response.

The national security policy serves as the basis and guide for the implementation of national security measures. It provides overall direction and stability for the various institutions and departments involved in national security. The national security policy has a broader role and is responsible for setting the overall values, objectives and priorities. It sets out the general framework within which specific strategies can be developed and implemented.

The national security strategy focuses on translating policy into concrete actions and implementation plans. It develops specific strategies and policies in various areas, such as defence, cyber security, counter-terrorism or economic security. The national strategy provides specific details and mechanisms for achieving the objectives of the national policy.

The national security policy provides a long-term framework and is subject to periodic review and updating. It can be adjusted in line with major changes in the security environment or new national priorities. The evaluation and adjustment of the national security policy are essential to ensure it remains relevant and effective in the face of ever-changing challenges.

The national security strategy is more flexible and adapts to short- and medium-term changes in the security environment. It allows for the periodic assessment of results and the adjustment of action plans accordingly. The national strategy can be revised to address new threats and challenges, thereby ensuring coherence and efficiency in the management of national security.

A strategy is a plan chosen to achieve organisational objectives. It is a combination of well-considered intentions and actions that lead to the desired position or destination. It is a unified and integrated plan designed to achieve core objectives such as:

- effectiveness;
- dealing with events and problems;
- capitalising on opportunities;
- making full use of resources;
- coping with threats.

A strategy is a combination of flexibly designed moves⁹⁷ adopted by the state. The characteristics of a strategy are as follows:

⁹⁷<https://invatatiafaceri.ro/diferente/diferenta-dintre-strategie-si-politica/> – accessed on 20 March 2023

- it must be formulated by senior management. However, sub-strategies may be implemented by middle management;
- it must have a long-term perspective;
- must be dynamic in nature;
- the main aim is to overcome situations of uncertainty;
- it must be formulated in such a way as to make the best possible use of resources.

A policy is regarded as a set of principles and rules⁹⁸ that guide the organisation's decisions.

Policies are established by the organisation's senior management to serve as a guide for operational decision-making. They are useful in highlighting the organisation's rules, values and beliefs. Furthermore, they act as a basis for guiding actions.

Policies are devised⁹⁹ by taking into account the views and overall perspective of a number of people within the organisation regarding any given situation. They are based on experience and fundamental understanding. In this way, those falling within the scope of such a policy will be in full agreement regarding its implementation.

Policies help management determine what needs to be done in a particular situation. They must be applied consistently over a long period of time to avoid discrepancies and overlaps.

National policy and national security strategy are two essential elements in ensuring national security. National policy sets the general direction and priorities, providing a stable and coherent framework. In contrast, national strategy translates policy into concrete actions, developing implementation plans and specific policies. Policy is more stable and long-term in nature, whilst strategy is more adaptable and flexible. Assessment and adjustment are necessary both at the policy level, to reflect major changes, and at the strategy level, to adapt to short- and medium-term developments. By coordinating and integrating these two elements, a nation can ensure its long-term protection and prosperity.

Comparing maritime policy with maritime strategy – coordinating efforts for maritime development and security

Maritime policy and maritime strategy are two essential concepts in the management of maritime development and security. In an interconnected world that is dependent on marine resources and the marine environment, these two elements play a crucial role in coordinating efforts and ensuring a comprehensive and effective approach to maritime challenges and opportunities. Below, we will explore and compare maritime policy and maritime strategy, highlighting their differences and their importance for maritime development and security.

Maritime policy represents a nation's general guidelines and objectives regarding the maritime environment and resources. It sets the strategic direction and provides a general framework for maritime development and security. Maritime policy is largely geared towards long-term national values and interests and provides guidance and coordination for the various agencies and sectors involved in the maritime domain.

Maritime policy sets out a nation's priorities and general objectives regarding maritime development and security. These may include sustainable economic development, protection of the marine environment, safety of navigation, promotion of regional and international cooperation, and the efficient management of marine resources.

Maritime policy involves the coordination and integration of various agencies and sectors, such as shipping, fisheries, tourism, scientific research and maritime security. It ensures

⁹⁸ <https://sgg.gov.ro/docs/File/UPP/doc/manual-metode-impact.pdf> – accessed on 20 March 2023

⁹⁹ <http://www.kropfpolisci.com/public.policy.anderson.pdf> - accessed on 20 March 2023

a coherent and synergistic approach to maritime development and security, avoiding fragmentation and conflicts of interest.

The maritime strategy focuses on translating maritime policy into concrete actions and implementation plans. It provides specific and operational guidance for maritime development and security. The maritime strategy centres on practical and technical aspects, offering a detailed framework for action to achieve the objectives of maritime policy.

The maritime strategy develops specific plans and policies in various areas of maritime development and security. This includes planning for the development of ports and maritime infrastructure, measures to protect the marine environment, strategies for managing marine resources, programmes to combat piracy and smuggling, as well as regional and international cooperation in the maritime field.

The maritime strategy involves the ongoing assessment of progress and results achieved in the implementation of maritime plans and policies. This enables the identification of emerging challenges and threats, as well as the adjustment of plans and policies to respond effectively to changes in the maritime environment. Regular assessment and adjustment are essential for maintaining the relevance and effectiveness of the maritime strategy.

The interaction between maritime policy and maritime strategy

Maritime policy and maritime strategy are closely linked and interdependent. Maritime policy sets the general direction and objectives, whilst maritime strategy translates these objectives into concrete actions and implementation plans. Maritime policy provides the general framework and strategic guidance for maritime strategy, whilst maritime strategy sets out the specific details and mechanisms for achieving the objectives of maritime policy.

Coherence and cohesion between maritime policy and maritime strategy are crucial to ensuring a comprehensive and effective approach to maritime development and security. Maritime policy provides the direction and priorities, whilst maritime strategy deals with their practical and operational implementation. Coordination and integration between the various agencies and sectors are essential to ensure coherence and efficiency in the management of maritime resources and security.

Maritime policy and maritime strategy are complementary and essential elements in the management of maritime development and security. Maritime policy sets out the general objectives and priorities, providing the strategic framework and guidelines, whilst maritime strategy translates these objectives into concrete actions and implementation plans. Coherence and coordination between these two concepts are crucial to ensuring a comprehensive and effective approach to maritime development and security. Through integration and collaboration between different agencies and sectors, a nation can achieve sustainable development and security in the maritime domain, making the most of its resources and protecting the marine environment.

Maritime policy provides long-term strategic direction and sets the nation's priorities regarding maritime development and security. It takes into account aspects such as the exploitation of marine resources, the protection of the marine environment, the development of port infrastructure, the promotion of maritime trade and international cooperation. Maritime policy is a tool for strategic planning and guidance, ensuring a coherent and sustainable approach to the management of maritime activities.

On the other hand, maritime strategy focuses on the practical and operational aspects of implementing maritime policy. It translates the policy's objectives and priorities into concrete actions and implementation plans. Maritime strategy involves developing specific strategies and tactics in various fields, such as shipping, maritime security, fisheries, maritime tourism and scientific research. It involves identifying the necessary resources and capabilities, aligning them with available resources, and implementing plans effectively.

The interaction between maritime policy and maritime strategy is essential to ensuring success in the maritime sector. Maritime policy provides the direction and objectives, whilst maritime strategy

deals with their implementation. Maritime policy sets the overall context and long-term objectives, whilst maritime strategy ensures that these objectives are achieved through effective planning and implementation.

Coherence and synchronisation between maritime policy and maritime strategy are crucial to achieving effective and sustainable results. An integrated and coordinated approach involving various government agencies, the private sector and other stakeholders is essential for achieving the objectives set out in maritime policy and for adapting to changes in the maritime environment.

In conclusion, maritime policy and maritime strategy are interdependent and complementary concepts in the management of maritime development and security. Maritime policy provides the direction and general objectives, whilst maritime strategy focuses on their implementation through concrete actions and implementation plans. The coordination and integration of these two concepts are crucial to ensuring a coherent, effective and sustainable approach to maritime development and security.

A comparison of naval policy and naval strategy

Naval policy and naval strategy are two essential concepts in the management of maritime development and security. In an interconnected world that is dependent on marine resources and the marine environment, these two elements play a crucial role in coordinating efforts and ensuring a comprehensive and effective approach to the challenges and opportunities in the naval domain. Below, we will explore and compare naval policy and naval strategy, highlighting their differences and their importance in maritime development and security.

Naval policy represents a nation's general guidelines and objectives regarding its naval forces and maritime activities. It sets the strategic direction and provides a general framework for naval development and security. Naval policy focuses on the use of naval forces to protect national interests, ensure maritime security and promote regional stability.

Naval policy sets out a nation's priorities and general objectives regarding its naval forces. These may include the protection of coastlines and maritime borders, ensuring freedom of navigation, participation in humanitarian and peacekeeping operations, the promotion of regional and international cooperation in the naval field, and the development of maritime capabilities and technologies.

Naval policy involves the planning and budgeting of the resources required for the development and operation of naval forces. This includes the allocation of funds for the construction and modernisation of ships, the training and preparation of naval personnel, as well as for maritime operations and missions.

Naval strategy focuses on the application and implementation of naval policy through concrete actions and implementation plans. It provides specific and operational guidance for naval development and security. Naval strategy centres on the practical and tactical aspects of utilising naval forces to achieve the objectives of naval policy.

Naval strategy involves the operational planning of naval forces to achieve the objectives of naval policy. This includes establishing strategies and tactics for the effective use of naval resources in various scenarios and situations. Operational planning addresses aspects such as the deployment of ships and crews in different theatres of operations, coordination with other branches of the armed forces, and collaboration with international partners.

Naval strategy also focuses on the development and modernisation of the naval capabilities and technologies required to fulfil the objectives of naval policy. This includes the identification and procurement of ships, submarines, aircraft equipped for naval operations and other specific equipment, as well as the adoption of advanced technologies in the fields of communications, sensors and defence systems.

The interaction between naval policy and naval strategy

Naval policy and naval strategy are closely linked and influence one another in the approach to maritime development and security. Naval policy provides the general direction and objectives, whilst naval strategy translates these objectives into concrete actions and implementation plans.

Consistency and cohesion between naval policy and naval strategy are essential to ensuring a comprehensive and effective approach to maritime development and security. Naval policy sets out the priorities and general objectives, providing the strategic framework and guidelines. Naval strategy deals with the practical and operational implementation of these objectives, through the development of specific plans and tactics.

Effective coordination between the various levels of decision-making and the agencies involved in naval policy and naval strategy is crucial. The integration of efforts and collaboration between the various components of the naval forces, government agencies and international partners ensures a coherent and synergistic approach to achieving the established objectives.

Naval policy and naval strategy are complementary and essential elements in managing maritime development and security. Naval policy sets the direction and general objectives, providing the strategic framework and guidelines. Naval strategy deals with the implementation of these objectives through operational planning and the effective use of naval resources. Coherence and coordination between these two concepts are crucial to ensuring a comprehensive, effective and sustainable approach to naval development and security. Through integration and collaboration between different agencies and sectors, a nation can achieve maritime development and security in a synergistic and sustainable manner.

Naval policy and naval strategy complement one another and are interdependent in achieving a nation's maritime objectives. Naval policy sets out the general direction and long-term objectives regarding the use of maritime resources and the protection of national interests. This may include aspects such as the defence of coasts and maritime borders, the safety of navigation, the exploitation of marine resources, the promotion of maritime trade and the protection of the marine environment.

On the other hand, naval strategy focuses on the practical implementation of naval policy through the planning and coordination of naval operations. This involves developing specific strategies and tactics to achieve the objectives set out in naval policy. Naval strategy may include aspects such as the deployment of ships and crews, the training of naval personnel, cooperation with other international actors, and the use of advanced maritime technology.

The main difference between naval policy and naval strategy lies in their level of detail and focus. Naval policy offers a broader, strategic perspective, whilst naval strategy focuses more on operational and tactical aspects. Naval policy sets the general direction and long-term objectives, whilst naval strategy translates these objectives into concrete actions and implementation plans.

However, naval policy and naval strategy are interdependent and influence one another. Naval policy provides the framework and direction for maritime development and security, whilst naval strategy ensures the effective implementation of naval policy through planning and coordination. They work together to achieve a nation's maritime development and security.

In conclusion, naval policy and naval strategy are two interdependent and complementary concepts in the management of maritime development and security. Naval policy provides the direction and overall objectives, whilst naval strategy focuses on their implementation through operational planning and concrete actions. Through effective coordination and integration between these two concepts, a nation can achieve maritime development and security in a coherent and efficient manner.

Coordination between naval policy and naval strategy

To ensure a comprehensive and effective approach in the naval domain, coordination between naval policy and naval strategy is essential. This involves close communication and cooperation between policy-makers, strategic planners, military commanders and other stakeholders.

Naval policy and naval strategy must be aligned in terms of their objectives and general directions. Whilst naval policy sets out a nation's priorities and general objectives in the naval domain, naval strategy translates these objectives into concrete actions. Coordination between the two ensures that naval strategy is consistent with naval policy and that both focus on achieving the same objectives.

Naval policy and naval strategy must be integrated into the planning and implementation process. This means that the operational planning of the naval strategy must be consistent with the objectives set out in the naval policy. Strategic plans and actions must support national priorities and interests in the naval domain.

Naval policy and naval strategy involve the allocation of resources for the development and operation of naval forces. The effective coordination of financial, technological and human resources is essential for the successful implementation of naval policy and strategy. This requires careful planning and the equitable distribution of resources in accordance with strategic priorities and needs.

Naval policy and naval strategy can benefit from international collaboration and cooperation. In a globalised world, maritime threats and challenges transcend national borders and require a multilateral approach. By establishing international partnerships and agreements, a nation can strengthen its naval security and development and effectively address common challenges.

Naval policy sets out a nation's general direction and objectives regarding the use of maritime resources and the protection of national interests. This includes aspects such as the defence of coastlines and maritime borders, the safety of navigation, the exploitation of marine resources, the promotion of maritime trade and the protection of the marine environment. Naval policy is formulated by policy-makers and reflects the national vision and interests in the naval domain.

On the other hand, naval strategy focuses on the practical implementation of naval policy through planning and concrete actions. Naval strategy is developed by strategic planners and military commanders, with the aim of ensuring the efficiency and effectiveness of naval operations.

Cooperation and interaction between naval policy and naval strategy are essential for achieving objectives in the naval domain. Naval policy provides the direction and general objectives, offering a strategic framework and clear guidance. Naval strategy translates these objectives into concrete actions, drawing up specific plans and tactics for implementation. In this way, naval strategy ensures the coherence and cohesion of naval operations in line with naval policy.

Furthermore, coordination and collaboration between the various levels of decision-making and the agencies involved in naval policy and naval strategy are essential. The integration of efforts and collaboration between the various components of the naval forces, government agencies and international partners ensures a coherent and synergistic approach to managing maritime development and security.

To achieve effective coordination between naval policy and naval strategy, there are several key factors that must be taken into account:

- Alignment of objectives – naval policy and naval strategy must be aligned in terms of objectives and general directions. Naval policy sets out the priorities and general objectives in the naval domain, whilst naval strategy translates these objectives into specific actions and implementation plans. By ensuring clear alignment between these two concepts, fragmentation can be avoided and a coherent and effective approach can be achieved;
- integration of planning – naval policy and naval strategy must be integrated into the planning process. Strategic planning must be guided by the objectives set out in naval policy and take account of available resources. By integrating these two aspects,

coherent and effective planning can be achieved, ensuring the optimal use of resources and the fulfilment of the established objectives;

- Collaboration and communication – effective coordination requires close collaboration between the various stakeholders. Policy-makers, strategic planners, military commanders and other agencies involved in naval affairs must collaborate and communicate constantly to ensure a common understanding and to share relevant information. This will facilitate a coherent and synergistic implementation of naval policy and strategy;
- continuous assessment and adjustment – naval policy and naval strategy must be subject to continuous assessment and adjustment. As maritime conditions and threats change, it is important to adapt and update these two concepts to respond to new challenges. Through constant monitoring and performance evaluation, the efficiency and effectiveness of naval operations can be ensured.

Ultimately, naval policy and naval strategy are two interdependent and complementary concepts that play a vital role in national development and security at sea. Effective coordination between these two concepts is essential to ensure a coherent and synergistic approach in the naval domain. Through the alignment of objectives, integrated planning, collaboration and communication, as well as continuous evaluation, a nation can strengthen its maritime capabilities and protect its national interests in an effective and sustainable manner.

Case studies: Naval policy and naval strategy in two different nations

To better understand how naval policy and naval strategy can be implemented and coordinated in practice, we will examine two case studies for two different nations: Nation A and Nation B.

Nation A has a naval policy centred on protecting its maritime interests and promoting security within its sphere of influence. Its objectives include monitoring maritime traffic, combating piracy and smuggling, protecting marine resources and promoting regional cooperation in the naval field. To achieve these objectives, Nation A has developed a naval strategy that focuses on strengthening its fleet, adequately training and equipping naval personnel, and cooperating with other regional actors to ensure maritime security. Naval policy and naval strategy are coordinated through an integrated planning process, in which the priorities of naval policy are reflected in strategic plans and actions.

On the other hand, Nation B has a naval policy centred on the projection of naval power and the protection of its interests worldwide. Its objectives include deploying ships and crews to strategic areas, supporting peacekeeping and humanitarian intervention operations, and promoting maritime trade and its geopolitical influence. To achieve these objectives, Nation B has developed a naval strategy that focuses on the flexibility and mobility of its naval forces, international cooperation and technological development in the naval field. Coordination between naval policy and naval strategy is achieved through an inter-ministerial committee which ensures an integrated and synergistic approach to the management of maritime development and security.

Comparing the two cases, we can see that naval policy and naval strategy are influenced by the specific national interests and priorities of each country. Naval policy reflects the vision and general direction, whilst naval strategy translates this vision into concrete actions. Coordination between the two concepts is essential to ensuring a coherent and effective approach in the naval domain.

We also note that the coordination of naval policy and strategy involves integrated planning, collaboration and communication between the various levels of decision-making and the agencies involved. This ensures the optimal use of resources and the effective implementation of policy objectives. Furthermore,

coordination and collaboration between the various components of the naval forces, government agencies and international partners are essential to ensuring a coherent and synergistic approach to managing maritime development and security.

Furthermore, it is important to note that naval policy and naval strategy are not static entities, but must be adapted and adjusted in line with changes in the maritime environment and geopolitical developments. Maritime threats may evolve, and naval technology may advance rapidly, which requires constant assessment and updating of naval policy and strategy. Consequently, the process of continuous monitoring and evaluation is crucial to ensuring an effective and up-to-date approach to managing maritime development and security.

Both nations have sound maritime security policies, and there are no 'good' or 'bad' solutions; rather, these must be tailored to national circumstances and national interests, with the difference lying in the strategies, which must be aligned with political ambitions.

In conclusion, naval policy and naval strategy are two interdependent and complementary concepts in the naval domain. Naval policy sets the direction and general objectives, whilst naval strategy focuses on the practical implementation of these objectives. Coordination and collaboration between the two concepts are essential to ensure a coherent and synergistic approach to managing maritime development and security. Through integrated planning, collaboration and continuous evaluation, a nation can strengthen its maritime capabilities and protect its national interests at sea in an effective and sustainable manner.

Maritime security policy versus maritime security strategy – a comparative analysis

Maritime security plays a vital role in protecting a country's national interests in the maritime environment. In this context, two fundamental concepts are maritime security policy and maritime security strategy. Despite their similarities and interconnections, these two concepts are distinct and make different contributions to the management of security in the maritime domain. Below, we shall examine and compare the two concepts, highlighting their key characteristics and the relationships between them.

Maritime security policy represents a set of objectives, principles and guidelines that govern a country's overall approach to ensuring its security in the maritime environment. This may include policies and regulations concerning national defence, the protection of maritime resources, the management of maritime traffic, combating terrorist and criminal threats, the promotion of regional cooperation, and many others. Maritime security policy is developed by the government and reflects national interests and values, as well as the specific challenges and threats a country faces in the maritime environment.

On the other hand, the maritime security strategy is a detailed document that sets out specific objectives, priorities and concrete actions to achieve security in the maritime environment. It represents a strategic plan for how a country intends to protect and promote its maritime interests. The maritime security strategy takes into account available resources, the operational capabilities of naval forces and international partnerships, and analyses current and anticipated threats and challenges. The maritime security strategy provides a coherent and comprehensive course of action that can be adapted in line with developments in the field of maritime security.

An important aspect in comparing maritime security policy and maritime security strategy is the level of detail and focus. Maritime security policy is more general and provides an overarching framework for addressing maritime security, whilst the maritime security strategy is more specific and detailed, setting out concrete actions and clear priorities. Maritime security policy sets out the general direction and core objectives, whilst the maritime security strategy provides a detailed action plan for implementing these objectives.

Furthermore, maritime security policy and maritime security strategy are interlinked and influence one another. Maritime security policy provides the general guidance

for the development of the maritime security strategy, whilst the maritime security strategy is designed to implement the objectives and principles of the maritime security policy.

As regards the drafting process, maritime security policy is developed by political authorities and government decision-makers, who take national interests into account, in consultation with various stakeholders, including the navy, maritime organisations, the shipping industry and other relevant bodies. On the other hand, the maritime security strategy involves a more detailed analysis and strategic planning, carried out by experts and analysts in maritime security, with the consultation and input of the relevant authorities and organisations.

Maritime security policy and maritime security strategy essentially share the same aim: to ensure the security and protection of national interests in the maritime environment. However, the key difference lies in the level of approach and detail. The maritime security policy sets out the general direction and objectives, whilst the maritime security strategy provides more specific guidance and concrete actions for achieving these objectives.

Ultimately, maritime security policy and maritime security strategy are essential tools for ensuring the security and protection of national interests in the maritime domain. By defining clear objectives and drawing up an appropriate action plan, a country can effectively address threats and challenges in the maritime environment and promote security and stability in this critical area. Coordination and synergy between maritime security policy and strategy are key to an effective and comprehensive approach to maritime security.

Thus, maritime security policy and maritime security strategy are two complementary and interdependent concepts that work together to ensure national security and the protection of interests in the maritime environment. By adopting an integrated approach that combines maritime security policy and maritime security strategy, a nation can strengthen its capabilities and effectively address threats and challenges in the maritime environment.

Maritime security policy provides a general framework and guiding principles, setting out the basic direction and objectives for managing maritime security. It addresses complex issues such as national security, the protection of maritime resources, territorial defence, international cooperation and the promotion of stability in the maritime region. Maritime security policy is often formulated at national level, reflecting the nation's interests and values whilst taking into account the regional and global context.

On the other hand, a maritime security strategy represents a more specific and operational approach to implementing maritime security policy. It focuses on assessing and identifying specific threats and vulnerabilities, setting out concrete objectives and specific actions to address these challenges. The maritime security strategy involves detailed strategic planning, which includes resource allocation, capacity building, international cooperation and identifying ways to adapt and innovate in the face of technological and geopolitical developments.

The relationship between maritime security policy and maritime security strategy is one of complementarity and interdependence. Maritime security policy provides the general direction and core objectives, whilst the maritime security strategy offers a detailed plan and specific measures for achieving these objectives. Maritime security policy establishes the principles and values that guide the strategy, whilst the maritime security strategy provides concrete means of implementation and action.

Consistency and coordination between the maritime security policy and the maritime security strategy are essential for an effective and synergistic approach to maritime security. They must be aligned and regularly updated to respond to new challenges and changes in the maritime environment. Furthermore, collaboration between various government agencies, naval forces, the maritime industry and international partners is crucial to the successful implementation of maritime security policy and strategy.

In conclusion, maritime security policy and maritime security strategy are two interdependent and complementary concepts in the approach to maritime security. Maritime security policy

provides the overall direction and objectives, whilst the maritime security strategy offers a detailed action plan and specific measures to achieve these objectives. By integrating maritime security policy and strategy, a nation can develop a coherent and comprehensive approach to managing threats and promoting security in the maritime environment.

Legislative mechanisms

As regards the legislative mechanism for adopting a maritime policy for Romania, there may be various options depending on the context and existing legal provisions. Generally speaking, the simplified process could involve several steps.

The first step would be for the Romanian Government, through the Ministry of Transport and/or the Ministry of the Environment, to draw up a draft bill or a strategic plan, in collaboration with other relevant government departments, such as those within the Ministry of Agriculture or the Ministry of the Economy.

This should be followed by a debate on the draft bill or plan in Parliament, where it may also be subject to a public consultation process. The debate will conclude with the approval of the draft bill or plan by Parliament, by a majority vote of MPs.

This is followed by the promulgation of the draft or plan by the President of Romania and the implementation of the policy or strategy by the responsible government departments, through a detailed action plan and a monitoring and reporting mechanism.

Periodically, or whenever necessary, the policy or strategy will be evaluated and reviewed to ensure that it meets the country's current needs and objectives.

Given that the terminology used globally differs slightly from that in Romania, we will need to carry out a brief analysis of it. Thus, in Romania, due to the specific nature of its maritime zone, river zone, the Danube Delta and the Danube–Black Sea navigable canal, the following terms are commonly used: 'maritime' – referring solely to the Black Sea and the world's oceans; 'river' – referring to the Maritime and River Danube; and the term 'naval', to combine the two.

To establish a correlation between national and international terminology, we believe that international terminology, which has different meanings, should be adopted. Thus, when we speak of 'maritime', we must also include navigation on rivers and inland waters, whilst the use of the term 'naval' must refer solely to the military aspect.

In defining the maritime sector, we can state that it encompasses activities taking place in or relating to marine areas, such as:

- commercial shipping and maritime transport, which includes the transport of goods and passengers by sea;
- maritime fishing, which includes the catching of fish, crustaceans and other marine species;
- the exploitation of marine resources, such as the extraction of oil or natural gas from deep waters or the mining of seabed minerals;
- marine tourism, which includes cruises, beach holidays and recreational activities at sea;
- the exploitation of marine energy, such as wind or wave power;
- protection of the marine environment, such as the conservation of marine species, habitats and aquatic ecosystems.

When defining the inland waterways sector, we can say that it encompasses similar activities, but those taking place on rivers, lakes and canals, such as:

- commercial navigation and inland waterway transport, which includes the transport of goods and passengers on rivers and canals;
- river fishing, which includes the catching of fish, crustaceans and other species from rivers and lakes;
- the exploitation of river resources, such as the generation of hydroelectric power or the extraction of minerals from river waters;
- river tourism, which includes cruises on rivers and lakes and recreational activities on flowing waters;
- protection of the river environment, such as the conservation of aquatic species, habitats and river ecosystems.

These are the starting points for a broader analysis, aimed at providing arguments in favour of the development and adoption of a national maritime policy and, on that basis, a national maritime strategy.

Developing a maritime strategy is a complex process involving the assessment of a range of geopolitical, military, economic, technological and environmental factors, and these factors may vary depending on the country and the specific context.

However, there are several general steps to follow when developing a maritime strategy:

Assessing national interests – the first step is to identify the national objectives and interests relating to the maritime strategy. These may include protecting economic interests, ensuring maritime security, promoting international cooperation, developing military capabilities and others;

Assessing threats and opportunities – the next step is to analyse the security and environmental factors that could affect national maritime interests, including threats to maritime security, increased shipping traffic, climate change, etc. This will help to identify specific opportunities and threats that could influence the maritime strategy.

Developing specific policies and objectives – based on the assessment of interests and threats, the next step is to develop specific policies and objectives that will guide the maritime strategy. These policies and objectives may include the development of defence capabilities, regional cooperation, the management of marine resources, etc.

Identifying the necessary resources – once the specific objectives and policies have been established, the next step is to identify the resources required to implement the strategy. These resources may include investment in infrastructure, the development of military capabilities, cooperation with other countries, and others.

Implementation and monitoring – finally, it is important to implement the strategy and monitor progress against the objectives and policies. This may include measures to track maritime traffic, strengthen defence capabilities and monitor changes in the marine environment.

In conclusion, developing a maritime strategy requires a systematic approach and a rigorous process of analysis and planning.

Objectives

The strategy aims to protect Romania's strategic maritime interests globally, as a member of the European Union and NATO. The objectives relate to: general security and peace, the rule of law, freedom of navigation, external border control, maritime infrastructure (ports, underwater pipelines and cables, wind farms, etc.), natural resources and environmental health, and preparedness for climate change.

Romania's maritime strategy strengthens the link between internal and external security, combining the objectives of the European Union's Security Strategy with the themes of the Blue Economy.

Actions

The Maritime Strategy must be implemented through an action plan that addresses, in principle, six key areas: national and international cooperation; maritime surveillance; capacity building; research and innovation; risk management; and education and training.

Through close cooperation and coordination, Romania can make better use of its resources and enter into more effective and credible international partnerships.

Romania needs a maritime policy and a maritime strategy to maximise the economic and environmental benefits of the country's maritime areas, to manage aquatic and coastal resources effectively, to harness the economic, social and environmental benefits of maritime activities, and to protect national interests in maritime areas.

A well-developed maritime policy and strategy could help to develop maritime industries, improve regional cooperation and ensure the efficient management of marine resources.

The current situation calls for the formulation of a maritime policy and strategy, tailored to national specificities and integrated into Romania's national policies and strategies, which could become a national project based on broad consultation with the economic, social and governmental sectors.

CHAPTER 7¹⁰⁰

ROMANIA'S NATIONAL INTERESTS IN THE BLACK SEA, THE DANUBE AND THE WORLD'S OCEANS

Over time, the Romanian people have developed within the area bounded by the Carpathians, the Danube and the Black Sea, and our history is inextricably linked to our geographical location within this area. The location of the Black Sea and the River Danube, between the Balkan Peninsula, Eastern Europe and the Near East, represents a source of food, an important economic area, a transport route, but also a region that can facilitate the projection of power.

Geographically, the Black Sea is a semi-enclosed sea connected to the Mediterranean Sea only via the Bosphorus and Dardanelles straits, but the rivers flowing into it and the trade links provided by its ports make the region a veritable hub for the transport of goods, gas, petroleum products and energy, as well as for international trade. Furthermore, via the River Danube and the Rhine–Main–Danube Canal, the Black Sea is connected to the North Sea, crossing the heart of Europe from east to west. Furthermore, via the Sea of Azov and the Volga–Don Canal, the Black Sea is connected to the River Volga, and thus to the Caspian Sea and the largest network of waterways within the Russian Federation, and even to the city of Moscow via the Moscow–Volga Canal.

The Black Sea region is of particular importance to Europe as it lies at the intersection of the main east-west and north-south corridors, being geographically situated at the crossroads, yet at the same time on the periphery, of the European, Eurasian and Middle Eastern spheres. The region's geographical position allows for the projection of power along these corridors towards the European continent, through the Balkans and Central Europe, as well as towards the eastern Mediterranean, the South Caucasus and the northern Middle East. However, in practice, the Wider Black Sea Area (WBS) is not predominantly regarded as part of any of these regions, a fact which has led to the region being overlooked by security experts from each of these areas. The states in the region do not share common cultural or identity roots, and cooperation in various fields (economy, politics and security) is, at best, limited to bilateral matters. The only thing that creates any semblance of a shared perception is the fear of Russia's unpredictable actions.

Romania's location in the Balkan region – 'where more history is made than can be consumed', as W. Churchill put it – means that promoting national interests in the maritime and riverine spheres, fostering a sense of nationhood with access to the sea and the Danube (a maritime consciousness), and controlling the mouths of the Danube are matters of vital importance for our country.

Romania's national interests in the maritime and riverine domains

The River Danube and the Black Sea coast provide Romania with unimpeded access to the World Ocean¹⁰¹ via the Bosphorus and Dardanelles straits, the Mediterranean Sea and then, via the Suez Canal, to the Indian Ocean, and via the Strait of Gibraltar to the Atlantic Ocean. This access to 71 per cent of the Earth's surface is of inestimable value to Romania, given that one of the key features of human development in the modern era is the growing human presence in the World Ocean – a presence characterised by the expansion of both scientific and economic activity aimed at utilising the resources of the seas and oceans. The long-term importance of the World Ocean will grow for all states, due to the gradual depletion of terrestrial natural resources and the need for states to continue their economic development. Perhaps an example of the importance attached by some states to this field is Switzerland, which has 37 vessels, totalling one million tonnes, operated by six shipping companies.

¹⁰⁰ Author: Rear Admiral (ret.) Dr Constantin Ciorobea, Editor-in-Chief, Maritime Security Forum, www.forumulsecuritatiimaritime.ro.

¹⁰¹ http://www.isj.gl.edu.ro/RED_GEO/LIC_GEO/Materiale%20informative/2.%20Oceanul%20Planetar%20-%20informative%20material.pdf

Our country must analyse how the development of maritime and riverine activities, and the enhancement of maritime potential, can support sustainable economic and social development, the material well-being of the population and national security. This is determined by the nature of Romania's national interests in the Black Sea, the Danube and the World Ocean, and by the need to contribute to their security and protection. This highlights the fact that the maritime and riverine domain in which Romania pursues its interests forms part of the international geopolitical system, because:

- we note the involvement of NATO, the EU and other organisations in the region in ensuring stability, security, economic development and social prosperity, together with the countries bordering the Black Sea;
- we observe effective cooperation between the US and the EU in supporting Ukraine and in implementing measures to counter the imperialist tendencies of the Russian Federation;

The North Atlantic Alliance and the EU have demonstrated a strengthened capacity to engage in supporting partner countries against Russia's aggressive actions, as in the cases of Ukraine and the Republic of Moldova;

The Russian Federation has maintained its influence in the region by instigating military conflicts and supporting frozen conflicts. As a result, Russia has become a key player in the region and is using the Black Sea to project power into the Mediterranean and the Middle East;

we are witnessing a drive to foster the development and adoption of a regional identity for the Black Sea littoral states as partners of the West, a prospect made genuinely possible by the convergence of the interests of the countries in the region.

The fact that, via the River Danube and its outlet to the Black Sea, Romania has access to the world's oceans is a significant factor that can facilitate the country's development, but equally entails responsibilities regarding its involvement in ensuring the security, stability and unrestricted use of these waters. Furthermore, following Russia's aggressive and unprovoked actions against Ukraine, we are witnessing geopolitical and geostrategic shifts accompanied by an increasingly active involvement of major international actors and international organisations. This has a decisive influence on the way in which Romania promotes and defends its interests in the Black Sea region, and the defence and promotion of its maritime and riverine interests are directly dependent on its maritime power.

This is because Romania's maritime and riverine interests should be understood as forming part of its national interests, alongside the other components: economic, political, social, cultural, demographic, etc. National maritime and riverine interests are defended first and foremost by the Romanian Naval Forces, whose mission is to project the state's power in these environments, in support of achieving national objectives, whenever and wherever necessary, but also to support, to the same extent, the interests of the Alliance and those of the EU.

It is of the utmost importance that the maritime and riverine domains, together with their infrastructure and supply systems, remain secure. Matters relating to the promotion and defence of national interests in these domains must remain the responsibility of the structures that provide Romania's naval power, and we must ensure that the impact is not felt by people in their daily lives.

Russia's illegal invasion of Ukraine has demonstrated the intensification of rivalry between states over competing spheres of influence. With regard to the maritime and riverine domains, this is highlighted by the disruption of freedom of navigation at sea and on rivers, by disputes over the delimitation of maritime boundaries, or by states' use of military and soft power to promote their own national interests.

National security interest¹⁰², according to the National Defence Strategy for the period 2020–2024, “is the desirable state of existence of a nation, an organic and inclusive community, which aims to defend and promote fundamental national values, ensure prosperity, guarantee respect for democratic rights and freedoms, and ensure the protection and security of its members.” Based on the national security interests set out in this strategy, we can identify the following national interests of Romania in the Black Sea, the Danube and the world's oceans:

Guaranteeing sovereignty, independence and territorial integrity – this entails ensuring the security of citizens and their property, as well as the security of state or private economic assets and facilities in

¹⁰² The National Defence Strategy for the period 2020–2024 / https://www.presidency.ro/files/userfiles/Documente/Strategia_Nationala_de_Aparare_a_Tarii_2020_2024.pdf.

the maritime and riverine environment. Consequently, maritime and riverine interests can be viewed as an extension of the national territory. This includes maritime and riverine assets and entails the physical and digital protection of our vessels, port facilities and key maritime infrastructure, by:

- ensuring territorial independence and integrity, as well as the inviolability of Romania's sovereignty over its territorial sea, internal maritime waters, the sections of the River Danube belonging to our country, their seabed and subsoil, and the associated airspace;

- promoting Romania's interests in the maritime and riverine spheres by contributing to the maintenance of stability and security in the Black Sea and on the River Danube, strengthening national influence and developing mutually beneficial partnerships in maritime and riverine activities;

- developing maritime and riverine potential by strengthening defence capabilities in these areas;

Defending and strengthening the rule of law by ensuring an appropriate response to threats of any kind, namely by analysing and identifying appropriate measures to respond to maritime and riverine threats of any nature. Threats on the water – situations in which the water's surface is used to cause an incident – include, but are not limited to, illegal fishing, the blocking of ports or theft. Threats from the water – situations in which the sea or a river is used as a means of achieving objectives on land – include, but are not limited to, the smuggling of drugs, weapons or people. Underwater threats are situations in which the underwater environment is used for illicit, illegal or threatening purposes, including intelligence gathering, threats to underwater infrastructure or hostile intent. This category of interests may be addressed through:

- the surveillance and control of state border crossings, the prevention and combating of illegal migration and specific acts of economic and cross-border crime, and compliance with the legal regime governing the state border;

- conducting maritime and riverine activities to safeguard and protect national interests and to contribute to maintaining regional stability, including through participation in the naval military activities of allies or partners;

Ensuring prosperity and sustainable economic development, with the prudent management of resources to ensure the well-being of citizens, by guaranteeing freedom of navigation on maritime and river transport routes as an essential element in ensuring favourable conditions for international trade. The protection and defence of infrastructure that ensures the unimpeded flow of information, as well as the production and transport of energy, are important aspects of the national economy. Means of implementation:

- maintaining control over access from the Danube to the Black Sea, via the river's branches as well as the Danube-Black Sea Canal;

- ensuring sovereign rights and national jurisdiction within the exclusive economic zone, on the continental shelf and in relevant maritime and riverine areas, for the purposes of economic exploitation and the unhindered conduct of activities in this space;

- diversifying access to resources in river basins, in the Black Sea and also in the world's oceans; promoting and ensuring freedom of navigation on maritime and river routes, as well as on the open , including freedom of overflight, fishing and scientific research, the right to lay submarine cables and pipelines, as well as the right to explore and exploit mineral resources in the international seabed area;

- the unrestricted development, protection and defence of transport infrastructure in national maritime and river areas, necessary to ensure the supply of raw materials and to facilitate exports;

- the safe installation and operation of offshore platforms and pipeline systems for the extraction and transport of raw materials and hydrocarbons of strategic importance for domestic consumption;

- the safe installation and operation of offshore renewable energy systems and electricity transmission systems necessary for domestic consumption;

- the safe installation and operation of digital and telecommunications infrastructure;

- the preparation of integrated studies and the rational use of resources and areas in the Black Sea to ensure Romania's sustainable economic and social development;

promoting national values, and protecting, defending and guaranteeing the fundamental rights and freedoms of all citizens. Even though our country no longer has many ships flying its own flag, national interests require Romania to contribute, alongside its international partners, to ensuring

maritime security and freedom of navigation on a global scale for other nations' vessels. We must also promote national values through the exercise of naval diplomacy and the promotion of the national image via military vessels, as follows:

- exercising maritime diplomacy and promoting the national image through the national flag; promoting national values and fully exploiting the tourism potential of the maritime and riverine areas;

- ensuring the protection of human life at sea and on rivers within the area of responsibility;
- protecting underwater cultural heritage and preventing illegal activity in this field.

Preventing the effects of climate change. It is important that environmental offences at sea and on rivers are regarded as equivalent to safety or security threats, and action must be taken to promote environmental safety whilst working at sea and on rivers, prevent pollution, ensure the disposal of industrial and consumer waste, and conserve the biodiversity of the aquatic environment, including the Danube Delta.

Romania's national interests in the Black Sea, the Danube and the World Ocean

In conclusion, we can state that Romania's national interests in the Black Sea, the Danube and the World Ocean are as follows:

- Ensuring territorial independence and integrity, as well as the inviolability of Romania's sovereignty over its territorial sea, internal maritime waters, the sections of the River Danube belonging to our country, their seabed and subsoil, and the associated airspace;
- Maintaining control over access from the Danube to the Black Sea, via the river's branches as well as the Danube-Black Sea Canal;
- Ensuring sovereign rights and jurisdiction within the exclusive economic zone, on the continental shelf and in maritime and riverine areas of interest, for the purposes of economic exploitation and the unhindered conduct of activities in this space;
- Promoting Romania's interests in the maritime and riverine sectors by contributing to the maintenance of stability and security in the Black Sea and on the River Danube, strengthening national influence and developing mutually beneficial partnerships in maritime and riverine activities;
- Developing maritime and riverine potential by strengthening defence capabilities in these areas;
- Promoting and ensuring freedom of navigation on maritime and river routes, as well as on the high seas, including freedom of overflight, fishing, scientific research, the right to lay submarine cables and pipelines, and the right to explore and exploit mineral resources in the international seabed area;
- The unhindered development, protection and defence of infrastructure in national maritime and riverine areas;
- The safe installation and operation of offshore platforms and pipeline systems for the transport of raw materials and hydrocarbons of strategic importance for domestic consumption;
- The safe installation and operation of offshore renewable energy systems and electricity transmission systems required for domestic consumption;
- The unrestricted exploitation of the tourism potential in the maritime and riverine areas;
- Carrying out maritime and riverine activities to safeguard and protect national interests and to contribute to maintaining regional stability, including through participation in the naval military activities of allies or partners;
- Ensuring the protection of human life at sea and on rivers within the area of responsibility;
- Ensuring environmental safety whilst working at sea and on rivers, preventing pollution, ensuring the disposal of industrial and consumer waste, and conserving the biodiversity of the aquatic environment, including the Danube Delta;
- Conducting integrated studies and ensuring the rational use of resources and areas in the Black Sea to ensure Romania's sustainable economic and social development.

The importance, complexity, scope and diversity of these interests of Romania necessitate that our country be in a position – whether acting alone, alongside partners or within an alliance – to defend and promote its interests in the Black Sea, the Danube and the world's oceans. This objective cannot be achieved unless Romania begins to take action to promote its own interests in the region.

Coastal states have a duty, as part of their foreign policy actions, to promote their interests regarding the World Ocean and to develop their defence capabilities in the maritime domain – and, in Romania's case, in the riverine domain as well – given that the economic development of the country in question may depend on this space. From this perspective, Romania is obliged to fulfil its role as a regional maritime power. This obligation must be underpinned doctrinally by the 'National Defence Strategy'. Under current circumstances, Romania cannot shirk its regional responsibilities, which involve promoting and ensuring a climate of stability and security in the Black Sea region.

In this geopolitical context, Romania can serve as a focal point for regional interests, a driving force for stability, democracy and the promotion of Euro-Atlantic values in the region. For these reasons, our country, by clearly and openly defining and promoting its own interests in the maritime and riverine environment, can become a vehicle for Euro-Atlantic interests in the region, given that it is increasingly evident that the interests of the Alliance and of Europe are also those of Romania.

CHAPTER 8¹⁰³

THE RESILIENCE AND IMPORTANCE OF THE MARITIME AND RIVER SECTOR WITHIN THE ROMANIAN ECONOMY

Romania has a strategic interest in the maritime sector, given its privileged geographical position on the Black Sea and its access to the Danube, which offers opportunities for the development of maritime and river transport, the shipbuilding industry, and maritime tourism.

As regards the development of its own maritime vessels, this must be one of the priority objectives of the national maritime strategy, with the aim of stimulating innovation and competitiveness, developing technological capabilities and increasing exports. Romania has a long tradition in shipbuilding, and there are currently a number of Romanian companies producing vessels and equipment for the maritime industry, as well as for the offshore oil and gas industry.

Having its own seagoing vessels can bring several economic benefits to Romania. Firstly, it can reduce dependence on vessel imports, which can lead to an increase in production capacity and the creation of new jobs in the shipbuilding sector. Secondly, it can boost the competitiveness of the Romanian maritime sector and contribute to the development of foreign markets.

However, building one's own seagoing vessels is a costly investment and requires careful planning and a long-term development strategy. This involves developing research and development capabilities, increasing the level of innovation and modernising production processes, as well as ensuring good cooperation between Romanian and foreign companies.

The maritime sector plays a significant role in the Romanian economy, as it is responsible for a range of essential economic and social activities.

Seaports serve as a key gateway for the entry and exit of goods and products to and from other countries. They facilitate international trade and are vital for the import and export of goods worldwide. Furthermore, maritime transport is a major source of revenue for shipping companies, as well as for workers employed in this sector.

Port activities, such as the storage, loading and unloading of goods, represent another important source of revenue and jobs. These include port operators, who handle ships and cargo, as well as support staff, such as stevedores and port equipment operators.

The shipbuilding industry is another important branch of the maritime sector, producing ships and other naval equipment. This includes shipbuilding, ship repairs and modernisation, as well as the production of naval equipment such as engines, radars and safety equipment.

Maritime tourism is another important source of revenue for the Romanian economy. The Black Sea coast and the Danube Delta attract millions of tourists every year, who visit these areas for the beaches, water sports, fishing and other recreational activities.

In conclusion, the maritime sector plays a major role in the Romanian economy, generating significant revenue and jobs across a range of essential economic and social activities.

Implementing the resilience process in this sector

The resilience process in the maritime sector is important for addressing challenges such as climate change, rising sea levels, extreme weather events, oil spills and other threats to the marine environment and the maritime economy. Here are some examples of resilience measures that can be implemented in this sector:

¹⁰³ Author: Admiral (ret.) Dr Aurel POPA, President of the Maritime Security Forum, <https://www.forumulsecuritatimaritime.ro>, aurelpp5@gmail.com . .

- port infrastructure must be adapted to new environmental conditions, such as rising sea levels and the increasing frequency of extreme weather events. This may include reinforcing docks and flood defences, as well as reviewing evacuation and disaster response plans;

- Advanced technology can help reduce pollutant emissions and improve the energy efficiency of ships. This may include the use of low-emission engines, hybrid propulsion technologies and fuel-efficiency optimisation technologies;

- maritime tourism can be developed sustainably by promoting responsible tourism and eco-friendly practices across all aspects of tourism activities, such as waste management, reducing energy consumption and the use of renewable energy sources;

- Establishing a rapid disaster response system is important for dealing with extreme events, such as oil spills and natural disasters. This may include training port staff and ship crews, as well as developing response technologies and equipment.

In conclusion, implementing a resilience strategy in the maritime sector is essential to protect the marine environment and ensure a sustainable maritime economy. By adapting port infrastructure, developing maritime technology, promoting sustainable tourism and building disaster response capacity, the maritime sector can become more resilient and sustainable in the face of current and future challenges.

The importance of the maritime sector to the Romanian economy

Romania's maritime sector makes a significant contribution to the national economy, acting as a key driver of economic growth and job creation. According to data from the Romanian Naval Authority, in 2021, the maritime sector generated a turnover of 3.3 billion euros, and the number of employees in this sector exceeded 65,000. Furthermore, the maritime sector accounts for 65 per cent of Romania's foreign trade, which highlights its importance to the national economy.

In addition to these economic aspects, the maritime sector is also of strategic importance to Romania. Romania occupies an important geostrategic position on the Black Sea, which is considered to be one of the most important maritime routes in Europe. This strategic position means that Romania's maritime sector has enormous potential for development and is of significant importance to Europe's security and prosperity.

Current challenges facing the maritime sector

However, Romania's maritime sector faces a number of challenges that may hinder its development. These include climate change, rising sea levels, extreme weather events, oil spills and other threats to the marine environment and the maritime economy.

Climate change and rising sea levels are two major issues facing Romania's maritime sector. According to a report by the World Meteorological Organisation, sea levels have risen in recent years by approximately 3.7 mm per year, which may lead to flooding and other problems for port infrastructure. Furthermore, climate change may also affect fisheries, which are an important industry for the Romanian economy.

In addition to these problems, the maritime sector also faces the risk of oil spills and other threats to the marine environment, such as pollution.

Oil spills and marine pollution

Oil spills are a major problem for the maritime sector, both economically and in terms of the environment. These incidents can lead to loss of life, significant damage to the marine environment and substantial costs for the clean-up and restoration of affected areas.

In recent years, Romania has witnessed several oil spills, the most recent of which occurred in November 2021, when the oil tanker Agia Trias suffered a fuel leak in the port of Constanța.

This spill affected an area of great importance for fishing and tourism, and cleaning it up required significant effort and incurred high costs.

Marine pollution is another problem facing Romania's maritime sector. This can be caused by the dumping of waste and sewage, as well as by oil spills. Pollution can affect human health and safety, as well as marine flora and fauna, which can have a significant impact on the maritime economy.

The resilience process in the maritime sector

To address these challenges, Romania's maritime sector must implement a resilience process. This process refers to the maritime sector's ability to adapt to climate change and other threats to the marine environment and the maritime economy by identifying and implementing sustainable solutions.

Implementing a resilience process in the maritime sector can bring a number of benefits. These include increased safety for workers in the sector, protection of the marine environment and biodiversity, as well as a reduction in clean-up and recovery costs following oil spills or other undesirable events.

To implement a resilience process, Romania's maritime sector must consider a range of measures. These include investment in technology and infrastructure, as well as enhancing the capacity to respond to unforeseen events through the training and preparation of staff and other stakeholders involved in the maritime sector.

The resilience of an economy is its ability to cope with a catastrophic event, such as an economic crisis, a financial crisis or a pandemic. Analysing the period 1990–1993, the parliamentary committee of inquiry into the state of Romania's maritime transport fleet concluded in its December 1993 report that, despite the pronounced strategic, economic and political significance and despite the potential of the Constanța port complex, a hub for maritime and river traffic in Central Europe, the shipping sector has been neglected from a legislative perspective. Given that, in 2023, 30 years after the above statement, Romania's maritime administration has still not managed to implement one of the pillars of global maritime legislation, the Maritime Labour Convention (MLC 2006), has failed to implement the Nairobi International Convention on the Removal of Wrecks, adopted in Nairobi on 18 May 2007, and has no strategy regarding the 2004 Ballast Water Management Convention, the legislative neglect of the shipping sector persists.

Applied to Romania's maritime sector, the concept of resilience would mean its capacity to cope with a complex set of circumstances, such as: the failure of successive governments over the last 30 years to recognise the importance of waterborne transport and its enormous potential benefits for Romania, and the failure to appreciate the naval and port heritage that still exists and remains operational.

The Romanian state's indifference towards this sector has meant that, more than 30 years after the changes of 1989, Romania still lacks a maritime strategy that would capitalise on its comparative advantages, competitive strengths and opportunities for the benefit of the national economy.

Shipping is, par excellence, a sector that involves interaction with many other downstream sectors, with other modes of transport and with other activities within the national economy. The lack of coordination both within the maritime transport sector and with other sectors of the national economy – specifically regional development, energy, logistics and trade – makes it extremely difficult to formulate a national maritime transport policy.

The importance of the maritime transport sector in Romania's economy.

Since the year 2000, a set of beliefs emphasising Romania's geostrategic importance has taken root in the Romanian public sphere. From the perspective of Romania's standing in

terms of the volume of goods transported by sea, Romania's position presents challenges and constraints that must be taken into account when formulating a national maritime policy.

As a port in the semi-enclosed Black Sea basin, the Port of Constanța in particular has no direct connectivity with the maritime routes linking the Middle East, the Far East, Australia and African countries to Europe. Being accessible only via the Turkish straits, the Port of Constanța serves a relatively small market compared with nearby ports on the Mediterranean Sea, and is consequently limited to handling cargo flows comprising Romania's imports and exports, as well as a portion of goods in transit to and from landlocked Central European countries. Preliminary research into the amendment of the Constanța Port Masterplan indicates that, by 2022, the port's catchment area will cover approximately 45 per cent of Romania's territory, with the rest of the country having alternative connections to ports on the Adriatic Sea or, depending on the nature of the freight flows, to ports in the Hamburg–Le Havre corridor.

In figures, Romania's trade figures for 2022 are as follows:

Exports (millions of euros)	91,951.60	FOB Terms	+23.1% compared to 2021
Imports (millions of euros)	126,046.50	CIF Terms	+ 28.1% compared to 2021

Of the total freight volumes generated in 2022 by Romania's trade, the breakdown by mode of transport is as follows:

Road 12%;

Sea 20%;

Rail 68%;

Romania's maritime traffic in 2022:

Imports 42% (25,094,952 tonnes);

Exports 38% (23,165,482 tonnes);

Transit 20% (11,821,844 tonnes);

Romania's maritime transport fleet – post-1989

On 31 December 1989, Romania's maritime transport fleet consisted of 301 vessels with a total transport capacity of 6,185,101 tdw, as follows:

- 290 seagoing vessels belonging to the Navrom Constanța Maritime Fleet Operating Company, with a total carrying capacity of 5,966,261 tdw.
- 11 seagoing vessels belonging to the Galați Technical and Material Supply Base, commercially operated by ICE Navlomar, with a total capacity of 218,840 tdw.

The misguided strategy adopted by the Romanian government between 1980 and 1989 led to a disastrous situation, from a technical point of view, for the maritime fleet, which by 1989 consisted of a fleet of vessels with an average age of approximately 15 years, energy-intensive, technologically obsolete and with a non-operational rate of approximately 45 per cent.

Between 1990 and 1999, various approaches were tried to organise the sector and secure the funds needed for modernisation and restoration to operational status – objectives that proved impossible given the legislative framework of the time. In May 1992, the first strategy for the

restructuring and development of transport for the period 1992–2005 was drawn up. The strategy was not adopted by the government, so it did not lead to any programmes, but

it did specify the following as necessary for the entire period: US\$4.78 billion for the whole period, of which US\$1 billion was earmarked exclusively for the fleet.

The state's failure to intervene to rescue the maritime transport sector led, in 2003, to the deregistration of the last merchant vessel registered under the Romanian flag, a situation that persists to this day, with Romania currently having no commercial merchant vessels registered under its own flag.

The government's lack of interest and amateurish approach to the shipping sector appears to be the only constant over the last 30 years, given that, in Chapter 2.I.4. Sustainable Transport of the National Recovery and Resilience Plan adopted on 28 October 2021, refers to vague statements such as: '(...) at present, due to the management and privatisation policies of the 1990s, the fleet has a greatly reduced capacity and is undergoing increasing deterioration'. The NRRP, moreover, makes no mention of any investment relating to naval or port infrastructure; the efforts of the National Company for the Administration of the Ports of Constanța to include the repair of the northern breakwater at the Port of Constanța in the document proved fruitless in the context of the government's indifference towards the naval sector.

Maritime transport in Romania in 2023

At present, Romania has no commercial shipping vessels. Furthermore, due to the *de facto* ineffectiveness of Romania's maritime administration, which has failed to implement international maritime conventions, the possibility of a Romanian-flagged vessel calling at any port outside Romania is called into question.

There are many arguments in favour of a commercial shipping fleet in Romania.

From 1959 to 1989, Romania was a country that attached particular importance to the maritime sector, both in terms of shipbuilding and waterborne transport, including river and maritime transport. Romania still has the highest concentration of shipyards in the European Union. Within a radius of less than 1,000 kilometres, there are still operational shipyards at Orșova, Drobeta-Turnu Severin, Giurgiu, Cernavodă, Brăila, Galați, Midia, Constanța, Agigea and Mangalia, whilst those at Hârșova and Sulina are no longer in operation. Shipbuilding has acted as a catalyst for the related industry producing naval equipment and installations, with ships forming the apex of a pyramid comprising upstream activities – these have generated jobs and fostered Romanian expertise in a specialised, value-adding sector.

Between 1970 and 1989, specialised education benefited from an integrated approach, both at pre-university level (maritime secondary schools in Orșova, Giurgiu, Galați, Brăila, Tulcea and Constanța) and at higher education level – the Mircea cel Bătrân Maritime Institute, established in August 1973¹⁰⁴. During its 17 years as a technical higher education institution, the Mircea cel Bătrân Maritime Institute produced approximately 8,000 merchant navy officers, with a retention rate within the merchant fleet of over 90 per cent.

As of 2023, despite substantial demand for specialised seafaring personnel for inland waterway navigation, there remains only one specialised maritime secondary school in Romania's Danube ports, which is still operating in Galați.

Only one pre-university institution in Romania could be considered maritime-oriented, namely the Alexandru Ioan Cuza National Military College. Established by Order of the Minister of National Defence No. MS 52/02 April 2018 and regarded as the successor to the Alexandru Ioan Cuza Naval Military High School, which was closed in 1998, the National Military College offers no prospects within the civilian fleet for its graduates who are not admitted to the Mircea cel Bătrân Naval Academy. The civilian naval secondary school in Constanța continues to operate.

¹⁰⁴ Decree No. 502 of 29 August 1973 on the establishment and organisation of the ‘Mircea cel Bătrân’ Naval Institute and the ‘Alexandru Ioan Cuza’ Naval Military High School, Official Gazette No. 140 of 18 September 1973.

At academic level, Romania has two higher education institutions offering programmes dedicated to seafaring personnel: the ‘Mircea cel Bătrân’ Naval Academy and the Maritime University of Constanța. In the absence of a maritime dimension to the Romanian state, both institutions face constant challenges relating to: the consistently negative demographic trend of Romania’s population; the increasingly low appeal of the profession of merchant navy officer, which is perceived as difficult; the lack of practical training opportunities on board ships; the increasing difficulty of completing the minimum 12-month on-board training period and, subsequently, of entering the profession.

The evolution of the civilian fleet over time

In Romania, maritime transport was a commercial activity that developed in the period immediately following the Second World War, similar to most Eastern European states, as a consequence of an obsession with industrial development centred on heavy industry within a context not based on market principles but, rather, on a Soviet-inspired industrial subjectivism.

The focus of Romania’s national economy on the development of heavy industry heightened the demand for raw materials, a factor which made the shipbuilding sector a priority.

It was no coincidence that Romania’s shipbuilding sector was geared towards types of vessel designed for the transport of liquid or solid bulk cargo, specifically for the transport of the categories of raw materials prioritised by the national economy of Socialist Romania.

In 1955, the national maritime transport operator, Navrom Constanța, was established.¹⁰⁵ By Central Committee Resolution No. 368, NAVROM Constanța, Romania’s maritime transport enterprise, was established.

In September 1959, proposals for the development of maritime transport up to 1975 were discussed within the Central Committee of the Romanian Communist Party.⁽¹⁰⁶⁾ From 1955, the year the NAVROM Maritime Fleet Operating Company was established, Romania set out to develop its fleet despite the lack of shipyards with experience in building seagoing vessels. Thus, between 1955 and 1975, vessels intended for the transport of solid or liquid bulk cargo – vessels which the Romanian shipbuilding sector would not have been able to design, build and deliver – were acquired from abroad, either second-hand or as new builds. Based on the principle of self-sufficiency, the performance of Romania’s maritime industry was analysed primarily in terms of the volumes transported for the national economy.

In parallel with the acquisition of tonnage from external sources, a priority programme was launched to develop shipbuilding, which led to the expansion of the shipyards in Galați, Brăila, Tulcea, Constanța and Mangalia and their specialisation, with the aim of eliminating external purchases, applying the principles of mass production, and reducing the number of different ship types being built simultaneously at any one shipyard. Romania’s naval effort entailed the horizontal development of the industry: by 1989, approximately 300 enterprises had direct contractual relationships with the naval sector, supplying raw materials, materials, mechanisms, machinery, plant, equipment and other components necessary for the construction and operation of seagoing vessels¹⁰⁷.

The construction of the first 55,000 tdw ore carrier, the m/v Tomis, delivered by the Constanța Shipyard, marked Romania’s entry into the ranks of countries building large-tonnage vessels, a trend which, incidentally, continued with the cutting of the first steel plates for the large-tonnage oil tanker m/v Independența, 150,000 tdw, delivered by the Constanța Shipyard on 27 May 1977.

The period 1976–1989 saw the production of ships built in Romania: cargo ships ranging from 1,600 to 15,555 tdw, ore carriers from 12,000 to 165,000 tdw, oil tankers from 39,000 to 155,000 tdw, specialised Ro-Ro vessels and ferries. The unrealistic targets set by the state leadership, coupled with the economic upheavals of

¹⁰⁵ ANIC, PCR Central Committee Collection – Chancellery Section – Decisions of the Council of Ministers, inventory 3362, no. 87 of 14 March 1955

¹⁰⁶ ANIC, Collection of the Economic Section of the Central Committee of the Romanian Communist Party, 1920–1965, inventory 2359, No. 148 of September 1959.

¹⁰⁷ Constantin Cumpănă, Corina Apostoleanu, *Memories of a Lost Fleet*, Vol. I: *Romanian Ships of the Danube and the Sea of Constanța*, Telegraf Advertising, 2011, p. 253.

The centralised system and the aggressive development policy of the shipping sector, which was incompatible with the principles of a self-sufficient national economy, had placed Romania's merchant fleet in an extremely difficult situation by the end of 1989: 301 vessels, with a combined tonnage of 6,185.101 tdw, of which 105 had been taken out of service for repairs or scrapping, and debts of 29 million US dollars owed to fuel suppliers, equipment providers and other partners.

In conclusion, a retrospective analysis of the decisions taken by Romania in the maritime sector between 1955 and 1989 reveals a systematic approach to sectoral development, aimed at reducing the national economy's dependencies. The limited experience of the domestic shipbuilding sector during the period in question was taken into account, with vessels being procured from external sources, whilst simultaneously placing the workforce on a learning curve through the establishment of educational institutions dedicated to the maritime sector.

Following the fall of the communist regime and the start of economic transition, Romania's civil shipping fleet went through difficult times. Due to economic problems, many vessels were sold or taken out of service, leading to a significant decline in the transport capacity of the civil shipping fleet.

However, in recent years, Romania has begun, albeit tentatively, to revitalise its civil shipping fleet. According to the Ministry of Transport, the Romanian civil shipping fleet currently consists of approximately 70 vessels with a total cargo capacity of over 400,000 tonnes¹⁰⁸. These vessels are used to transport goods such as oil, petroleum products, cereals, metals, etc.

Furthermore, the Romanian Government has adopted a series of policies and measures to support the development of the civil shipping fleet and to promote the country's maritime interests. For example, in 2019, the Government adopted the Programme for the Registration of Ships under the Romanian Flag, which aims to increase the number of ships registered under the Romanian flag and to promote Romania's image as a maritime state.

Arguments in favour of a civilian shipping fleet

At present, Romania does not have a significant civilian shipping fleet. Most vessels sailing under the Romanian flag are small vessels engaged in the transport of goods on the Danube or the Black Sea. Compared with other countries in the region, such as Bulgaria, Greece or Turkey, the Romanian fleet is relatively small and outdated.

There are several arguments in favour of establishing a fleet of civilian vessels for Romania. Firstly, maritime transport is an important sector of the global economy, generating significant revenue. For example, in 2019, the global maritime industry generated revenue of over 4 trillion dollars and provided employment for over 50 million people. Developing a fleet of civilian vessels for Romania could help create jobs in the shipping industry and generate significant revenue for the country's economy.

Secondly, the development of a fleet of civilian vessels could enhance Romania's economic interests in international maritime transport. At present, maritime transport is dominated by countries such as China, Japan and South Korea, which possess some of the largest fleets in the world. By developing its own fleet, Romania could increase its influence in the maritime sector and enhance its ability to promote its economic interests.

Thirdly, the development of a fleet of civilian vessels for Romania could enhance the country's national security. By owning its own fleet, Romania would have greater control over the transport of goods and over the security of vessels sailing under its flag. Furthermore, the development of its own fleet could enhance the country's capacity to respond to emergencies, such as natural disasters or acts of terrorism.

¹⁰⁸ Romanian Naval Authority.

Reasons for establishing the Romanian flag for civilian vessels

The establishment of the Romanian flag for civilian vessels was driven by several factors. These include:

Reduced operating costs: A large proportion of the operating costs of civilian vessels relates to the payment of fees and taxes to the country in which they are registered. The establishment of the Romanian flag for civilian vessels can help to reduce these costs, as Romania can offer a more favourable tax regime and more efficient administration.

Access to funding: Ships registered under the Romanian flag can benefit from easier access to funding, as Romania has cooperation agreements with several international organisations that provide funding for the maritime industry.

Ensuring safety standards: the establishment of the Romanian flag has helped to ensure safety standards for civilian vessels sailing under this flag. Romania can monitor and verify compliance with safety regulations, and vessels that fail to comply may be taken out of service.

Promoting the national brand: the establishment of the Romanian flag has helped to promote the national brand, as well as to enhance Romania's prestige and international recognition as a country with a strong maritime tradition.

Furthermore, the establishment of the Romanian flag for civilian vessels has helped to create new jobs and boost the national economy. By registering vessels under the Romanian flag, greater use of Romania's ports can be ensured, which may lead to the development of port infrastructure and other related services, such as transport and logistics.

Romania has a national flag for seagoing vessels, represented by the Romanian tricolour flag and recognised internationally by the International Maritime Organisation. Vessels registered under the Romanian flag are subject to the regulations and standards imposed by the Romanian state. However, the number of vessels sailing under the Romanian flag is relatively small compared with other maritime nations in the region. The registration code for the Romanian flag is ROU, which means that Romanian vessels use this flag code in international maritime documents and communications. By registering its flag with the IMO, Romania has confirmed its status as a maritime state and demonstrated that it can fulfil its responsibilities regarding international commercial shipping.

Romania registered its flag with the International Maritime Organisation (IMO) as early as 1976, when it joined the organisation. Since then, the Romanian flag has been officially recognised by the international community, and Romanian ships have sailed under this flag all over the world. It is important to note that registering the flag with the IMO is not a one-off process, but an ongoing one that involves complying with the standards and regulations set by the organisation.

The registration of the Romanian flag with the International Maritime Organisation (IMO) remains valid to this day. The Romanian flag is officially recognised by the international community, and Romanian ships continue to sail under this flag throughout the world.

Furthermore, Romania maintains its status as a maritime state and fulfils its responsibilities regarding international commercial shipping by complying with the standards and regulations set by the IMO. By registering its national flag with the IMO, Romania can promote the country's maritime interests and ensure the protection of the rights and interests of ships flying the Romanian flag.

The principle of registering ships under a state's flag: a ship is a movable asset that seeks the most favourable tax and civil law regime.

The initiative for a favourable tax regime emerged in the European Union in the early 1990s as a measure designed to counteract the phenomenon of *'flagging out'* – the disappearance of seagoing vessels registered under European flags. The favourable tax regime involved the abolition of corporation tax on maritime transport activities and the introduction, similar to that of flags of convenience, of a tax on

tonnage tax – a modest flat-rate charge applied to a vessel registered in a European state – in the hope that its continued operation would stimulate the industry both vertically and horizontally within that state.

The introduction of the tonnage tax is in line with the transport policy guidelines of the European Union, which controls approximately 39 per cent of the world's fleet in terms of transport capacity. Consequently, attracting ships to fly a European flag and employing seafarers from the European Union is a key objective of European policy.

Tonnage tax models:

In the European Union (EU27 plus the UK), in 2022, there were 18 Member States that granted tax incentives to ships operating under their own flags, through schemes applicable for periods of 10 years, with the approval of the European Commission. All 18 countries have introduced tonnage tax in place of corporation tax, a measure complemented by various incentives relating to investment, value added tax, accelerated depreciation, tax deductions for employed seafarers, etc.

In Europe, there are two models of tonnage tax applied to maritime transport: the Greek model (Greece, Malta, Cyprus) and the British model (Belgium, Denmark, Finland, France, Germany, Ireland, Italy, Luxembourg, the Netherlands, Norway, Poland, Portugal, Spain, Sweden, the United Kingdom). Both models follow the same principles for applying the tonnage tax; the differences relate to the time unit to which the tax amount is referenced: the Greek model is annual, whilst the British model is based on a 24-hour period.

The introduction of a tonnage tax would be beneficial for the state budget and the Romanian economy. It is difficult to estimate the exact benefit, but international experience shows that, in the shipping sector, each job on board a ship generates between 12 and 15 jobs onshore. The share of direct, indirect and induced economic activities related to shipping in the GDPs of European countries averages between 2 per cent and 6 per cent.

As for us, in 2023, 35 years after the time when it had over 6 million tonnes of transport capacity, Romania no longer has a single operational commercial seagoing vessel ~~its~~ on its own flag. The granting of tax and administrative incentives relates to future business, with the direct aim of attracting it to Romania.

Romania's total tonnage, as reported to the International Maritime Organisation, stands at 75,000 tdw (below 100th place globally), consisting exclusively of technical vessels (tugs, pilot boats, supply vessels, etc.).

The development of maritime business will have a direct positive impact on Romania's maritime administration, bringing procedures from the 1990s into the institutional reality of the 21st century, as well as an indirect and knock-on impact on other related economic activities: university education; vocational training and education; vessel operation; port security services; pilotage; towage; port operations; freight forwarding; insurance; legal services; inspections; surveys; classification; domestic transport; trade, shipbuilding and ship repair; and other shipping-related activities that generate taxes and duties for local budgets.

Case study: Tonnage tax in Romania – ROTT (Romanian Tonnage Tax)

Proposed rate of the tonnage tax in Romania (ROTT):

The initiative group, comprising specialists from the Romanian Centre for the Training and Further Training of Personnel in Maritime Transport (CERONAV) and the Romanian Naval League, submitted a legislative proposal to the Romanian Parliament as early as 2021 to introduce a tonnage tax in Romania. From a technical point of view, the proposal is based on the British model, to which – in order to increase the attractiveness of the Romanian flag for the registration of large vessels – an additional calculation tier is introduced for vessels larger than 50,000 tdw, similar to the Belgian model.

NT tax – calculated daily

0 – 1,000	1,001 – 10,000	10,001 – 25,000	25,001 – 50,000	50,001 +
€0.50	€0.35	€0.20	€0.10	€0.05

The proposed annual tonnage tax rate for a 50,000 tdw vessel is on a par with that of Poland, almost double the average of countries applying the Greek tax system and below the average of countries applying the British tax system.

The ratio between the proposed tax and the European average tax:

ROTT/UETT = 33,397/35,609 = 0.94 per cent, thus demonstrating that the proposed tonnage tax in Romania is well-intentioned and not likely to undermine sound competitive practices through a dumping tax regime.

The proposal for a tonnage tax in Romania also includes adjustments based on the age of the vessel, to encourage the registration of the newest vessels under the Romanian flag, fitted with high-performance propulsion systems and equipment, with a view to reducing the impact on the marine environment.

Age of vessel (years)	Adjustment (%)
Up to 5	- 30
5–10	- 15
10 – 15	0
15 – 20	+ 5

Note: According to Ministry of Transport Order 2/2004, ships older than 20 years cannot be registered in Romania.

Taxation of shipping companies:

For eligible shipping companies, the proposed corporation tax rate is 0 per cent, with tonnage tax replacing corporation tax.

The tax on profits from the sale of ships (an activity that is not directly eligible) is proposed to be:

- the standard tax rate for Romanian companies (currently 10 per cent), if the proceeds are not reinvested in ships – repairs, acquisitions, etc. – within three years;
- 0 per cent if, within a maximum of three years, the proceeds from the sale are reinvested in the construction, repair, modification or modernisation of other eligible vessels (Polish model).

The ROTT proposal sets out measures to attract **vessels that are** as new as possible, specifically: reductions in tonnage tax for the first two years for newly registered vessels, of 50 per cent in the first year and 25 per cent in the second year, similar to the model in operation in Portugal. Also similar to Portugal, additional reductions of 20 per cent are proposed for vessels larger than 50,000 NT if they use innovative environmental conservation technologies.

For the construction of new vessels, a scheme for the accelerated depreciation of profits invested from other activities is proposed: 20 per cent in the first year, 15 per cent in the following two years, and 10 per cent in the subsequent five years (the Belgian model).

With regard to **value added tax (VAT)**, the legislative proposal to introduce a tonnage tax in Romania includes VAT exemptions for the following operations on eligible vessels:

- construction, maintenance, repair, modification, modernisation, conversion;
- the supply of equipment and spare parts;
- supply of rescue equipment;
- towing, pilotage and rescue operations;
- supply of food, bunkers and consumables;
- classification and survey;
- leasing and chartering;
- insurance and agency services (based on the Swedish, UK and French models).

Other proposed incentives:

- a 20 per cent reduction in tonnage tax for EU management (Malta model).
- a 50 per cent reduction in tonnage tax for passenger ships (Greece).
- a 5-year exemption from tonnage tax for ships built in Romania, provided that they remain eligible vessels (Greek model).

For **seafaring personnel**, the legislative proposal mentions tax deductions to encourage the employment of EU personnel, similar to other countries. The minimum eligibility conditions for applying deductions in the case of crew members on ships flying the Romanian flag are: EU citizenship and tax residence in Romania, and employment by an eligible company, in accordance with Romanian law.

The eligible company must cumulatively meet the conditions of employing at least 50 per cent EU resident seafarers and employing cadets on board each vessel, with at least one cadet in the deck department and at least one cadet in the engine department. With regard to seafaring personnel, European practice varies, with a wide range of exemptions and deduction thresholds depending on the country. For example, the Netherlands grants seafaring personnel on board Dutch vessels a 40 per cent deduction on social security contributions; in Portugal, seafarers are exempt from tax, as they are in the United Kingdom.

The legislative proposal to introduce a tonnage tax in Romania states:

- a full deduction from income tax on wages, but not exceeding 100,000 euros per year;
- a 50 per cent deduction on social security and health insurance contributions, but not exceeding 100,000 euros per year;

To assess the potential impact on the state budget, three scenarios have been drawn up:

1. for an average model vessel of 50,000 TN,
2. for 10 vessels
3. for 100 commercial vessels registered under the Romanian flag.

In scenario 1, a model vessel registered under the Romanian flag, in accordance with the proposed tonnage tax rate, could generate **revenue** of 33,397 euros per year from **the tonnage tax**. In Scenario 2, this amount is multiplied by 10 – €333,970 per year, and in Scenario 3, by 100 – €3,339,700 per year.

Revenue to the budget from **seafarers' wages**. Estimating the net salary of a seafarer employed in the global maritime fleet at between 2,500 and 20,000 euros per month at sea, depending on their level of qualification and position on board the vessel, yields – with a degree of approximation that may underestimate the final figure – an average net salary of 5,000 euros per month. Taking into account an average period of service of 6 months per year, a contribution and health insurance rate of 37.5 per cent (current), a 2.25 per cent employer's contribution to the Social Security Fund (CAS), the tax exemption and a 50 per cent deduction as set out in the legislative proposal, this results in budget revenue of 5,500 euros per year per seafarer.

As regards the estimate **of the number of jobs** created directly by the registration of ships under the Romanian flag, we can take 20 as the average number of crew members on a commercial vessel. If we introduce the requirement to employ at least 50 per cent of the crew from the European Union, the impact on employment will be: at least 10, 100 or 1,000 jobs directly generated by the registration of one ship, or of 10 or 100 ships under the Romanian flag.

Total cumulative revenue for the state budget (tonnage tax + contributions from seafarers' wages) can be estimated at:

$33,397 + 20 \times 5,550 = 144,397$ euros/year – scenario 1 (one vessel);
 $10 \times 33,397 + 200 \times 5,550 = 1,443,970$ euros/year – scenario 2 (10 ships);
 $100 \times 33,397 + 2,000 \times 5,550 = 14,439,700$ euros/year – scenario 3 (100 ships).
 144,397 euros/year 1,443,970 euros/year 14,439,700 euros/year

The total overall impact of introducing the tonnage tax in Romania can only be estimated. Apart from tax incentives, shipowners are also attracted by the responsiveness of the administration, reduced bureaucracy and real-time institutional responses, given the urgent nature of decision-making in maritime transport. The existing institutional context in Romania, characterised by a failing maritime

administration, does not justify

optimistic expectations. Nor does the lack of priority accorded to the legislative proposal concerning the introduction of a tonnage tax in Romania – which has been before Parliament for almost two years – provide grounds for optimism regarding the revitalisation of maritime transport in Romania.

The benefits to Romania of registering a Romanian flag of convenience with the IMO for vessels wishing to sail under the Romanian flag

The registration of a Romanian flag of convenience with the International Maritime Organisation (IMO) can bring several benefits to Romania in terms of shipping and the maritime industry.

One of the main advantages is the possibility of registering foreign ships under the Romanian flag of convenience. Thus, shipowners wishing to sail under the Romanian flag would benefit from lower tax rates than those offered by other countries. This may be attractive to shipowners seeking to minimise operating costs and maximise profit. Furthermore, registering a fleet of ships under the Romanian flag can help increase state revenue through the taxation of income and profits earned by shipowners.

Furthermore, registering a Romanian flag of convenience can enhance Romania's reputation within the international maritime industry and raise the country's profile in this sector. This can bring new business opportunities and attract foreign investment into Romania's maritime industry.

In addition to these benefits, registering a Romanian flag of convenience can also help to improve maritime safety and security standards. By adhering to international maritime safety and security standards, Romania can reduce the risk of maritime accidents and protect the environment.

This may also have a positive impact on Romania's reputation within the international maritime industry and boost confidence in ships sailing under the Romanian flag.

A possible vision: Rebuilding Maritime Romania

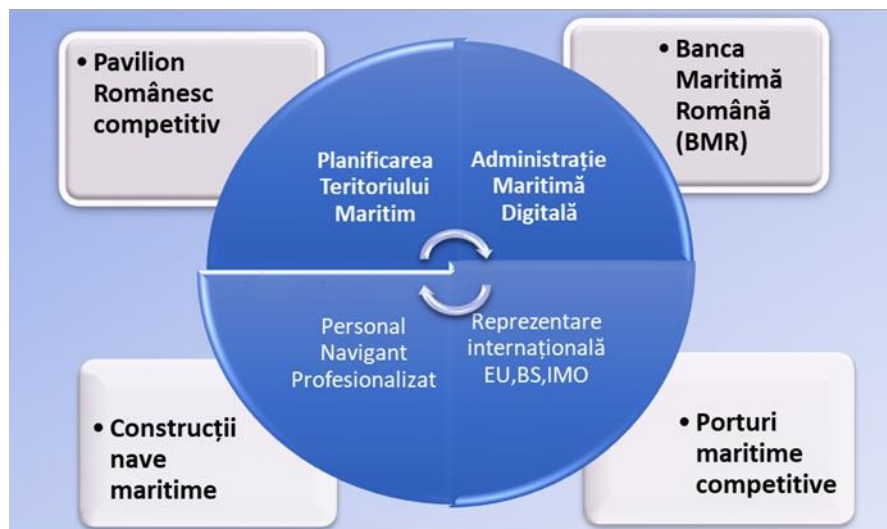


Fig. 1. Maritime Romania

Figure 1 presents the main components that form part of a vision model designed to revitalise the maritime sector in Romania, which we will analyse in more detail below.

Transforming the Romanian shipping flag into a global competitor

The Romanian shipping flag has significant potential to become a strong competitor on the international market. With a rich maritime history and a strategic geographical position, Romania has the opportunity to consolidate its presence in the maritime industry. To achieve this objective, concerted efforts are needed to improve the competitiveness of the Romanian shipping fleet and attract shipowners and investors. Here are some key directions for achieving this.

Modernisation and development of the fleet:

An essential step towards becoming competitive in the maritime industry is the modernisation and development of the Romanian shipping fleet. This involves investment in the construction of new vessels and the modernisation of existing ones. Efforts should focus on developing energy-efficient vessels equipped with advanced technology and meeting the highest environmental and safety standards.

Investments in port infrastructure:

Port infrastructure plays a crucial role in the competitiveness of the shipping flag. It is essential to modernise and expand ports in order to handle an increased volume of cargo and to provide efficient vessel handling services. Investment in port infrastructure would attract shipowners and enhance the appeal of the Romanian shipping flag.

Stimulating innovation and technology:

Innovation and technology are key factors in increasing the competitiveness of the Romanian shipping flag. Promoting research and development in the field of advanced maritime technologies would encourage the adoption of innovative and efficient solutions. Investment in digitalisation, automation and state-of-the-art technology would enhance efficiency and productivity in maritime operations.

Improving service quality:

Another important aspect of becoming competitive is the provision of high-quality services. This includes vessel management services, port services, quality assurance and safety standards. It is also important to offer personalised services tailored to customers' needs, thereby building a reputation for reliability and professionalism.

Promoting and supporting maritime legislation:

A favourable and stable legal framework is essential for attracting shipowners and facilitating maritime activities. It is important for Romania to have clear and predictable legislation in the maritime sector, which provides legal certainty and facilitates the development of maritime activities. This could include measures to reduce bureaucracy and simplify administrative procedures for maritime operators.

Development of a skilled workforce:

Another important factor in increasing the competitiveness of the Romanian flag is the development and training of the workforce. Investment in the training and professional development of personnel in the maritime industry would ensure the quality and competence of crews, which would be appreciated by shipowners and boost confidence in the Romanian flag.

Promoting the Romanian flag internationally:

A well-structured international promotional campaign would help to raise the profile of the Romanian flag and attract foreign shipowners. It should highlight the advantages of the Romanian flag, such as the quality of services, safety standards and the country's strategic position in the region.

Maritime Banks: Supporting the development of the maritime sector and Romania's economy

The maritime industry is a strategic sector for Romania, with a long tradition and significant potential for development and economic growth. In this context, the importance of a

in the country becomes evident. Such a specialised financial institution would support the development and modernisation of the maritime sector, facilitating access to finance, stimulating innovation and creating opportunities for growth in Romania's economy.

Around the world, there are specialised financial institutions known as 'maritime banks' or 'shipping banks' that focus on banking and financial services for the maritime industry. These maritime banks offer a wide range of products and services tailored to the specific needs of shipping companies, shipowners and other entities in the maritime sector.

The main role of maritime banks is to provide specialised financing for the construction, acquisition and operation of ships, as well as for other maritime activities and investments. They can provide loans for the purchase of ships, financing for the construction of new ships, operating loans, factoring services, leasing and other financial products tailored to the maritime industry.

In addition to financing, maritime banks can also offer other services, such as treasury management, trading and clearing services, foreign exchange risk management and marine insurance. Maritime banks play an important role in supporting the development and growth of maritime industries and possess specialised expertise in both the financial and maritime sectors. They help to ensure liquidity in the maritime industry and facilitate commercial transactions within the global supply chain.

Examples of internationally recognised maritime banks include DNB, ING Bank, ABN AMRO and BNP Paribas, which have divisions specialising in banking and financial services for the maritime industry.

Support for investment in the maritime fleet:

One of the main functions of a maritime bank is to provide specialised financing for the maritime industry. This would support investment in the construction, acquisition and operation of vessels. Through tailored financial services, maritime banks would facilitate the development of the Romanian maritime fleet and ensure competitiveness on the international market.

Promoting the development of port infrastructure:

Another important aspect of a maritime bank would be to support the development of port infrastructure. Through specialised funding and expertise, it would contribute to the modernisation and expansion of Romania's ports. In this way, the ports could be prepared to cope with the increase in maritime traffic and become more competitive at regional and international level.

Facilitating international trade:

Maritime banks would play a crucial role in facilitating transactions and financial operations related to international trade. Through their specialised services and instruments, they would help streamline the flow of goods and boost Romania's exports and imports. This would encourage the development of international trade relations and increase Romania's involvement in global supply chains.

Support for innovation and technological development:

A maritime bank would be a key catalyst for innovation and technological development in the maritime sector. Through their specialised financial services, these banks would support the funding of research and development projects in the field of advanced maritime technologies. This support would encourage the adoption of innovative solutions and help create a favourable environment for start-ups and innovative companies in the maritime sector. In this way, Romania could benefit from the transfer of advanced knowledge and technologies, thereby strengthening its position in the global maritime industry.

Job creation and stimulating economic growth:

The establishment of a maritime bank would have a significant impact on Romania's economy. Developing the maritime sector through a maritime bank would lead to the creation of jobs in various fields, such as finance, transport, logistics and naval engineering. This would stimulate economic growth, generating revenue and contributing to the country's sustainable development.

Transforming Romanian ports into internationally competitive port centres

Ports play a vital role in international trade and a country's economic development. To strengthen their position in the global context, Romanian ports must become competitive, offer high-quality services and attract significant trade flows. Improving port infrastructure, streamlining administrative procedures, adopting innovative technologies and promoting partnerships are key elements in transforming Romanian ports into competitive port centres.

Modernisation of port infrastructure:

A key aspect of becoming competitive is the modernisation and development of port infrastructure. This involves investment in the expansion and improvement of port terminals, the construction of specialised terminals (for containers, grain, petroleum products, etc.), and the modernisation of waterways and cargo-handling facilities. The development of port infrastructure will enable Romanian ports to cope with the increase in maritime traffic and to provide efficient services.

Simplification of administrative procedures:

A streamlined and efficient business environment is crucial for attracting companies and trade flows to Romanian ports. The authorities must simplify administrative procedures and reduce red tape, thereby facilitating the import and export of goods. The implementation of an electronic document management system and cooperation between the various institutions involved in port activities will help to streamline operations and reduce the time required to carry them out.

Adoption of innovative technologies:

The use of advanced technologies can bring significant benefits in terms of increasing the competitiveness of Romanian ports. The implementation of automation systems, the Internet of Things (IoT)¹⁰⁹, artificial intelligence and blockchain¹¹⁰ can improve the efficiency and transparency of port operations. For example, container tracking technology and digital document management can reduce handling times and logistics costs, thereby attracting more companies to use Romanian ports.

Promoting partnerships:

Collaboration between Romanian ports and international partners can enhance their competitiveness. Forging strategic partnerships with other renowned ports or port operators, as well as collaborating with academic and research institutions, can bring expertise and know-how to the development of Romanian ports. These partnerships can contribute to the transfer of advanced knowledge and technologies, thereby improving the capabilities of Romanian ports. Furthermore, promoting partnerships with transport and logistics companies, as well as with port authorities in other countries, can bring new trade flows and greater international connectivity.

Development of ancillary services:

To become competitive, Romanian ports should develop and diversify the range of services they offer. This may include warehousing and distribution services, ship repair services, facilities for shipbuilding and conversion, as well as integrated logistics services. By offering a comprehensive package of ancillary services, Romanian ports can attract more companies and provide efficient logistics solutions.

¹⁰⁹ The concept of the 'Internet of Things' (IoT) is widely known and used throughout the world. The term 'Internet of Things' was introduced in the 1990s and has become increasingly popular with technological advances and the proliferation of interconnected devices and sensors. Through the IoT, objects can be connected, communicate with one another and make decisions autonomously, or be controlled remotely via digital applications or platforms.

¹¹⁰ Blockchain is an innovative technology that serves as a secure, distributed ledger for recording and verifying transactions and other types of information. Essentially, it is a decentralised and transparent database that stores records in interconnected blocks and ensures their integrity and security through cryptography.

Focus on sustainability and the environment:

In the current climate of concern for the environment and sustainability, Romanian ports should adopt environmentally friendly practices and invest in green solutions. This may include the implementation of renewable energy technologies, efficient waste management and reducing the impact on the environment. Ports that are seen as sustainable and environmentally responsible will attract the attention and preference of companies and shipowners who are concerned about these issues.

The Revival of Shipbuilding in Romania – An Opportunity for Economic Development

The shipbuilding industry is a strategic sector of significant importance to Romania's economy. The revival of this sector can have a positive impact on the country's economic development and can generate numerous social and industrial benefits.

Increased jobs and employment:

Revitalising shipbuilding would lead to the creation of a significant number of jobs in various fields, such as naval engineering, construction, welding, mechanics and logistics. This would help reduce unemployment and provide career opportunities for young people and industry specialists. Developing this industry could create an economic stimulus effect in the regions where shipbuilding takes place.

Boosting exports and the trade balance:

Revitalising shipbuilding would enhance Romania's capacity to export ships and vessels to international markets. By building and delivering high-quality commercial and specialised vessels, Romania could secure a larger share of the global market, generating significant export revenue and helping to improve the trade balance.

Development of an industrial cluster and the value chain:

The revival of shipbuilding would stimulate the development of an industrial cluster centred on this sector, involving both manufacturers of naval equipment and components and providers of related services. This would create opportunities for local businesses and foster collaboration and innovation within the shipbuilding value chain.

Technology transfer and skills development:

The revival of shipbuilding would bring significant benefits in terms of technology transfer and skills development. Collaboration with international partners in the shipbuilding process would enable the transfer of knowledge and expertise, contributing to the development of the technological and professional capabilities of the Romanian shipbuilding industry.

Revitalisation and diversification of the local economy:

Reviving shipbuilding would diversify the local economy and reduce dependence on specific sectors. This would provide greater economic resilience and reduce the risk of economic fluctuations in the event of crises in other sectors. The development of shipbuilding would also stimulate other related industries, such as the metallurgical, energy and logistics sectors, creating synergies throughout the entire economic ecosystem.

Enhancing maritime defence and security capabilities:

Revitalising shipbuilding would support the development of Romania's maritime defence and security capabilities. The construction of military and maritime surveillance vessels would strengthen Romania's presence and influence within its area of maritime responsibility and contribute to maintaining regional security and stability.

Maritime Spatial Planning: The Importance of Sustainable Management of Marine Resources

Maritime spatial planning is a complex process that is essential for the sustainable management of resources and activities in marine and maritime areas. It involves the development of policies, strategies and regulations to ensure the efficient and sustainable use of marine resources, the protection of the marine environment and the promotion of sustainable economic development in these areas. As a large proportion of the world's resources are found in the marine environment, maritime spatial planning is becoming increasingly important for the proper management and protection of these valuable resources.

Maritime spatial planning is essential for the sustainable management of resources and activities in marine and maritime areas. The primary aim of this complex process is to ensure the efficient and sustainable use of marine resources, to protect the marine environment and to promote sustainable economic development.

The conservation of marine biodiversity is a crucial aspect of maritime spatial planning. By identifying and protecting vulnerable marine habitats and species, it helps to maintain ecological balance and conserve biological diversity.

The sustainable use of marine resources is another important aspect of maritime spatial planning. By developing appropriate strategies and regulations, the aim is to ensure the responsible and balanced exploitation of resources such as fisheries, the extraction of mineral and energy resources, and tourism, so as to prevent their depletion and degradation.

The protection of the marine environment is a key concern in maritime spatial planning. By identifying the impact of human activities on marine ecosystems, measures and policies can be developed to prevent and reduce pollution, waste disposal and other threats to the marine environment. This ensures the conservation and restoration of the health of marine ecosystems.

Sustainable economic development in maritime areas is another objective of maritime spatial planning. By identifying and developing the necessary infrastructure, such as ports, maritime terminals and logistics facilities, opportunities are created for the development of the maritime industry, maritime transport, tourism and other related economic sectors. This contributes to job creation, economic growth and improved living standards in coastal communities.

Another important aspect of maritime spatial planning is coordination and collaboration between the various stakeholders, such as government authorities, local communities, the maritime industry and non-governmental organisations. By involving these stakeholders and ensuring a participatory and transparent planning process, better solutions can be reached and conflicts between different activities and uses can be avoided.

The Need for a Digitalised Port Authority: Modernisation for Greater Efficiency and Smarter Management

In the digital age in which we live, digital transformation has become a necessity for all sectors of the economy, including the port industry. Port administration has moved from traditional methods to digital solutions in order to meet challenges and benefit from increased efficiency. Digitalised port management brings with it numerous benefits, ranging from the optimisation of operations to improved safety and efficiency.

The digitalisation of port management enables the automation and optimisation of key processes, such as the management and monitoring of cargo stocks, document management, vessel scheduling and coordination, and the control and monitoring of maritime traffic. By implementing a centralised and integrated system, reliance on paper and manual workflows is eliminated, increasing efficiency and reducing human error.

With the help of a digital port administration system, real-time access to information on all aspects of port operations can be achieved. From data on ships and cargo to weather information and the condition of port infrastructure, all of this can be centralised and made

in an easily understandable format. This enables decision-makers to make informed and strategic decisions in a timely manner, taking all relevant variables into account.

Digitalised port management helps to improve safety and security in ports. Through advanced monitoring and control systems, security threats and incidents – such as unauthorised intrusions or suspicious activities – can be detected and prevented. Furthermore, technologies such as facial recognition or container scanning can be implemented to verify contents and prevent smuggling and illegal activities.

The digitalisation of port administration helps to promote sustainability and reduce environmental impact. Through the efficient monitoring and management of resources, energy and fuel consumption can be minimised, thereby reducing greenhouse gas emissions and air pollution. Furthermore, through environmental management systems, practices for waste and water management, as well as the conservation of marine biodiversity, can be implemented. This ensures a balance between the economic development of ports and the protection of the environment.

Digitised port administration helps to increase the competitiveness of ports. By optimising processes and reducing waiting times, more efficient and faster services can be provided to ships and carriers. This attracts more operators and companies wishing to use those ports, thereby generating economic growth and regional development.

The digitalisation of port administration facilitates collaboration and connectivity between all stakeholders involved in port operations, including port authorities, carriers, logistics companies, shipping agents and customers. Through digital platforms, information can be shared and accessed in real time, thereby facilitating the coordination and synchronisation of activities. This leads to better integration and greater fluidity in the supply chain, ensuring efficient cargo management and a better experience for all those involved.

The importance of international representation within the European Union, the International Maritime Organisation and World Sailing ¹¹¹

In the era of globalisation and interconnectedness, international representation is becoming increasingly relevant and necessary within international institutions and organisations. Particularly in the maritime sector, where global cooperation and coordination are vital, international representation plays a crucial role in promoting national interests and values and in influencing decisions that affect the maritime industry as a whole. As such, the European Union (EU), the International Maritime Organisation (IMO) and the World Sailing Federation (BS) are essential platforms in this regard.

The European Union (EU) is a supranational organisation that brings together the member states of Europe and promotes European integration in various fields, including the maritime sector. Through its institutions, such as the European Commission and the European Parliament, the EU has the power to develop and implement maritime policies and regulations across the Union. Romania's international representation within the EU is essential for promoting its national interests and ensuring that the specific concerns and requirements of the Romanian maritime industry are taken into account in the European decision-making process.

The International Maritime Organisation (IMO) is the specialised agency of the United Nations (UN) responsible for regulating the maritime industry at a global level. Its main mission is to ensure the safety of navigation, the protection of the marine environment and the efficiency of maritime transport. The importance of international representation within the IMO is clear, as each member state has the right to express its position and participate in the decision-making process regarding regulations and

¹¹¹ World Sailing is the world's leading organisation in the field of sailing and water sports. Founded in 1907 as the 'Fédération Internationale de Yacht Racing' (International Yacht Racing Federation), the organisation changed its name to the 'International Sailing Federation' in 1996 and, finally, to 'World Sailing' in 2015.

global maritime policies. Through its representatives, Romania can contribute to the development of global maritime standards and practices, thereby ensuring a safe, sustainable and efficient maritime industry.

World Sailing (BS) is an international body that promotes the development and regulation of sailing and water sports globally. Bringing together sports federations and associations from around the world, BS provides a framework for coordinating competitions, setting standards and promoting sporting values

Romania has representatives in these international organisations. Within the European Union (EU), Romania is represented by members of the Government and Members of the European Parliament, who sit on the committees and working groups relevant to the maritime sector.

Within the International Maritime Organisation (IMO), Romania is represented by the Romanian Naval Agency, which is the national body responsible for regulating and supervising maritime activities. Romania may also delegate representatives to IMO sessions and committees to express its position and contribute to the global decision-making process in the maritime sector.

As regards World Sailing (BS), Romania has representatives in the national sports federations and associations affiliated to BS. These representatives take part in international sporting competitions and events, work on the development and implementation of sporting regulations and standards, and promote water sports both at home and abroad.

Romania's representation in these international bodies is not merely a formality, but is of significant importance to our country. Active participation and involvement in the decision-making process enable us to promote national interests and contribute to the development and improvement of the maritime industry globally.

Through our representatives, we have the opportunity to highlight Romania's specific concerns regarding the safety of navigation, the protection of the marine environment, the efficiency of maritime transport and the development of port infrastructure. We can support initiatives that promote safety and quality in the field of maritime transport, ensure a level playing field and create an appropriate legal framework for all parties involved.

Furthermore, Romania's representation in these international organisations provides us with a platform for collaboration and the exchange of experience with other countries and partners, enabling us to learn from best practices and identify opportunities for development and innovation in our maritime industry.

Another important aspect of international representation is the strengthening of Romania's prestige and influence on the international stage. Through active engagement and the building of solid relationships with international partners, we can earn their trust and respect, which can lead to greater recognition and appreciation of our maritime expertise and capabilities.

The Need for a Maritime Strategy for Romania: Harnessing Maritime Potential and Promoting Sustainable Development

Romania, with access to the Black Sea and the River Danube, has significant maritime potential that can contribute substantially to its economic development and national prosperity. In this context, there is an urgent need to develop and implement a comprehensive and well-thought-out Maritime Strategy that addresses the challenges and exploits the opportunities offered by the maritime environment.

An effective Maritime Strategy should have as its primary objective the harnessing of Romania's maritime potential in a sustainable and responsible manner. This would entail an integrated and coordinated approach to the development of the maritime sector, including maritime transport, nautical tourism, the defence industry, fisheries and aquaculture, renewable marine energy and the protection of the

. Such a strategy would help to create a favourable investment climate, stimulating economic development and job creation in maritime regions.

One of the major challenges for Romania is the diversification and modernisation of port infrastructure and maritime transport capacities. A well-designed maritime strategy could provide a clear framework for the development and modernisation of ports, facilitating international trade and strengthening Romania's position as a key hub on the map of maritime routes. This would include investment in port infrastructure, advanced technologies and logistics facilities, as well as the promotion of favourable policies and efficient procedures.

Furthermore, a maritime strategy should pay particular attention to the protection of the marine environment and sustainable development. Romania has a responsibility to protect and conserve its marine resources, as well as to address the challenges related to marine pollution, biodiversity and climate change. A maritime strategy should promote sustainable practices across all maritime activities, stimulate innovation in green technologies and solutions, and encourage education and awareness regarding the protection of the marine environment.

At international level, a coherent Maritime Strategy would enhance Romania's representation and influence within global maritime bodies, such as the International Maritime Organisation (IMO) and the European Union (EU). Active participation and involvement in international decision-making would enable Romania to promote its maritime interests and contribute to the development and implementation of relevant policies and regulations in this field. This would ensure that Romania has a strong voice in discussions and decisions concerning maritime security, the protection of the marine environment, shipping, navigation and other key aspects of the maritime sector.

Furthermore, a Maritime Strategy would strengthen regional and international cooperation in the maritime sector. Romania could promote partnerships and collaboration with other Black Sea littoral states and other maritime nations, with a view to developing and implementing joint projects in the fields of maritime transport, nautical tourism, fisheries and aquaculture, marine environmental protection and other areas of common interest. This would create opportunities for the exchange of know-how, increased investment and the promotion of regional prosperity and stability.

The main strategic lines for realising a coherent vision.



Fig. 2. Key strategic lines for realising this vision

Revision of maritime legislation in Romania: Supporting sustainable development and competitiveness

Maritime legislation plays a crucial role in regulating and promoting maritime activities within a country. Given that Romania has a long and rich maritime tradition, the review and updating of maritime legislation are essential to meet current requirements and challenges and to support the sustainable development and competitiveness of the shipping and port sector.

The revision of maritime legislation provides an opportunity to improve and adapt the existing legal framework to bring it into line with international standards and with new trends and innovations in the field. This involves assessing and updating laws, regulations and procedures to ensure effective and transparent governance in the maritime sector.

An important aspect of the review of maritime legislation is the promotion of the sustainable development of maritime activities. This may include the adoption of measures and policies for the protection of the marine environment, the sustainable management of marine resources and the promotion of environmentally responsible transport and operational practices. In this regard, legislation must take into account the principles of sustainable development and establish clear requirements and standards in this regard.

Furthermore, the review of maritime legislation may also aim to facilitate trade and economic relations by streamlining procedures and reducing red tape. This may include simplifying customs and port formalities, creating a favourable environment for investment and promoting innovation in the maritime sector. By adopting appropriate policies and measures, Romania can attract investment and encourage the development of port infrastructure and the shipbuilding industry.

Furthermore, a review of maritime legislation can also address issues relating to the security and safety of navigation. This includes regulations concerning ship safety, the training and certification of seafarers, as well as procedures and protocols for accident prevention and emergency management in the maritime environment. Ensuring a safe and secure environment in the maritime sector is essential for protecting human life, the marine environment and economic interests.

The review of maritime legislation in Romania can be a complex and comprehensive process, involving consultation and collaboration with various stakeholders, including government authorities, the maritime industry, non-governmental organisations and other relevant organisations. It is important that the review be carried out through a transparent and participatory process, in which all stakeholders have the opportunity to express their views and concerns.

An effective review of maritime legislation must also take into account international developments in the field. Romania is a member of relevant international organisations in the maritime sector, such as the International Maritime Organisation (IMO) and the European Union (EU), and compliance with the standards and regulations of these organisations is essential. The updating of legislation must take into account the directives and regulations issued by these organisations and transpose them into national law.

Revising maritime legislation can bring numerous benefits for Romania. It can help to increase the competitiveness of the maritime and port sector, attract new investment and create jobs. A modern and effective legal framework can stimulate innovation and technological development in the industry, leading to improved performance and efficiency in maritime transport.

Furthermore, the revision of maritime legislation can strengthen Romania's role as a key player on the international stage in the maritime sector. By adopting modern legislation aligned with international standards, Romania can gain the trust and respect of its international partners, facilitating collaboration and the exchange of expertise in the maritime sector.

A Strategic Naval Fleet for Romania: Opportunities and Importance for National Security

A strategic maritime fleet involves the ownership and operation of a diverse range of military ships and submarines, capable of carrying out various missions in the maritime region. This includes warships, patrol vessels, transport ships, submarines and other specialised vessels, as well as maritime aircraft. The fleet would be equipped with advanced technologies, communications systems, sensors and modern weapons, capable of ensuring Romania's sovereignty, security and the protection of its interests in the maritime environment.

A strategic maritime fleet is of great importance to Romania. Firstly, such a fleet would enable Romania to defend its sovereignty and territorial integrity in the maritime domain. The fleet could carry out patrols and monitoring of territorial waters and the exclusive economic zone, ensuring a presence and control in these areas and countering any potential threats.

Furthermore, a strategic naval fleet would contribute to ensuring regional security and to strengthening Romania's partnerships and alliances within NATO and the EU. Active participation in joint maritime operations and exercises, as well as cooperation with other Black Sea littoral states and international partners, would strengthen defence capabilities and promote stability and cooperation in the region.

A strategic naval fleet would also bring economic benefits. It would generate opportunities for the development of the maritime industry and the defence industry, leading to job creation, technology transfer and the stimulation of innovation. Investment in the construction, modernisation and maintenance of ships and submarines would support the development of a strong and competitive maritime and naval sector.

Internationally, a strategic naval fleet would bolster Romania's prestige and influence in the field of maritime security. Active participation in peacekeeping operations and in the fight against piracy and illicit trafficking would enhance Romania's international reputation and strengthen diplomatic and military relations with other states. Furthermore, Romania could play an active role in regional and international decision-making processes, contributing to the formulation of policies and regulations in the field of maritime security.

To develop and maintain a strategic naval fleet, Romania should pay particular attention to modernising port infrastructure and naval bases, as well as to increasing shipbuilding and maintenance capabilities. Investment in research and development, the training and education of naval personnel, and the development of advanced maritime technologies are also crucial aspects.

Furthermore, a strategic maritime fleet should be integrated into a broader approach to national security, encompassing cooperation with other armed forces, intelligence services and relevant civilian authorities. This would ensure effective coordination of efforts and the optimal use of available resources.

A well-developed and implemented Maritime Strategy is an essential tool for Romania in promoting sustainable development and realising its maritime potential. Through an integrated and coordinated approach to the various aspects of the maritime sector, Romania can ensure economic development, job creation, the protection of the marine environment and the strengthening of its position on the international stage. Extensive collaboration is required between government authorities, the maritime industry, academia and other stakeholders to successfully develop and implement such a strategy, with the aim of contributing to Romania's prosperous and sustainable future as a maritime nation.

Brief conclusions

An analysis of Romania's strategic positioning in the naval sector reveals strengths of which we do not seem to be fully aware, and which stem mainly from the legacy built up over the years by a system that regarded the naval sector as one of national strategic importance.

Romania has a substantial network of inland waterways (the Danube, the Danube-Black Sea Canal, the Poarta Albă-Midia-Năvodari Canal) and a port infrastructure that is geographically balanced and connected

by rail. The shipbuilding sector is well represented. Human resources in the naval sector remain one of Romania's strengths, the result of an integrated, dedicated and specialised education system which, in Western Europe, is only just being established on a much smaller scale. At present, Romania has the largest fleet of vessels on the Danube.

The weaknesses stem from the stubbornness with which the political sphere has managed to prevent issues relating to the naval sector from being placed on the public agenda. The seemingly strategic position of the port of Constanța has its limitations, mainly arising from the size and financial constraints imposed on vessels transiting the Turkish straits. The port of Constanța can only benefit from its links with the heart of Europe – specifically the Pan-European Corridor VII, which follows the course of the Danube – if a commercial draught is ensured in the river's waters. Given that dredging of the Danube is carried out in sectors under the responsibility of the riparian countries, the ridiculously low productivity of the Bulgarian authorities affects the flow of goods shipped upstream and, directly, the port of Constanța.

The future of the shipping sector in Romania is also affected by other problems that remain unrecognised and, consequently, unaddressed. Demographic decline, a lack of coordination – both within the maritime institutional system and with the wider network of stakeholders – bureaucratic barriers, a tentative approach to digitalisation, and a legislative framework incompatible with the reality of global maritime transport are all factors that must be taken into account when formulating Romania's maritime policy. At present, Romania's maritime strategy is the subject of a project coordinated by the Ministry of Transport; from an analysis of the initial findings, it appears that the focus of this strategy is on Romania's port industry rather than on the development of maritime transport as an industry in Romania.

In the current institutional and legislative context, it is highly unlikely that the private sector will become involved in the registration of maritime transport vessels under the Romanian flag, even if we were to assume that the problems relating to the Romanian administration's compliance with international maritime conventions were to disappear overnight. A private entity relies on funding from banks or banking consortia, which dictate the flag of the vessel under construction based on the relationship of institutional trust they have with the maritime administration under whose flag the vessel will be registered. As Romania's maritime administration has consistently failed in the undertakings it has undertaken over the last 30 years, the natural flow of funding for shipbuilding and the registration of such vessels under the Romanian flag becomes impossible.

A European state's involvement in maritime transport is nothing new. For example, Poland has two state-owned companies flying the Polish flag and providing over 3,000 jobs: POLSTEAM and CHINAPOLBROCK, a Polish-Chinese joint venture.

The revitalisation of maritime transport in Romania can only be set in motion with the involvement of the state, which must take into account the substantial maritime heritage we still possess – a heritage that has shaped the way of life of a significant section of the population who have an emotional attachment to the state's merchant fleet. Despite the collapse of a significant part of the national economy, Romania still has categories of captive cargo (cereals, motor vehicles, rolled steel, liquid bulk goods) with real commercial potential for domestic transport. In the absence of state intervention, the danger that Romania's maritime capacity will dwindle to the point of extinction is more than likely.

An integrated approach to revitalising Romania's shipping capabilities in the context of the 21st century would help preserve domestic know-how in the shipping sector and promote the sustainable development of shipping activities whose tradition has been unacceptably interrupted.

CHAPTER 9¹¹²

TOWARDS ENSURING MARITIME SECURITY IN THE BLACK SEA REGION.

With an area of over 400,000 km², the Black Sea is one of the world's most important geopolitical areas. Situated on the border between Europe and Asia, this region is divided amongst six states: Turkey, Romania, Bulgaria, Ukraine, Russia and Georgia. The strategic position of the Black Sea has placed this region at the centre of major geopolitical and economic interests, as well as security issues.

Within the Black Sea region, Turkey remains a key player. Turkey has the longest coastline on the Black Sea and is one of the most important trading partners for the countries in the region. Turkey also exerts a major influence on security in the region, as a member of NATO and the Organisation of the Black Sea Economic Cooperation (BSEC)¹¹³.

Russia is also a key player in the Black Sea region. Russia has the largest number of ships and naval bases in the Black Sea, which gives it a strong presence in the region. Russia also exerts a strong influence on policies in this region, particularly with regard to the conflicts in Ukraine and Georgia.

The European Union (EU) and NATO are also involved in the Black Sea region. The EU has a strong neighbourhood policy and promotes cooperation with states in the region through the Eastern Partnership¹¹⁴. NATO, through 'NATO Maritime Command'¹¹⁵, aims to ensure security in the Black Sea area.

The Black Sea region faces a number of security challenges, including threats to energy security, drug trafficking, smuggling and terrorism. Furthermore, the military conflicts in Ukraine and Georgia have affected regional stability and drawn the attention of the international community.

The Black Sea region has also become a hotspot in terms of cyber security. In recent years, several cyber attacks targeting countries in the region have been attributed to Russia. In 2020, it was reported that a Russian hacker group carried out a cyberattack on Ukraine, which affected approximately 20,000 email accounts¹¹⁶.

These cyber-attacks and threats to cyber security represent a growing problem in the Black Sea region, particularly against the backdrop of tensions between Russia and Ukraine. Following these incidents, governments in the Black Sea region and their international partners have begun to pay greater attention to cyber security and to take measures to protect critical infrastructure and sensitive information

¹¹² Author: Admiral (ret.) Dr Aurel POPA, Maritime Security Forum, www.forumulsecuritatiimaritime.ro.

¹¹³ The Organisation of the Black Sea Economic Cooperation (BSEC) is an intergovernmental organisation comprising the Black Sea littoral states and states in the Black Sea region. It was established in 1992 and is headquartered in Istanbul, Turkey. The aim of the BSEC is to promote economic and trade cooperation amongst member states and to improve living standards in the region. The organisation's members are Albania, Armenia, Azerbaijan, Bulgaria, Georgia, Greece, the Republic of Moldova, Romania, Russia, Serbia, Turkey and Ukraine. The organisation also has four observer countries: Austria, Germany, Italy and Poland. <https://www.mae.ro/node/51353> accessed 15 March 2023.

¹¹⁴ The Eastern Partnership is an initiative launched by the European Union in 2009, which aims to strengthen the EU's relations with six countries in Eastern and South-Eastern Europe: Armenia, Azerbaijan, Belarus, Georgia, the Republic of Moldova and Ukraine. The initiative's main objectives are to enhance security, strengthen the rule of law and democratic institutions, and promote economic cooperation and reforms. <https://www.consilium.europa.eu/ro/policies/eastern-partnership/eastern-partnership-policy-beyond-2020/> accessed 20 March 2023.

¹¹⁵ NATO Maritime Command is headquartered in Northwood, a suburb of London, in the United Kingdom. It is a permanent NATO naval command responsible for planning and executing NATO naval operations in various areas, including the Black Sea. However, NATO Maritime Command can conduct operations and missions in any location where its presence is required. <https://mc.nato.int/> accessed 20 March 2023.

¹¹⁶ In 2020, there were several cyber-attacks on Ukraine, including a major cyber-attack targeting Ukraine's government networks and security institutions. Ukrainian authorities and cyber security experts have identified the hacker group responsible for this attack as 'Fancy Bear' or 'APT28', an entity suspected of having links to the Russian security services. Sources: "Russian hackers suspected of targeting Ukraine again" published by BBC News on 24 February 2020, "Cyber Security in the Black Sea Region" published by the NATO Defence College think-tank in 2020.

The Black Sea region is one of the world's most important geopolitical areas, as it lies at the crossroads of three continents and is where the interests of multiple regional and global powers converge. Security in this region is therefore essential for the stability of the entire Eurasian area and for international security.

In recent years, security in the Black Sea region has become an increasingly important issue, due to a number of factors, including political and military tensions.

The report 'The Black Sea: Great Power Competition and Hybrid Threats', published by the Atlantic Council think tank in 2021, shows that the Black Sea region has become an arena of fierce competition between Russia and NATO, and that military incidents, including the interception of aircraft and warships, have taken place in recent years. Furthermore, the report highlights hybrid threats, including disinformation campaigns and cyber-attacks, which are being used to destabilise the region¹¹⁷.

The Black Sea is a major transport route for goods and energy. It is a key route for the export of oil and natural gas from Russia and other Central Asian countries to Europe, as well as for the transport of manufactured goods and other commodities from Europe to Asia and the Middle East. Any disruption or conflict in this region could have a significant impact on the global economy, including on the supply of energy and manufactured goods.

It is clear that security in the Black Sea region is of crucial importance for the stability of the Eurasian area and for international security. In a world where hybrid threats and cyber-attacks are increasingly prevalent, states and international organisations must cooperate closely to prevent and counter these threats.

The Black Sea is of major strategic importance to NATO and the EU. Several of the Black Sea countries are NATO members, and some of them have a special partnership with the Alliance. This region offers important opportunities for NATO and the EU to strengthen their presence in the area, to consolidate partnerships with countries in the region, to promote their values and interests, and to respond to challenges and threats such as terrorism, extremism, humanitarian crises or conflicts. In this regard, ensuring security in the Black Sea region is a vital aspect of NATO's and the EU's security and defence policy.

The history of security in the Black Sea region

The Soviet and post-Soviet eras

The Black Sea region, with its rich and diverse history, has always been an area of strategic interest to the powers of Europe and Asia. The history of security in this region has been marked by two significant eras: the Soviet and post-Soviet eras.

The Soviet period was characterised by a strong military presence of the Soviet Union in the Black Sea region. Soviet military bases in Crimea, Georgia, Ukraine and elsewhere ensured a strong presence and influence in the region. During the Cold War, the Soviet Union and NATO vied for control of the Black Sea, and it became an important theatre for naval and air operations.

In the post-Soviet era, the Black Sea region underwent significant changes. Following the collapse of the Soviet Union, the states in the region sought to define their own identities and security interests. With the formation of the CIS (Commonwealth of Independent States), a regional security framework was established involving many of the states in the region, with the exception of Georgia and Ukraine. Furthermore, relations were established with international organisations such as NATO and the EU.

However, security issues in the region did not disappear with the end of the Cold War and the beginning of the post-Soviet era. The region has witnessed major armed conflicts, such as the wars in

¹¹⁷ 'The Black Sea: Great Power Competition and Hybrid Threats'.

Transnistria¹¹⁸, Abkhazia¹¹⁹ and South Ossetia¹²⁰, which had a significant impact on regional security and stability. Furthermore, other security issues, such as terrorism, drug trafficking and human trafficking, have continued to affect the region.

The Balkan Wars and their impact on the region

The course of the Balkan wars had a significant impact on the Black Sea region. These conflicts were characterised by foreign intervention and the political, economic and social destabilisation of the countries involved. The Black Sea region was primarily affected by the following three aspects:

- refugees and migration – the wars in the Balkans led to a significant increase in the number of refugees and migrants in neighbouring countries. These people sought shelter and safety in the Black Sea region, where they settled in various parts of the region. In particular, Ukraine and Bulgaria were the countries that received the largest number of refugees from the Balkans;
- arms trafficking and smuggling – during the Balkan wars, arms trafficking was a major source of funding for militant groups and terrorist organisations. In this context, the Black Sea became a key transport route for these weapons and other contraband goods. This arms trafficking¹²¹ had a negative impact on regional security and stability, as it fuelled conflicts and violence in other areas;
- regional cooperation – the wars in the Balkans have directly and indirectly affected regional cooperation and economic integration in the Black Sea region. For example, states in the region were forced to spend significant resources to deal with the problems caused by refugees and migrants. At the same time, arms trafficking and smuggling undermined efforts at cooperation and coordination between countries.

The crisis in Ukraine and Russia's involvement

Over the past three decades, Russia has used the Black Sea region as a buffer zone against the West, maintaining control over it through protracted conflicts, such as those in Transnistria, Nagorno-Karabakh, Abkhazia and South Ossetia. These conflicts were intended to prevent Western influence in this key region.

Russia has stepped up its aggression, culminating in the annexation of Crimea in 2014 through military intervention. This action marked a turning point for NATO and the United States, which were forced to reassess their position in the region.

NATO responded to this new challenge by shifting its stance from a defensive to a deterrent one, expanding its response capability and strengthening its regional operations with regard to

¹¹⁸ The conflict in Transnistria is one of the longest-running and most complex conflicts in Eastern Europe. It began in the early 1990s, when the Republic of Moldova declared its independence from the Soviet Union, and Russian-backed secessionist movements began to gain momentum in the Transnistria region, situated in the east of the country. The conflict led to a struggle between the government in Chişinău and the Russian-backed Transnistrian separatist forces.

¹¹⁹ In the case of Abkhazia, the conflict began in the late 1980s, when Russian-backed secessionist movements began to gain momentum in the region. In 1992, a war broke out between Georgian and Abkhaz forces, and the conflict continued until 1994, when a ceasefire agreement was concluded. In 2008, another military conflict broke out between Georgia and Russia, and Abkhazia and South Ossetia declared independence from Georgia, leading to an escalation of tensions in the region. <http://www.scipio.ro/documents/173004/188849/12.+Enache+Tusa%2C+Focare+de+conflict+in+spatiul+caucazian>.

¹²⁰ South Ossetia is another separatist region in Georgia which became the subject of a military conflict with Russia in the 1990s and in 2008. In 1991, a conflict broke out between Georgian and Ossetian forces, and the conflict continued until 1992, when a ceasefire agreement was signed. In 2008, another military conflict broke out between Georgia and Russia, and South Ossetia declared its independence from Georgia.

¹²¹ In 1992, a ship flying the Panamanian flag, known as the 'Korsakov', was intercepted by the Turkish authorities in the Black Sea. Weapons and ammunition destined for Serbian forces in Bosnia were found on board the vessel, and the crew were arrested. "Turks seize arms ship bound for Bosnian Serbs", published on 21 May 1992, The New York Times.

logistics, personnel and technology. This new approach enabled NATO to be prepared to act swiftly in the event of further Russian aggression.

At the same time, the United States proposed and eventually deployed a missile defence shield in Romania and Poland, which became a key pillar of regional security. The missile defence shield was designed to protect Europe against ballistic threats from the Middle East, but also to deter Russian aggression.

However, some European countries initially opposed the deployment of the missile defence shield, citing the risk of fuelling tensions with Russia. This changed, however, when Russia's aggression became clear and imminent, and European countries realised that they needed to cooperate with the United States and NATO to protect their regional security.

NATO and the United States have made significant efforts to strengthen the Alliance's northern flank in recent years. This area includes the Baltic states (Estonia, Latvia and Lithuania) and Poland, which felt vulnerable to Russian aggression.

In 2016, NATO decided to deploy four multinational battalions¹²² in Estonia, Latvia, Lithuania and Poland to provide a stronger military presence in the region. These battalions are led by different Alliance nations and comprise approximately 1,000 soldiers. In addition, NATO has increased the level of training and exercises in the region and improved infrastructure to enable a faster deployment of troops and equipment should the need arise.

The United States has also played an important role in strengthening the Alliance's northern flank. In 2017, the United States opened a new permanent military base in Poland, hosting approximately 4,500 American troops. Furthermore, the United States has conducted joint military exercises with the Baltic states and Poland and has supplied advanced military equipment, such as missile defence systems and Abrams tanks.

The United States has also stepped up its investment in Poland's defence capabilities, including through the implementation of a regional security initiative known as the Three Seas Initiative, which also includes other countries in Central and Eastern Europe. This initiative aims to improve regional infrastructure and strengthen cooperation on energy and security.

The Three Seas Initiative¹²³ is a platform for regional cooperation between states in Central and Eastern Europe, comprising 12 European Union member states: Austria, Bulgaria, Croatia, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia.

The concept was launched in 2015 by the presidents of Poland and Croatia, with the aim of developing economic, energy and transport cooperation between the member states and reducing economic and development disparities between them and the countries of Western Europe.

The initiative focuses on regional connectivity projects, including the development of transport and energy infrastructure, the development of the digital market, and the development of the research and innovation sector.

Implementation of the initiative is coordinated by the Three Seas Initiative Secretariat, which is based in Poland and organises an annual summit of leaders from the 12 member countries. Furthermore, the Initiative collaborates with other regional organisations, such as the European Union and NATO, to support the region's development and security.

Efforts to strengthen NATO's northern and south-eastern flanks have aimed to bolster security and stability in these regions, which are strategic for the Alliance. Whilst both regions face

¹²² In 2016, NATO decided to establish four multinational battalions in Estonia, Latvia, Lithuania and Poland, known as the Enhanced Forward Presence Battle Groups. These battalions were established in response to Russia's annexation of Crimea in 2014 and growing security concerns in Eastern Europe. Each brigade comprises approximately 1,000 military personnel, and their main missions are to provide deterrence and defence against any threats to NATO member states in the region. These battalions are under NATO command and comprise forces from various NATO member states. NATO's official website: https://www.nato.int/cps/en/natohq/topics_49287.htm.

¹²³ The initiative was launched in 2015 by the presidents of Poland and Croatia and was subsequently expanded to now include 12 member states: Austria, Bulgaria, Croatia, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia. The initiative has also been supported by the US, which has called for greater cooperation in Central and Eastern Europe. In 2019, the US organised a meeting of the Three Seas Initiative in Bucharest, during which US President Donald Trump called for investment in the region and for increased cooperation in the energy sector.

Whilst the region faces unique threats and challenges, there are significant differences in the approach to and implementation of efforts to strengthen these.

One possible approach is direct engagement with the conflict zones in the region, rather than adopting an international perspective on them. This involves analysing local particularities and regional interdependencies in order to develop solutions that are more specific and tailored to the concrete situation in each area.

Over the past five years, Romania has consistently advocated for greater attention to be paid to, and a significant strengthening of, NATO's south-eastern flank, highlighting the strategic importance of the Black Sea, where vulnerabilities are now coming to the fore. Russia's war against Ukraine is, in essence, a maritime war.

The war in Ukraine has led to a rediscovery of the strategic importance of the Black Sea and the regional dimension of its security, stability and economic development in times of both war and peace. It is precisely this regional aspect that decision-makers must take into account whilst developing strategies to manage the conflict and its consequences.

NATO and the EU have failed to develop a common strategy for the Black Sea due to diverging interests amongst member states and differing perceptions of threats. This has been a costly misstep, as it has allowed Russia to expand its influence and destabilise the region by supporting separatism in Ukraine.

The war in Ukraine is a stark reminder of the region's strategic importance and the need for a regional approach to ensure its stability and development. It is now essential to develop a coherent and shared strategy for the Black Sea, one that takes into account the interests of all Member States and focuses on guaranteeing Europe's energy security, promoting economic cooperation and preventing conflicts.

Threats to regional security. Geopolitical confrontations between Russia and the West

Russia regards the Black Sea as an area of strategic interest and national security. Russia has maintained a strong presence in this area for centuries, and this presence was reinforced during the Soviet era, when the Russian Black Sea Fleet became the largest military fleet in the region. Today, the Russian Black Sea Fleet is of significant strategic importance, as it ensures Russia's access to the Mediterranean and the rest of the world.

On the other hand, the US and the EU view the Black Sea as an important strategic area in terms of energy security and the transport of goods. The Black Sea is of crucial importance for the transport of goods, as it links ports in South-Eastern Europe – including those in Romania and Bulgaria – with those in the Middle East. Furthermore, the energy resources in the Black Sea are regarded by the states in the region as critical to Europe's energy security.

In recent years, tensions between Russia and the West have escalated, and the Black Sea region has become a key theatre in this conflict. Russia has carried out provocative military actions, such as intercepting NATO and other countries' vessels, as well as conducting significant military exercises in the area. These actions have heightened concerns among the US and other NATO countries regarding the security of the Black Sea region.

Extremism and terrorism

In recent years, the issue of extremism and terrorism in the Black Sea region has become an increasing cause for concern, as terrorist groups such as ISIS and Al-Qaeda seek to expand their influence and recruit members in this area.

A major source of extremism and terrorism in the Black Sea region is the Crimean Peninsula, which was annexed by Russia in 2014. Pro-Russian separatist groups and terrorist organisations, such as Hizb ut-Tahrir,¹²⁴ have

¹²⁴ Hizb ut-Tahrir ('The Liberation Party') was founded in 1953 in Jordan by a Palestinian judge and theologian named Taqiuddin al-Nabhani. He established the organisation with the stated aim of restoring the Islamic Caliphate and uniting the Muslim world under a single leader. It is important to note that Hizb ut-Tahrir is banned in several countries, including Russia, Germany, Turkey and the countries of Central Asia, and its activities and aims are closely monitored by the authorities and security organisations.

They began operating in Crimea following the Russian annexation and started recruiting members to achieve their aims. Furthermore, several supporters of terrorist organisations such as ISIS and Al-Qaeda have been arrested in Crimea in recent years.

In recent years, Hizb ut-Tahrir has been subject to security measures imposed by certain governments, particularly in countries in the Black Sea region, due to its alleged links to terrorism and Islamic extremism. In 2003¹²⁵, the Russian government banned Hizb ut-Tahrir, deeming it a terrorist organisation, and launched a crackdown on its members. Arrests of Hizb ut-Tahrir members have also been reported in Ukraine, Georgia and other countries in the region.

In 2018, the authorities in Crimea carried out several raids in which they arrested a number of supporters of Hizb ut-Tahrir, accusing them of involvement in ‘terrorist activities’. There are also reports suggesting that Hizb ut-Tahrir is active in other parts of the world, including the Black Sea region.

In Turkey, terrorist attacks have increased in recent years, and terrorist groups such as ISIS and the PKK remain active in the region. This has led to heightened security at Turkey’s land and sea borders, and the Turkish authorities have stepped up security checks at ports and airports in the Black Sea region.

Furthermore, there are concerns that terrorist groups may be using drug and human trafficking routes in the Black Sea region to finance their terrorist activities.

Drug trafficking and smuggling in the Black Sea: threats to regional security

The Black Sea, situated in the strategic region of Eastern Europe, faces significant security challenges. In addition to traditional threats such as geopolitical conflicts and regional instability, another cause for concern is drug trafficking and smuggling. These illicit activities are damaging to the economies, public health and social stability of the countries bordering the Black Sea.

In recent years, the production and transit of drugs from Afghanistan, such as opium and heroin, have seen a significant increase. Land and sea routes from Central Asia and the Middle East, passing through the Black Sea region, are used to transport drugs to European markets. For example, traffickers often use Ukrainian or Bulgarian ports to smuggle heroin into Western Europe.

Maritime routes from South America to Europe pass through this basin, and drug traffickers often use commercial vessels, small boats or even homemade submarines to evade detection by the authorities.

Cigarette smuggling is one of the most widespread illegal activities in the region. Smuggled cigarettes are brought in from Ukraine, Moldova or Russia and sold on the black market, causing significant losses to the budgets of the coastal states.

The illegal trade in protected animals and plants is also a problem in the Black Sea region. Some rare species of animals or plants are illegally captured or harvested, and the resulting products are sold on the black market, contributing to the degradation of biodiversity and the loss of the region’s natural heritage.

In 2019¹²⁶, the Ukrainian authorities made a significant drug seizure in the port of Odessa. Approximately 7.5 tonnes of cocaine were discovered in a container originating from South America. This was one of the largest cocaine seizures in Ukraine’s history and highlighted the Black Sea’s involvement in drug trafficking routes.

In 2021¹²⁷, the Bulgarian authorities carried out a large-scale operation against drug traffickers in the Black Sea region. Significant quantities of heroin, cocaine and cannabis were seized, and several individuals involved in drug trafficking networks were arrested. This operation demonstrated the persistence of drug trafficking and the need for close cooperation between the coastal states to combat this phenomenon.

¹²⁵<https://newsmaker.ro/rusia-fsb-anunta-arestarea-a-noua-islamisti-din-cadrul-miscarii-islamiste-hizb-uttahrir/> accessed 20 March 2023.

¹²⁶<http://lyberti.com/captura-impresionanta-de-droguri-in-odesa-politistii-au-confiscat-75-tone-de-substante-narcotice/> accessed 2 March 2023.

¹²⁷<https://ziare.com/europa/bulgaria/captura-impresionanta-de-droguri-in-bulgaria-400-kg-de-heroina-confiscate-in-portul-varna-1662670> accessed 2 March 2023.

In 2018, law enforcement agencies in Romania and Bulgaria collaborated to dismantle an international drug trafficking network operating in the Black Sea region. Significant quantities of drugs, including cocaine and heroin, were seized, and members of the network were arrested. This operation highlighted regional cooperation in combating drug trafficking and the need for concerted efforts to tackle this common threat.

In 2021⁽¹²⁸⁾, one and a half tonnes of heroin were discovered in the Port of Constanța. The drugs were concealed in containers of building materials that had travelled along the Iran–Romania route, with Western European countries as their final destination.

These examples illustrate that drug trafficking in the Black Sea region remains a pressing issue and that the authorities in the littoral countries must step up their efforts to combat this phenomenon, including by strengthening regional and international cooperation.

Terrorist and extremist groups can obtain funding through drug trafficking and smuggling. For example, there are cases where terrorist organisations such as ISIS have been involved in drug trafficking from Afghanistan via Black Sea routes, using the money obtained to fund their terrorist activities.

Some separatist groups in the Black Sea region have obtained financial and logistical resources through drug trafficking and smuggling. These resources enable them to carry out destabilising actions and fuel regional conflicts. For example, in the Transnistrian region of Moldova, it is well known that drug trafficking and smuggling contribute to the financing and sustaining of separatism.

Approaches and strategies for ensuring security in the Black Sea region

Strengthening regional security in the Black Sea through cooperation and strategic partnerships

Security in the Black Sea region is a shared concern for the littoral states and the international community. International cooperation and diplomatic dialogue are essential tools for ensuring regional stability and security. By strengthening strategic partnerships, information sharing, political dialogue and preventive diplomacy, a solid foundation can be laid for promoting security, stability and cooperation in the Black Sea region. It is essential that the coastal states continue to work together to identify and effectively manage common threats, and that the international community supports these efforts through diplomatic engagement and cooperation in key areas, so that the Black Sea region remains a secure and prosperous area.

Strengthening regional security through cooperation and strategic partnerships in the Black Sea region can be achieved through various mechanisms and initiatives. Here are some relevant examples:

- NATO and the Partnership for Peace (PfP) – Black Sea littoral states such as Bulgaria, Romania and Turkey are members of NATO, whilst others, such as Ukraine and Georgia, are part of the Partnership for Peace. They receive security support and assistance from NATO allies and take part in joint military exercises and training activities;
- members of the Organisation of the Black Sea Economic Cooperation (BSEC) cooperate in areas such as regional security, infrastructure development, energy, transport, tourism and environmental protection;
- The Action Group against Cross-Border Organised Crime (Black Sea Group)¹²⁹ – this group brings together law enforcement agencies from the states bordering the Black Sea to combat crime

¹²⁸ <https://www.zdg.md/stiri/stiri-externe/video-captura-record-aproape-o-tona-si-jumatate-de-heroina-descoperita-in-portul-constanta/> accessed 2 March 2023.

¹²⁹ The Black Sea Group on Combating Cross-Border Organised Crime is a regional cooperation initiative aimed at combating organised crime in the Black Sea region. It was established in 1996 and comprises the Black Sea littoral states, including Albania, Bulgaria, Georgia, Greece, Moldova, Romania, Russia, Serbia, Turkey and Ukraine. The Action Group against Cross-Border Organised Crime organises regular meetings at which representatives of the member states discuss and coordinate joint actions to tackle security and crime issues in the Black Sea region.

cross-border crime, including drug trafficking, smuggling and corruption. The group's members share information and best practice, coordinate joint operations and support the exchange of experts;

- military exercises and joint naval operations – the Black Sea littoral states, in collaboration with international partners, conduct military exercises and joint naval operations to improve interoperability and response capacity in the event of a crisis or conflict;
- the Black Sea littoral states engage in political dialogue and bilateral consultations to address regional security issues and promote mutual understanding. These may include discussions on crisis management, economic development and investment in infrastructure.

Through these examples of cooperation and strategic partnerships, the aim is to strengthen regional security and promote stability in the Black Sea region. These mechanisms enable the littoral states to collaborate, share expertise and respond jointly to security challenges, thereby helping to ensure a secure environment

The EU promotes political dialogue and diplomacy in the Black Sea region, facilitating negotiations and consultations between the littoral states and international partners. Through its representatives and the European institutions, the EU supports a cooperative approach to security issues and conflict mediation.

The EU provides financial assistance and support in the areas of economic development, infrastructure and energy security in the Black Sea littoral states. Through its assistance instruments and specific programmes, the EU fosters regional cooperation and promotes sustainable development in the region.

The European Neighbourhood Policy (ENP)¹³⁰ has a clear objective regarding security and stability in the EU's eastern neighbourhood, including the Black Sea region. Through the ENP, the EU supports political reforms, institutional strengthening and the modernisation of security in partner states.

The EU promotes the coordination of security actions in the Black Sea region through the Common Security and Defence Policy (CSDP)¹³¹ Joint Missions and Operations. These may include monitoring the security situation, developing defence capabilities and crisis management.

CSDP joint missions and operations may involve a wide range of activities, such as monitoring compliance with peace agreements, assisting with security sector reform, training and instructing local security forces, managing humanitarian crises or evacuating civilians in emergency situations. These actions are carried out in various regions of the world and can be adapted to the specific circumstances of each situation.

CSDP missions and joint operations are carried out through cooperation between EU Member States and involve human, financial and technological resources from those states. They are coordinated by the European External Action Service (EEAS), which is the institution responsible for planning, implementing and monitoring these actions.

An example of a CSDP mission is the European Union Security Assistance Mission in Mali (EUCAP Sahel Mali)¹³², which aims to support the Malian authorities in strengthening their security capabilities and

¹³⁰ The European Neighbourhood Policy (ENP) is a foreign policy of the European Union (EU) aimed at developing relations with countries in its immediate neighbourhood. It was launched in 2004 as a framework for cooperation and assistance for partner countries to the east and south of the EU, with the aim of strengthening stability, security, prosperity and democratic values in these countries. Under the European Neighbourhood Policy, the EU works with 16 partner countries, 12 of which are in the Eastern Neighbourhood (Armenia, Azerbaijan, Belarus, Georgia, Moldova, Ukraine) and 4 in the Southern Neighbourhood (Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, Palestine, Tunisia). The European Neighbourhood Policy has evolved over time and was revised in 2015. <https://www.europarl.europa.eu/factsheets/ro/sheet/170/politica-europeana-de-vecinatate> Accessed on 6 March 2023.

¹³¹ CSDP joint operations were developed within the European Union (EU) through a series of stages and decisions taken between 1999 and 2003. Subsequently, in 2003, a European Council decision was adopted establishing a permanent structure for the management of the EU's military and civilian operations. This led to the establishment of the Common Security and Defence Policy (CSDP) missions and operations and strengthened the EU's capacity to act in the field of security and defence within the framework of the Common Foreign and Security Policy. Since then, the EU has carried out a series of missions and operations in various regions of the world, such as Africa, the Western Balkans, the Middle East and the Mediterranean, with a view to promoting peace, stabilisation and crisis management. These actions are coordinated by the European External Action Service (EEAS) and involve contributions from EU Member States in the form of military and civilian forces. <https://www.europarl.europa.eu/factsheets/ro/sheet/159/politica-de-securitate-si-aparare-comuna> accessed 14 March 2023.

¹³² EUCAP Sahel Mali is a European Union civilian mission launched in 2014 under the EU's Common Security and Defence Policy (CSDP). The mission aims to support and develop the institutional capacities of Mali's security forces in

government. This involves providing technical assistance and advice in the field of security, as well as developing the institutions responsible for law enforcement and justice in Mali.

The EU Advisory Mission in Ukraine (EUAM Ukraine) and the EU Monitoring Mission in Georgia (EUMM Georgia) are two civilian missions deployed by the European Union in these countries, with the aim of supporting and strengthening democratic processes, the rule of law and security sector reforms.

EUAM Ukraine was established in 2014 in response to Ukraine's request for support with security sector reform and the strengthening of the rule of law. The mission aims to provide assistance and advice to the Ukrainian authorities in areas such as civilian management of the security sector, respect for human rights, police reform, the fight against corruption and the strengthening of the judiciary.

Drawing on the expertise and experience of international experts, EUAM Ukraine works closely with Ukrainian institutions to improve their capacity and effectiveness in the fields of security and justice. The mission also promotes democratic values, respect for human rights and good governance in Ukraine.

EUMM Georgia was launched in 2008 in response to the conflict between Russia and Georgia. The mission's role is to monitor the security situation and promote stability in the occupied region of Abkhazia and the occupied region of Tskhinvali (South Ossetia), as well as in adjacent areas.

EUMM Georgia comprises international observers who monitor the situation on the ground, facilitate dialogue and help to build trust between the parties. The mission also plays an important role in facilitating humanitarian access and freedom of movement in the conflict-affected regions.

The overall aim of EUMM Georgia is to contribute to the peaceful resolution of the conflict and to the respect for Georgia's territorial integrity, whilst promoting European values and regional cooperation.

The EU thus plays an active role in promoting regional security in the Black Sea through diplomacy, financial support, the coordination of security measures and the promotion of European values and standards. Through these efforts, the EU contributes to strengthening stability and sustainable development in the region.

Strengthening long-term security in the Black Sea region: Proposals and recommendations

To further strengthen regional security in the Black Sea, the European Union (EU) could adopt the following additional measures:

- stepping up support for security reforms – the EU can continue to provide technical and financial assistance to strengthen defence and security capabilities in the Black Sea littoral states. This may include modernising and professionalising security forces, improving security infrastructure and facilitating the exchange of information;
- strengthening cooperation on cyber security – data and digital infrastructure are becoming increasingly vulnerable in the digital age, and cyber threats can affect regional security. The EU should strengthen cooperation with the Black Sea littoral states and international partners on cyber security, promoting the exchange of best practice, capacity building and the strengthening of cyber protection;
- supporting institutional reforms and the rule of law – strengthening the rule of law and democratic institutions is essential for regional security. The EU should continue to support and monitor institutional reforms, promoting transparency, accountability and respect for human rights in the Black Sea littoral states.

The EU can intensify regional partnerships and dialogue with organisations and states in the Black Sea region, including the Organisation of the Black Sea Economic Cooperation (BSEC), the Three Seas Initiative and NATO partners. Through these partnerships, joint projects can be developed, the exchange of information can be promoted and security cooperation can be strengthened.

particularly in the areas of crisis management and security sector reform. <https://www.consilium.europa.eu/ro/press/press-releases/2021/01/11/eucap-sahel-mali-mission-extended-until-31-january-2023-and-mandate-adjusted/> accessed 12 March 2023.

The EU can continue to provide financial and technical support for regional development projects in the Black Sea region. These projects may focus on transport, energy and communications infrastructure, facilitating connectivity and regional economic integration. By promoting sustainable development and economic growth, this can help to strengthen security and stability in the region.

By adopting these additional measures, the EU could play a more active role in ensuring regional security in the Black Sea and in promoting stability, cooperation and sustainable development in the region.

NATO (the North Atlantic Treaty Organisation) could consider the following actions to contribute further to ensuring security in the Black Sea region:

- NATO could increase its military presence in the Black Sea region by conducting more exercises and maintaining a naval presence, as well as by periodically rotating forces at bases in the littoral states. This would demonstrate NATO's commitment to the region's security and strengthen deterrence against potential threats to the states in the region;
- NATO could enhance cooperation with the Black Sea littoral states by strengthening partnerships and political dialogue. This would include promoting the exchange of information, joint exercises and the strengthening of these states' defence and security capabilities. NATO could provide technical assistance and advice for the development of security infrastructure and the strengthening of defence and law enforcement institutions; Although Russia is currently excluded from the partnership framework, viable solutions will be found in a future in which Russia ceases to be an aggressor state.
- Given the importance of cyber security in the digital age, NATO should pay greater attention to strengthening cyber defence capabilities in the Black Sea region. This would include supporting the development of national cyber defence capabilities, the exchange of information and best practice, as well as organising joint exercises and training in this field;
- NATO should continue to promote dialogue and diplomacy as means of resolving disputes and tensions in the Black Sea region. This may include facilitating negotiations and mediating in conflicts, promoting political dialogue between the littoral states, and supporting initiatives to build trust and develop bilateral and regional relations.

These measures would help to strengthen NATO's presence and engagement in the Black Sea region and enhance security and stability in the area.

From a diplomatic perspective, the US should focus its policy in the Black Sea region on Romania, Bulgaria and Ukraine. Romania is the best option for hosting all NATO forces in this area, and through the Danube–Black Sea canal network, it allows for the efficient transfer of forces, thereby circumventing the restrictions on naval movements imposed by the Montreux Convention.

To develop an effective strategy for the Black Sea region, we need to focus on the maritime aspects of this area. In this regard, US military investment in Romanian ports would be essential, with a particular focus on the port of Constanța, as well as on Danube ports such as Galați and Brăila. The allocation of significant resources for the development of military forces in the Black Sea region would also be essential. Particular attention should be paid to anti-ship missile units, air defence and long-range artillery/missiles, to ensure the capacity to respond rapidly and effectively to any challenge from Russia. Furthermore, the US should expand its permanent rotational forces in the Black Sea region, which would enhance the capacity to conduct surveillance, patrol and intervention operations where necessary. In conclusion, a well-developed and implemented maritime strategy could be the key to the security and stability of the Black Sea and the surrounding region.

The Montreux Convention, which regulates the access of foreign warships to the Black Sea, imposes a number of restrictions in this regard. However, from a legal perspective, there is a possibility for the US and other NATO states to deploy vessels with a displacement of less than 1,000 tonnes, equipped with long-range anti-ship missiles, on the Danube and the Danube–Black Sea Canal, without breaching the Montreux Convention. In general, military vessels have a relatively shallow draught. For example, corvettes have a draught of up to 3 metres and missile-carrying vessels 2.5 metres. In

this regard, NATO and the US could consider developing a force comprising fast and effective missile-equipped vessels, specifically designed to counter large Russian platforms in the Black Sea.

This strategy would provide an opportunity for the US and NATO member states to increase their military presence in the Black Sea and strengthen their strategic position in the region. It would also enable them to counter Russian capabilities in the Black Sea, which could pose a threat to NATO ships and interests in the region.

Furthermore, this approach would provide a solution to the restrictions imposed by the Montreux Convention, which limits access to the Black Sea for foreign warships. Instead of focusing on large warships, which could be restricted by the convention, the US and NATO countries could deploy smaller, more manoeuvrable vessels with considerable firepower.

Senators Mitt Romney and Jeanne Shaheen introduced the Black Sea Strategy Bill last year. It called on the US government to develop a comprehensive strategy for the Black Sea, including mechanisms for regional political, military and economic engagement, and a clear plan to counter Russian aggression in the Black Sea. A coherent Black Sea strategy would recognise the US's interest in the Black Sea as a gateway to the heart of Eurasia, would set as its objective the creation of a dominant maritime position in the Black Sea in collaboration with US allies and regional partners, would recognise Ukraine's role in a future Black Sea order, and would set out a roadmap for future strategic action in the Black Sea. Put simply, a fit-for-purpose Black Sea strategy would provide US policy with a coherence that it currently lacks.

Such a strategy would provide an opportunity to strengthen the US presence in the region and to promote its interests more effectively. It would also enable the creation of a network of alliances and partnerships that would help ensure stability and security in the region. Furthermore, by developing a specific strategy for the Black Sea, the US could demonstrate its commitment to its regional allies and provide them with clear guidance for joint action.

Safety and security in the Black Sea are matters of great importance to the littoral states, given the strategic location of this area and cross-border security threats such as drug trafficking, smuggling, corruption, terrorism and internal conflicts in the region. To address these threats, the coastal states have stepped up their efforts to cooperate and coordinate their security policies.

Measures that the littoral states should take to strengthen security in the Black Sea

Improving regional cooperation: The littoral states should work together to develop a joint action plan for Black Sea security. This plan could include measures such as increasing naval and aerial patrols, sharing intelligence and enhancing the capacity to respond to threats.

As maritime traffic and economic activity in the region increase, it is becoming increasingly important to strengthen monitoring and control capabilities. The coastal states should develop advanced monitoring technologies and improve control capabilities at borders and border crossing points.

Effective communication and the exchange of information between security agencies in the region could help to prevent and combat security threats. Coastal states should improve cooperation between their security agencies and share relevant information regarding suspicious activities.

Cooperation with international partners, such as NATO and the European Union, is an effective way of strengthening security in the Black Sea. By developing strategic partnerships, the littoral states could benefit from the expertise and resources of these organisations in combating security threats.

Should future crises arise in the region, it is important for the littoral states to have rapid response capabilities to ensure security and stability.

In conclusion, the development of a strategy for the Black Sea is essential for the littoral states, NATO, the promotion of US interests in the region, and the strengthening of the US position in Eurasia. This strategic document should provide clear guidance for military, economic and political actions in collaboration with regional allies, thereby contributing to ensuring stability and security in the region.

Conclusions

The Russian invasion of Ukraine has caused widespread concern amongst US allies and partners regarding security in the Black Sea region and its surroundings. Although the outcome of the conflict in Ukraine remains uncertain, its consequences will have long-term effects on regional security.

In recent years, the Black Sea has become a key area in terms of strategic conflicts and regional security. Its importance stems from its strategic location, as well as the natural resources and critical trade routes that pass through it. As Russia's aggressive actions have intensified in recent years, concerns regarding the security of the Black Sea and the surrounding regions have grown, and this has become a major security issue for NATO and its partners.

NATO and its partners in the region have taken security measures to protect vulnerable areas and counter Russia's aggressive actions. In this regard, the United States has announced a new security plan for the Black Sea, which includes increasing its military presence in the region and enhancing the defence capabilities of its partners in the region.

The Russian invasion of Ukraine has heightened concerns regarding the security of the Black Sea and the surrounding regions.

In these circumstances, it is important for NATO and its partners to continue taking measures to counter Russia's aggressive actions and to strengthen long-term regional security. To develop an effective strategy for the Black Sea region, we need to focus on the maritime aspects of this area. In this regard, US military investment in Romanian ports would be essential, with a particular focus on the port of Constanța, as well as on Danube ports such as Galați and Brăila.

The Montreux Convention, which regulates access by foreign warships to the Black Sea, imposes a number of restrictions in this regard. However, from a legal standpoint, there is a possibility for the US and other NATO states to establish a naval base in Romania, which could provide an ideal location at the port of Agigea, where there is a terminal quay equipped with facilities belonging to CFR Marfă and where the two ferries 'Mangalia' and 'Eforie' are currently in storage. With minimal investment, this location offers the perfect site for the development of a NATO naval base.

There are at least three ways to establish this base whilst circumventing the restrictions of the Montreux Convention:

The first can be achieved most easily by unblocking the procurement of ships for the Romanian Naval Forces and granting priority at EU level for their simultaneous construction across multiple shipyards, thereby accelerating delivery within a relatively short timeframe.

The second can be achieved through the transfer by NATO or coalition countries of at least two frigates or corvettes, three vessels specialised in mine countermeasures, and other vessels to Romania, which, flying the Romanian flag, can enter the Black Sea. The Romanian Naval Forces can ensure the operation and use of these vessels with minimal adaptation, as they have crews trained to operate ships of this class that are fully interoperable within the NATO system. Operating these vessels under NATO command will pose no problems, including the formation of mixed crews.

Another possibility could be the transit of suitable, small-tonnage military vessels along the Danube. The minimum depths recorded along the entire length of the Danube as far as Romania are a maximum of 2.5 metres and vary according to the season, with spring being the most favourable time as such depths are not reached then.

In this regard, NATO and the US could consider developing a force comprising fast and efficient missile-equipped vessels, specifically designed to counter large Russian platforms in the Black Sea, which could pose a threat to NATO ships and interests in the region.

Furthermore, this approach would provide a solution to the restrictions imposed by the Montreux Convention, which limits the access of foreign warships to the Black Sea, and to Turkey's stance towards Russia. Instead of focusing on large warships, which could be restricted by the Convention, the US and NATO states could deploy smaller, more manoeuvrable vessels with considerable firepower.

We are currently experiencing a period of growing global instability, caused by a mixture of Cold War-era echoes, the emergence of revisionist threats and a clash of

. Against the backdrop of this general instability in the Black Sea region, we now face an open conflict where all aspects of global instability are concentrated, but which also serves as a testing ground for NATO and the EU. And in this context, developments in the geopolitical situation in this region may have consequences beyond its borders, affecting the security interests of democratic states.

The situation in Ukraine is becoming increasingly complex, and a solution acceptable to both sides seems to be receding further and further into the distance. These developments call for the swiftest possible response from NATO, to identify a new strategy for the Eastern Flank and, in particular, for the Black Sea region, to strengthen its presence in the region and to take preventive action towards credible deterrence. The militarisation of Crimea since 2014 has enabled Russia to increase its influence in the region, as well as in the Eastern Mediterranean. Consequently, NATO and the EU must not only address the tensions in the Black Sea and the eastern Mediterranean, but also begin to engage actively in other regions to counter Russia's and China's desire to impose their own vision. For beyond strategic considerations and spheres of influence, what is at stake in the Black Sea, in the context of the war in Ukraine, is a battle over values. In essence, Russia is attempting to undermine democratic values, the rule of law and human rights at both a regional and global level.

Russia's illegal annexation of Crimea and the war it launched against Ukraine – which can be regarded as an act of aggression against the entire democratic community and against the rules-based international order – have prompted the Alliance to assess how it is able to fulfil its primary mission – collective defence – and to ensure its credibility. Measures have been taken to strengthen NATO's presence on the Eastern Flank, which represents a just, defensive and proportionate response to Russia's use of military force or information warfare against its neighbours. Furthermore, the war in Ukraine provides justification – if any were needed – for initiating steps to draw up a new NATO strategy for this region.

The Black Sea region will continue to be a long-term priority for the Russian Federation, which will seek to strengthen its military capabilities as well as consolidate its authoritarian position through information warfare. Given that dialogue with Russia will become increasingly limited, the role of NATO and EU member states in the region is becoming ever more important, and they must act in a coordinated manner to highlight the strategic importance of the Black Sea region. They must also take action to prevent the escalation of conflicts in the region and to strengthen the common deterrence posture. It is also essential to promote the need for a permanent NATO military presence – both naval and air – with the aim of ensuring a balance of power in the region.

A NATO security strategy for the Black Sea will need to take into account the provisions of the Montreux Convention regarding the regime of the Straits, which, whilst regulating passage through the Straits, also addresses the security concerns of the Black Sea littoral states. At present, the Russian Federation controls access for military vessels belonging to NATO and other countries that do not border the Black Sea, using Turkey, which ostensibly exercises control over access in the common interest of the littoral states.

However, Romania, Ukraine, Georgia and even Bulgaria are keen to achieve a balance of power in the region and to ensure a stable security environment conducive to development, and the restrictions imposed by the convention hinder the attainment of these objectives.

Another important aspect at regional level is the protracted, frozen conflicts in the Black Sea basin, which require a realistic assessment of their nature and purpose in order to identify the appropriate political, diplomatic and economic instruments to defuse their explosive potential and facilitate a possible resolution. Furthermore, a reassessment of security threats on NATO's Southern and Eastern Flanks is necessary, drawing a clear distinction between military and non-military challenges.

The United Nations Convention on the Law of the Sea, signed in Montego Bay in 1982, continues to play a role in codifying and regulating concepts such as: the delimitation of maritime zones between

neighbouring states; the rights of coastal states over the exclusive economic zone, the exploitation of resources in the international zone of the seabed, combating pollution, and scientific research; and the creation of two new international bodies: the International Seabed Authority and the International Tribunal for the Law of the Sea.

New conventions relating to the marine environment were adopted in the 2000s, including one on anti-fouling systems (AFS 2001)¹³³, another on the management of ballast water to prevent the invasion of alien species (BWM 2004) and another on ship recycling (Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009). In the 2000s, States also focused on maritime security, following the entry into force in July 2004 of a new comprehensive security regime for international transport, including the International Ship and Port Facility Security Code (ISPS), which became mandatory pursuant to the amendments to SOLAS adopted in 2002.

In 2005, the IMO adopted amendments to the 1988 Convention for the Suppression of Unlawful Acts (SUA) against the Safety of Maritime Navigation and its related Protocol (the 2005 SUA Protocols), which, amongst other things, introduce the right of a State Party wishing to board a ship flying the flag of another State Party, where the requesting Party has reasonable grounds to suspect that the ship or a person on board the ship is, has been or is about to be involved in the commission of an offence under the Convention.

The IMO Member State Audit Scheme, which became mandatory under a number of key IMO instruments on 1 January 2016, will play an increasingly vital role in supporting effective implementation, providing an audited Member State with a comprehensive and objective assessment of how it administers, effectively manages and implements those mandatory IMO instruments covered by the scheme¹³⁴.

These efforts are set to be complemented by the new Convention on the Conservation and Sustainable Use of Marine Biological Diversity in Areas Beyond National Jurisdiction. In this way, humanity's shared heritage stands a good chance of being protected and safeguarded, with the convention effectively serving as the instrument entrusted with the noble task of saving it from danger. When is it due to be signed? How will it be implemented? Will its noble aim overcome the obstacles posed by financial interests? These are questions to be answered by the legal doctrine and practice of the future.

From a geopolitical perspective, it can be said that the issues relating to the field we now call *maritime security* have been the subject of study and the formulation of specific policies ever since the beginning of European overseas expansion in the 15th century. The defining feature of maritime security in that era was the state's assumption of responsibility for ensuring maritime security in distant seas. In the 15th and 16th centuries, the world's seas and oceans were dominated by Portugal and Spain, which attempted – ultimately unsuccessfully – to establish a centralised, state-controlled maritime security regime based on the principle of *mare clausum*¹³⁵. This was followed by a period spanning the 17th to the 19th centuries in which the maintenance of global maritime security shifted from the responsibility of the state to that of powerful private actors, in particular the major European trading companies. In this regard, shipowners became largely responsible for the security of their own vessels in accordance with the principle of *mare liberum*. From the end of

¹³³ Fouling refers to the accumulation of marine organisms, algae, bacteria, crustaceans, molluscs and other organisms, as well as sediments, on the underwater surfaces of ships, maritime structures or subsea equipment. This is a natural phenomenon that occurs in the marine environment and can occur on any surface exposed to water, including ship hulls, mooring piles, submerged pipelines, subsea equipment and other marine structures. AFS 2001 (Antifouling System 2001) is a type of antifouling system used to prevent or reduce the accumulation of marine organisms, such as algae, crustaceans and molluscs, on the external surfaces of ships and marine structures.

¹³⁴ The source of this information is the organisation itself; further details can be found here: <https://www.imo.org/en/About/Pages/Default.aspx>, accessed on 18 April 2023.

¹³⁵ The 'mare clausum' principle is a Latin expression which translates into Romanian as 'the great exclusion' or 'the principle of the great exclusion'. This principle refers to a legal doctrine which holds that if a document or contract does not expressly provide for a particular clause, that clause is deemed to be implicitly excluded. Mare clausum is often used to ensure that any ambiguities or uncertainties in the interpretation of a contract are resolved in favour of the party that did not draft the contract or did not have control over the wording of the clauses.

From the 19th century until 1990, the era of *maritime power* prevailed, during which the developed European navies and that of the US imposed a fairly effective global maritime security regime, which ensured freedom of navigation and safe conditions for trade in the world's most important maritime areas. In the post-Cold War era that followed, although it appeared that responsibility for maritime security would revert to shipowners and private companies, with the state scaling back its efforts in this regard, the growing importance of traditional maritime security issues, due to China's rise and the Russia–Ukraine conflict, may lead to a reversal of this trend. This is, in fact, the era in which maritime security issues are grouped under the concept of *maritime security*, and in which *studies on maritime security* are emerging, defining this field of study and research as a discipline in its own right.

Thus, what was recognised in the 20th century primarily as maritime power has, in the 21st century, become maritime security – a concept that is gaining ever-increasing interest and popularity. International maritime security studies now represent a rapidly growing field of analysis. The need for clear maritime policies on the part of various military and civil authorities, as well as the interests of commercial actors—including those in the shipping industry—have increasingly highlighted the value of maritime security studies. However, in order to provide a better understanding of contemporary global maritime security challenges, experts in this field should develop an independent research agenda that meets the requirements of all stakeholders in the maritime sector. In this way, maritime security studies can generate the knowledge needed to devise a maritime security regime fit for the 21st century.

Defining maritime security from a Romanian perspective is a major challenge for the agencies involved in this process, and requires engagement even at the national level.

The process of defining maritime security must begin with defining Romania's national interests in the maritime domain and analysing the risks and threats to these interests, as other states and organisations that have developed and adopted the concept have done.

Of the three approaches to the concept of maritime security presented above, the matrix approach could primarily be used in defining and explaining the Romanian concept, in accordance with our specific circumstances, whilst from the others we could select elements to adapt to the specific situation of the maritime environment of interest to Romania, and 'It is very important not to forget that safety is the necessity that arises at the intersection between interests, on the one hand, and dangers and risks, on the other. The response to this necessity is security'.¹³⁶

Analysing the most recent national maritime security strategies, from 2013/2014 up to those of 2022, drawn up by states with considerable maritime power such as the US, the Russian Federation, the UK and France, as well as those with significant maritime power such as Spain and Poland, it is clear that these are based primarily on their own national maritime interests, take into account the risks and threats to these interests posed by state and non-state actors and natural disasters, international and domestic legislation relating to maritime governance and safety, national and individual security, and economic activities specific to or linked with the maritime domain, etc. It is clear that maritime security forms part of national security and requires specific maritime policies, appropriate legislation and complex structures managed and coordinated centrally at national level, comprising representatives, forces and resources from all sectors capable of contributing to the achievement of maritime security and safety in maritime (and riverine) areas of national interest.

In consolidating this concept, we must also take into account the recent developments in the geopolitical situation in the (extended) Black Sea region and the lessons learnt from the Russian-Ukrainian war, which have significant implications for the approach to maritime security and the conduct of warfare at sea.

¹³⁶ Treatise on Maritime Security, Gheorghe MARIN, Romulus Hăldan, p. 31.

Identifying a suitable draft Romanian concept can provide the Maritime Security Forum with a solid foundation from which to work towards fulfilling the aims and objectives set out at its inception.

For Romania: “Maritime security, as part of national security, constitutes a coordinated set of organisational and practical measures that ensure a favourable domestic and international political climate, enabling the assertion, promotion and, where necessary, defence of Romania’s maritime interests in relations with other state and non-state actors involved in and/or carrying out activities in the maritime domain, as well as the protection of these interests against any risks and threats”.

Romania needs a maritime policy and a maritime strategy to maximise the economic and environmental benefits of the country’s maritime areas and to manage aquatic and coastal resources, as well as the economic, social and environmental benefits of maritime activities, effectively, and to protect national interests in maritime areas.

A well-developed maritime policy and strategy could help to develop maritime industries, improve regional cooperation and ensure the efficient management of marine resources.

The current situation calls for the development of a maritime policy and strategy, tailored to national circumstances and integrated into Romania’s national policies and strategies, which could become a national project based on broad consultation with the economic, social and governmental sectors.

Until now, we had a saying: ‘Romania’s best neighbour is the Black Sea’. But the time has come to realise that not even the Black Sea is a good neighbour any more, given the militarisation of Crimea, Russia’s illegal, unprovoked and brutal invasion of Ukraine, and the dramatic shift in the strategic balance in this region.

Coastal states have a duty, as part of their foreign policy actions, to promote their interests regarding the global oceans and to develop their defence capabilities in the maritime domain – and, in Romania’s case, in the riverine domain as well – given that the economic development of the country in question may depend on this space. From this perspective, Romania is obliged to fulfil its role as a regional maritime power. This obligation must be underpinned doctrinally by the ‘National Defence Strategy’. Under current circumstances, Romania cannot shirk its regional responsibilities, which involve promoting and ensuring a climate of stability and security in the Black Sea region.

The war launched by the Russian Federation against Ukraine, the modern geostrategic realities concerning the Alliance’s eastern flank—which includes the Black Sea region—and the political, economic and cultural links with the eastern Mediterranean, the Middle East and the South Caucasus, all make the Black Sea part of an arc of instability which is, and must be, a concern for the countries in the region, for NATO and for the EU. Thus, the Black Sea region, which has traditionally been treated as a less important area, is taking on new strategic significance.

In this geopolitical context, Romania can serve as a focal point for regional interests, a driving force for stability, democracy and the promotion of Euro-Atlantic values in the region. For these reasons, our country, by clearly and openly defining and promoting its own interests in the maritime and riverine domains, can become a vehicle for Euro-Atlantic interests in the region, given that it is increasingly evident that the interests of the Alliance and of Europe are also those of Romania.

The implementation and protection of Romania’s national interests in the maritime and riverine domains are ensured by state institutions with responsibilities in this field, local public authorities, state-owned or privately-owned companies, and civil society organisations. Russia’s aggressive actions and the outbreak of war against Ukraine demonstrate that the role of power in international relations has not diminished, and Romania must be in a position to respond appropriately to such aggressive actions and to protect its national interests in the maritime and riverine domains by developing its maritime and riverine capabilities.

On the other hand, the modern era is characterised by an increasing intensity of human activity in the maritime environment – by which we mean the global ocean – including the expansion of both scientific research and economic activities aimed at utilising its resources. In the long term, the importance of the maritime environment will grow

due to the depletion of terrestrial natural resources and the need to identify new sources for the exploitation of resources vital to economic development.

The development of maritime and inland waterway activities, maritime potential and the strengthening of defence capabilities in this field are among the key conditions for ensuring Romania's sustainable social development and economic growth.

Transforming the Romanian shipping fleet into a global competitor requires sustained and coordinated efforts on the part of the authorities and the maritime industry. Investments in fleet modernisation, the development of port infrastructure, the promotion of innovation and technology, the improvement of service quality and the promotion of the Romanian flag internationally are just a few of the key areas for achieving this objective. With a strategic and focused approach, Romania has the potential to consolidate its position in the global maritime industry and to become a major and competitive player in international maritime transport.

The importance of a maritime bank in Romania is evident, given the potential of the maritime sector and its strategic role in the economy. Such a specialised financial institution would support investment in the maritime fleet, the development of port infrastructure, the facilitation of international trade, the promotion of innovation and job creation. Through this maritime bank, Romania would have the opportunity to consolidate its position in the global maritime industry, contributing to the growth and sustainable development of the country's economy.

Transforming Romanian ports into competitive port centres requires a long-term commitment and a strategic approach. Modernising port infrastructure, streamlining administrative procedures, adopting innovative technologies, promoting partnerships, developing ancillary services and focusing on sustainability are key to attracting companies and trade flows to Romanian ports. Through these efforts, Romanian ports can become major logistics hubs and contribute significantly to the country's economic development, thereby strengthening Romania's position on the international maritime trade scene.

The revival of shipbuilding in Romania represents a valuable opportunity for the country's economic development. By creating jobs, boosting exports, developing an industrial cluster and the value chain, facilitating technology transfer and diversifying the local economy, this sector could bring significant benefits and strengthen Romania's position in the global maritime industry. With adequate investment, government support and collaboration between the public and private sectors, the revival of shipbuilding can become a driving force for the country's sustainable development and prosperity.

Maritime spatial planning is essential for the sustainable management of marine resources and human activities in maritime areas. Through the conservation of marine biodiversity, the sustainable use of resources, the protection of the marine environment and sustainable economic development.

Digitalised port administration represents the future of the port industry and has a significant impact on the efficiency, security, sustainability and competitiveness of ports. Through the use of digital technologies and the implementation of smart solutions, resource management, informed decision-making and collaboration between all stakeholders can be optimised. This ensures the sustainable development of ports and contributes to the economic growth of port regions. It is essential that port authorities and the maritime industry invest in the digitalisation of port management in order to reap all the benefits and opportunities offered by this digital transformation.

The importance of professional seafarers in the maritime industry cannot be underestimated. They are the heart and soul of this industry, ensuring not only the transport of goods but also safety, environmental protection and global connectivity. Without these brave and dedicated people, we would not be able to benefit from the resources and goods that travel by sea every day.

Romania's representation in international organisations such as the European Union, the International Maritime Organisation and the International Yachting and Boating Organisation is essential to protect and promote our maritime interests, to contribute to the development and improvement of

and to strengthen Romania's prestige and influence on the international stage. It is an ongoing endeavour and a responsibility we have towards our country and the global maritime community.

A well-developed and implemented Maritime Strategy is an essential tool for Romania in promoting sustainable development and realising its maritime potential. Through an integrated and coordinated approach to the various aspects of the maritime sector, Romania can ensure economic development, job creation, the protection of the marine environment and the strengthening of its position on the international stage. Extensive collaboration is required between government authorities, the maritime industry, academia and other stakeholders to successfully develop and implement such a strategy, with the aim of contributing to Romania's prosperous and sustainable future as a maritime nation.

The revision of maritime legislation in Romania is essential to ensure the sustainable development and competitiveness of the maritime and port sector. This involves updating the legal framework, promoting sustainable development, facilitating trade and economic relations, ensuring the safety of navigation and compliance with international standards. Through these measures, Romania can strengthen its position in the maritime field and contribute to the sustainable development of the sector for its own benefit and that of the global maritime community.

Developing and maintaining a strategic maritime fleet comprising both military and civilian vessels is essential for Romania to ensure security and protect its interests in the maritime environment. A strategic maritime fleet would strengthen sovereignty and territorial integrity, contribute to regional security, and enhance Romania's prestige and influence internationally. With adequate investment in infrastructure, technology and personnel, Romania could develop a strong maritime fleet, capable of meeting the challenges and capitalising on the opportunities in the maritime environment.

In conclusion, Romania needs a maritime policy and a maritime security strategy, and the development of a strategy for the Black Sea is essential for the littoral states, NATO, the promotion of US interests in the region and the consolidation of the US position in Eurasia. This strategic document should provide clear guidance for military, economic and political actions in collaboration with regional allies, thereby helping to ensure stability and security in the region.

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FORUMUL SECURITĂȚII MARITIME

*Securitatea maritimă se referă la
respectarea legilor, reglementărilor și
normelor pentru a asigura un domeniu mari-
tim liber, echitabil și deschis.*