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Prospect of ASEM: A Bet on EU and ASEAN as Possible Pillars in Asian (Maritime) Security

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Introduction

Asia emerged not only along a tectonic rift but above all on a geopolitical one. Asia keeps balancing between its East and its West, between the continent and the sea, between MacKinder and Mahan; in short, between Europe (and Russia!) and the Pacific. The duet “Asia-Europe” (for example in “ASEM”) had “Asia-Pacific” as a rival in most of the diplomatic fora since the 1990s (for example in “CSCAP”, “APEC” and “APR”).³ It has now to deal with the growing “Indo-Pacific” wave, on which the world seems to focus. As a symbol, the EAS (East Asia Summit) now follows the ASEAN (Association of Southeast Asian Nations) yearly summits, without any European countries or EU (European Union) representatives. Besides, while European historians and anthropologists still choose Asia in general and Southeast Asia in particular to conduct field research (cf. SOAS in London, EHESS in Paris, Goethe-Universität in Frankfurt)⁴, it is slightly more difficult to find European political scientists, because they are mostly more interested.

What does it mean for the future of ASEM (Asia-Europe Meeting)? Is it definitely out-dated? Would it be the ineluctable “move of history”, echoing the geopolitical drift from the Atlantic to the Pacific and highlighted by André Malraux (1901-1976) in the 1970s, among others?

Not so sure. Raymond Aron (1905-1983), who was always concerned by nuance and balance, rejected this kind of fast historical conclusions and, indeed, Europe has still a lot to contrib-

ute in the Indo-Pacific (as well as Indo-Pacific powers interfere sometimes in Europe). Actually, it is no more only a matter of distance, physical borders or direct relationships but also a matter of values and global influence. Concretely, some Indo-Pacific countries are more and more tempted to go beyond the China-Quad dilemma, through newer partnerships and bridges across the geopolitical areas. Previously, the ASEAN States opted for the “minilateralism” to take over a failed regionalism in security issues, like the Haze in 2015-2017 or even terrorism⁵ among other challenges; for instance, littoral states, which felt directly concerned by piracy and armed robbery against ships, did not expect anything from the ASEAN secretary; they preferred to take their own initiatives to set up patrols in the Malacca Straits in the 2000s and in the Sulu Sea in the late 2010s. Now, due to the possible interference of peripheral powers (like the Chinese and American, both in the Malacca Straits and the Sulu Seas, between 2004 and 2019), is it time for something like a “maxilateralism”, across the traditional regional spheres, to by-pass both Washington and Beijing ascendancies? Similarly, after the fascination (to choose as the main diplomatic partner either China or USA) and the hedging (to satisfy both China and USA) – is it time (especially after the last two Shangri La Dialogues and Lee Hsien Loong’s speech in June 2019) for independence (to follow neither China nor USA)?

In this strategic game, what can Europe – i.e., in this text, Brussels, the European Union, and not its members – offer to Asian states? In the longer term, is it an opportunity for regionalist actors like ASEAN to get a second wind and

3 Respectively “Council for Security Cooperation in the Asia Pacific”, “Asia-Pacific Economic Cooperation” and “Asia-Pacific Roundtable

4 Respectively “School of Oriental and African Studies” and “Ecole des hautes études en sciences sociales” or School for Advanced Studies in the Social Sciences.

5 In spite of the ASEAN Convention on Counter-Terrorism (ACCT) which came into force in 2011.

new energy? The EU is definitely very active for trade, economy, culture, education and – sometimes – human rights, especially within the ASEM. But what about the security sphere – even according to a broad definition (like the United Nations “human security”, which focus more on the individuals than the states)? Is there anything (concrete) to expect from Brussels, on this field, beyond the numerous so-called “strategies” and “reports”?

This paper argues that there has always been an underestimated and structural legitimacy for the EU to be an actor in Asian security (1.). Based on it and because of the current diplomatic conjuncture, Brussels can now reach a new stage within the security fora (2.). In this wake, some promising avenues can be identified as relevant diplomatic paths for stronger partnerships and to make the relationships more obvious for the external observers (3.).

Legitimacy for the EU to be a Growing Actor within ASEM (Security)

The EU can shamelessly apply for a position of key strategic actor within ASEM in general and close to the ASEAN in particular. This is due less to its history – as colonisation and western languages cannot be used as an argument – or to its geography – in spite of the European Islands⁶ in this area –, than to, firstly, its political nature – surprisingly not so far from the ASEAN one, in a certain way, in spite of being sui generis – as well as, secondly, to its long term efforts from and to Jakarta.

ASEAN and the EU Have More in Common than Expected

The EU authorities published the 2018 Maritime Security Strategy reaffirming the importance of “promoting maritime multilateralism and the rule of law at sea, the universal application of [UNCLOS]” which is regarded as critical for maintaining a rules-based order at seas.⁷ In this document, the European Commission calls for five key areas for immediate action: 1) external action, 2) maritime awareness, surveillance and information sharing, 3) capability development and capacity sharing, 4) risk management, protection of critical maritime infrastructure and crisis response, 5) maritime security research and innovation, education and training.⁸ In the Southeast Asia context, the European Union is likely to reinforce its exchange of best practices but also streamline cooperation between EU agencies and ASEAN member states maritime security agencies. One of the European Union’s goals for the region is to promote multilateral cooperation between ASEAN countries but also to be a bridge amongst ASEAN countries when local political or diplomatic fights occurred between them. ASEAN nations and EU member states share the same challenges which can bring them closer. These challenges are IUU (Illegal, Unreported and Unregulated) fishing⁹ illegal migration, the threat of terrorist attacks, drug and illicit trafficking, smuggling (mainly cigarettes and wildlife across the straits), difficult coordination between a broad range of models to enforce law at sea¹⁰ and, last but

6 See the EU Overseas Countries and Territories (OCTs) like the French Réunion Island in the Indian Ocean, New-Caledonia and French Polynesia in the Pacific Ocean.

7 European Commission, “Maritime Security Strategy”, Maritime affairs committee of the European Commission, published on June 26, 2018, see: https://ec.europa.eu/maritimeaffairs/policy/maritime-security_en.

8 Ibid.

9 See the “Scallop war” in August 2018 when French and British fishermen clashed in the English Channel.

10 See for example the difference between the French

not least the Chinese Belt and Road Initiative (BRI – workers, loans, interference in domestic affairs, etc.). All these challenges have a maritime dimension. They also share some common principles and mechanisms designed with security.

At the international stage, the European Union is often criticized for being too weak diplomatically or military, relying heavily on the US worldwide military presence or NATO. These critics are somehow well-founded. However, in the context of Southeast Asia and ASEAN, it could be a strength. Indeed, despite lacking military power, the European Union is a significant international actor, especially with the solidarity of its member states and its Common Foreign and Security Policy (CFSP). The European Union foreign policy approach is based on consensus and not supranationalism meaning that all member states keep their own diplomacy, except in some areas. On one hand, it may reassure ASEAN countries in that the European Union does not have an aggressive or unpredictable foreign policy when China and the United States may have one. On the other, the European Union message can be weaker compared to other international actors. For instance, in the past, Hungary and Greece supported or did not comment on Chinese actions in the South China Sea.¹¹ Both countries benefit from Chinese infrastructure investments, especially under the BRI programs. One of the biggest fears of the European Union is to lose its capability to

speak with one voice.

“ASEAN nations and EU member states share the same challenges which can bring them closer.”

Eventually, both organisations speak the same diplomatic and administrative language, through their respective commission or secretariat. Both are usually concerned by comprehensive and multidimensional approach – to associate patrol and development in coastal areas; both take time to meet and discuss, via ministers, senior officials and scholars: see the ASEAN-ISIS (Institutes of Strategic and International Studies) and the EU ISS (Institute for Security Studies) – which has restarted the EU-CSCAP committee in the mid-2010s, as a good way to facilitate dialogue – as well as the European Security and Defence College. Last, based on “variable geometry”, both organisations are also pragmatic enough to switch to “minilateralism” or specific missions, with contributions on a voluntary basis (cf. infra), if necessary or in case of emergency.

EU and ASEAN: From Words to Acts

Did Brussels turn its eyes to ASEAN *faute de mieux*? It is true that the EU focused primarily on China, in the early stages of its foreign policy, when it helped Beijing to join the WTO (World Trade Organisation). Nevertheless, in return, China quickly preferred to opt for bilateral relationships, either because of the structural weaknesses of the European institutions or to deal with weaker actors. Never mind: the EU focused on what it is at its best: peace processes. It took part into negotiations about Aceh in Indonesia and Mindanao in Southern Philippines; it helped Cambodia and Timor-Leste to raise (again) as proper, mature and sovereign states. In the wake of

“State Action at Sea”, under maritime prefects, and the proper coast-guards agencies in many other countries; or the difference between the Indonesian Bakamla (Maritime Security Agency), the MMEA (Malaysian Maritime Enforcement Agency) and the Philippine NCWC (National Coast Watch Center).

11 Alfred Gerstl, “The EU’s interest and policy towards East Asia maritime security”, *Maritime Issues*, published on October 26, 2018, see: <http://www.maritimeissues.com/politics/the-eu39s-interest-and-policy-towards-east-asia-maritime-security.html>.



The photo displays the South China Sea, which is of tremendous strategic importance to the global trade and market. It is currently subject to maritime territory disputes between Brunei, China, Indonesia, Malaysia, the Philippines, Singapore, and Vietnam.

this diplomatic activity, it accessed to the Treaty of Amity and Cooperation (TAC) in 2012 and joined the ASEAN Regional Forum (ARF) as a member.

Progressively, the EU became more familiar of the ASEAN. As Dr Eva Pejsova pointed out:

Since 2013, the EU held five rounds of EU-ASEAN High-Level Dialogues on Maritime Security Cooperation, [...] Maritime security, preventive diplomacy and mediation were the focus of EU-ASEAN Seminars on Security and Defence organised annually by the European Security and Defence College (ESDC) since 2014. Finally, the Enhanced Regional EU-ASEAN Dialogue Instrument (E-READI) is another platform dedicated to advance political-security integration of ASEAN, looking more specif-

*ically at fisheries policy, IUU fishing and marine natural environment.*¹²

The EUGS (EU Global Strategy) 2016 stressed the need to “build maritime capacities and support an ASEAN-led regional security architecture.” As a co-chair of the ARF ISM on Maritime Security, the EU has set up workshops on Maritime Law Enforcement, promoting best practice-sharing and concrete measures for reducing regional tensions, enhancing Maritime Domain Awareness (MDA), land-sea and civil-military nexus (EU’s ‘comprehensive approach’ to maritime crisis management), and IUU fishing.¹³ In parallel, the CRIMARIO program¹⁴ includes Southeast Asian countries

¹² Eva Pejsova, “Increased Relevance for EU Policy and Actions in the South China Sea”, ISEAS-Perspective, 2019-52, 26 June 2019.

¹³ Ibid.

¹⁴ Critical Maritime Routes Indian Ocean Programme.

like Singapore.

Back to China: after the attempt to seduce Beijing, then – maybe – the deception or disillusion, Brussels must react. The EU, which positions itself as a normative superpower, is increasingly concerned by the PRC (People's Republic of China). It sees Beijing as a growing threat to the rules-based global order, which is Brussels' *raison d'être*. In results, although the comments by the European Commission following the decision by the Permanent Court of Arbitration in July 2016 regarding the Chinese activities in the South China Sea had been very cautious, times are changing. The EU becomes more vocal on this critical topic. And European think tanks are now advising for a stronger position on this specific matter and on the freedom of navigation,¹⁵ based on the United Nations Convention on the Law of the Sea (UNCLOS).

With such solid and diplomatic basements and because of the worrying context regarding the fundamentals and core values of the EU, Brussels has been urged to go one step further in its relationship with the ASEAN states.

Window of Opportunity to Go Further, with ASEAN as the Main Partner

Over the last years, the Southeast Asia maritime security environment has seen the increase of multiple risks. Piracy, transnational activities and terrorism in the maritime domain have been the norm for many years. Nowadays, they are also facing aggressive actions and strategies from State-nation such as the current Chinese activities in some wa-

ters. These activities are generating tensions and are requiring new approaches for ASEAN countries such as the increase of coordination between civilian agencies and the military or a comprehensive maritime domain awareness strategy. The new diplomatic context in the region gives today a unique opportunity to the EU to provide its experience, its expertise and its financial tool in the maritime security domain.

The Neutrality of ASEAN Countries is More and More Complex

The pragmatism of ASEAN States towards their foreign policies, especially their relationships with the so-called great powers – namely China and the United States – has become increasingly complex. They are facing more and more pressure from both sides to choose in which side they are.

During the 2019 IISS Shangri-La Dialogue, Singaporean Prime Minister Lee emphasized the importance for ASEAN nations to stay out of the current global powers' competition.¹⁶ However, this strategy is more and more costly and could be a failure.¹⁷ Indeed, nowadays, some ASEAN countries have already chosen their major partner between China and the United States. For example, some countries such as Laos, Cambodia, or Myanmar fell into China's bosom. Others have close links with the United States such as Singapore or the Philippines, especially on security-defence relations. Singapore is a good example of the

15 Mathieu Duchâtel, François Godement, "Europe and 5G: the Huawei Case – Part 2", Policy Paper, Institut Montaigne, June 2019

16 Lee Hsien Loong, "Speech at the 2019 IISS Shangri-La Dialogue", Prime Minister's Office Singapore, published on May 31, 2019, see: <https://www.pmo.gov.sg/Newsroom/PM-Lee-Hsien-Loong-at-the-IISS-Shangri-La-Dialogue-2019>.

17 Bilahari Kausikan, "No sweet spot for Singapore in US-China tensions", The Straits Times, published on May 30, 2019, see: <https://www.straitstimes.com/opinion/no-sweet-spot-for-spore-in-us-china-tensions>.

current dilemma for ASEAN countries. Singaporean Prime Minister Lee suggested that Western powers should accept China's rise at the international stage and reach a compromise with China's aspiration to increase its international security role.¹⁸ The first trade partner of Singapore is China, meanwhile, the City-state's armed forces are close to the US with a "western-minded" system for security and defence issues. To stay neutral or to avoid disruptions, ASEAN countries may search for a third partner and reinforce their relations with it. The European Union is clearly in a strong position.

Great Powers Competition is the New Norm

The increase of competition between China and the United States is critical for the future of the European Union in Southeast Asia. The Trump administration is sending confusing signals to both Europeans (for instance with NATO – North Atlantic Treaty Organization) and Southeast Asian people (for instance with the Trans-Pacific partnership). However, the current US administration is reinforcing the feeling in Bruxelles that the European Union should play a strongest worldwide role in order to be a credible international actor, especially in the international security and maritime security domains. The US political – not military – influence in Europe is withdrawing, particularly to allow them in reinforcing their military presence in the Indo-Pacific region, a policy started from the Obama presidency. The European Union and its member states are obliged to take the Trump administration

foreign policy into account and to reinforce EU structure.

The New Unpredictability of the United States

Since the 2008 financial crisis, the Southeast region is the engine of worldwide economic growth. The so-called "European Union pivot" toward Asia should speed up, despite the fact that Asia in large is the second trade partner of the European Union nowadays.¹⁹ Most of Southeast Asia nations look the European continent as being a "permanent political crisis area".²⁰ The way how important issues in Europe such as sovereign debt, immigration, terrorism or Brexit are managed will have an impact on how Southeast Asian countries look at Europe and the European Union. For example, the Brexit will reduce the EU influence at the international stage, especially in security and defence issues the United Kingdom being a permanent member of the United Nations Security Council and a nuclear power (after Brexit, the only EU member state with both of these characteristics will be France). However, President Trump's actions at the international stage are boosting the EU's strategic interests and views in Southeast Asia. They should allow the EU to play a biggest role to promote good order in this region. For instance, for many experts, US acting defence secretary Patrick Shanahan performed a "poor speech" during the 2019 IISS Shangri-La Dialogue in Singapore, showing unassertiveness from the former Boeing employee.²¹ He clearly missed

18 Lee Hsien Loong, "Shangri-La Dialogue: Lee Hsien Loong on why US and China must avoid path of conflict", The Straits Times, published on June 1, 2019, see: <https://www.straitstimes.com/opinion/why-us-and-china-must-avoid-path-of-conflict-pm-lee>.

19 Jérémy Bachelier, « Enjeux et perspectives de la France en Asie du Sud-Est » (in French), Conseil Supérieur de la Formation et de la Recherche Stratégiques (CSFRS), published on December 6, 2017, see: <https://www.geostrategia.fr/documents/enjeux-et-perspectives-de-la-france-en-asie-du-sud-est-jeremy-bachelier/>.

20 Ibid.

21 Michael Fullilove, « Superpower scrutiny at Shangri-La », The

a note. For a succeeded “European pivot” toward Asia, the EU should demonstrate a bigger political and strategic unity – solidary amongst the member states. It will reinforce the fact that the EU is a credible partner for promoting and safeguarding the international law, international security and diplomacy. As a new step in this direction and contrary to her American counterpart, Federica Mogherini, the High Representative of the Union for Foreign Affairs and Security Policy in 2014-2019, delivered a speech which has been very well received by the audience at the Shangri La Dialogue.²²

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China is Moving Fast in the Region, Especially in the Maritime Domain

China has a more aggressive approach in the maritime domain in the region, especially in the South China Sea’s maritime territorial disputes as mentioned below. In September 2013, China began the building of artificial islands in the Spratly islands and finished them in 2018. China justified these installations as being civilian infrastructure only, but satellite imagery reveals the presence of military facilities such as hangars, bunkers, missiles, and weapons systems. The primary goal of these artificial islands is to give Beijing the capacity to maintain a large-scale presence of naval, coastguard and militia ships on contradiction with the promotion of security and peace in

the region. Indeed, one favourite tactics from Chinese forces is to explicitly threaten the other coastal states, which are all ASEAN member states. For examples, Chinese coastguard ships intimidated civilian ships from the Spanish energy company Repsol from developing gas fields in the Exclusive Economic Zone (EEZ) of Vietnam but claimed by China.²³ In the Philippines, the authorities can’t renew their gas resources to produce electricity. The current offshore gas field, Malampaya, is decreasing and the country will face a critical energy shortage soon if it cannot exploit the large gas resources under the Reed Bank in the South China Sea. This area is also claimed by China and according to President Duterte of the Philippines, Chinese President Xi Jinping clearly threat him that there would be “war” if Manila tried to exploit the gas resources.²⁴ In conclusion, on total contradiction with the EU foreign policy approach and EU values, Chinese actions and China’s strategy in the South China Sea are threatening the international rule of law but also the security (defence, social, energetic, political) of the coastal states which can bring a critical conflict in the region.

Finally, the diplomatic harvest could have come for the EU: it would be time to push further the initial efforts and to highlight the similar goals and practices to take advantage of the current situation, which has been set up by the American behaviour, the Chinese initia-

Interpreter, Lowy Institute, published on June 4, 2019, see: <https://www.lowyinstitute.org/the-interpreter/superpower-scrutiny-shangri-la>.

²² The Spanish Josep Borrell took over in July 2019.

²³ Bill Hayton, “How Europe can make a difference in the South China Sea”, Berlin Policy Journal, published on February 7, 2019, see: <https://berlinpolicyjournal.com/how-europe-can-make-a-difference-in-the-south-china-sea/>.

²⁴ Manuel Mogato, “Duterte says China’s Xi threatened war if Philippines drills for oil”, Reuters, published on May 19, 2017, see: <https://www.reuters.com/article/us-southchinasea-philippines-china/duterte-says-chinas-xi-threatened-war-if-philippines-drills-for-oil-idUSKCN18F1DJ>.

tives and the Southeast Asians reactions. Here are some possible avenues to scout.

New Paths to Explore

Capacity building, training, strategic dialogues: all these usual tools are part of the first-aid diplomatic kit, to send first signals and to put a foot in the chancelleries' doors. Having said that, let us see towards which specific fields the efforts should focus – in priority at sea.

EU and the Non-traditional Security in Southeast Asian Seas

Asia region is important for the European Union, both strategically and economically. Indeed, China is the second trading partner of the European Union and the ASEAN its third.²⁵ At the regional level, after a pause in 2009, the European Commission (in charge of negotiating treaties) and the ASEAN are discussing “the prospects towards the resumption of region-to-region negotiations”.²⁶ Consequently, stability in the region, especially in the maritime domain is required. The maritime sea lines of communications in Asia are important for the European Union and its member states alike. Many of their shipping companies sail through these waters. For example, Maersk and CMA-CGM are the first and third biggest shipping companies in the world; these Danish and the French seamen occupy strong positions respectively in Tanjung Pelepas (Malaysia) since 2000 and in Singapore since 2016.

“The maritime sea lines of communications in Asia are important for the European Union and its member states alike. Many of their shipping companies sail through these waters.”

To secure these sea-lanes of communications (SLOCs), the EU should share its knowledge in MDA/MSA (Maritime Domain Awareness/Maritime Situational Awareness). There is certainly something to learn – as bad or good experiences – from the common management of the sea borders along the Atlantic Ocean and the Mediterranean Sea. Would the Frontex (renamed European Border and Coast Guard Agency) pattern be replicable in Southeast Asia via the ASEAN, even at a different degree or level of cooperation? Can the Southeast Asian maritime agencies find any interests in the European Straits Initiatives or in the specialized agencies such as the European Maritime Safety Agency (together with the EU Satellite Centre) and the European Fisheries Control Agency (and its Coordination Centre)?²⁷ Besides the migrants, Brussels has to face the terror threat, like the littoral states of the SOMS (Straits of Malacca and Singapore) and of the Sulu-Sulawesi Seas, hence the EU-NAVFOR (Naval Force) Sophia for a better understanding of the maritime activities, set up in the Mediterranean Sea in 2015, and its cooperation with NATO (North Atlantic Treaty Organization), which has substituted its Active Endeavour mission by the Sea Guardian mission in 2016. At this stage, one could imagine (more) sharing sessions between the officers involved in these Mediterranean missions, the MSP (Malacca Straits Patrols) and the TMP

25 Alfred Gerstl, “The EU’s interest and policy towards East Asia maritime security”, Maritime Issues, published on October 26, 2018, see: <http://www.maritimeissues.com/politics/the-eu39s-interest-and-policy-towards-east-asia-maritime-security.html>.

26 Press release from the European Commission, “Fact sheet on EU-ASEAN relations”, last update on 7 May 2019, see: <http://ec.europa.eu/trade/policy/countries-and-regions/regions/asean/>.

27 The idea is to work on a Common Information Sharing Environment (in about 2020) and on an Integrated Maritime Surveillance, mainly based on a better interoperability across the European Enforcement Agencies.

(Trilateral Maritime Patrols) in the Sulu-Sulawesi (or Celebes) Seas. Regarding all these threats, both ASEAN and EU members opt for the same method, namely the “fusion” of the information: the IFC (Information Fusion Centre) in Singapore and the MSC-HOA (Maritime Security Centre – Horn of Africa) both in Brest (France) and Spain. Isn't it time now to share experiences in another domain: the feedback from the shipping community, to get a better picture of the maritime traffic (cf. the French “Voluntary Naval Control” or the French-British MDAT-GOG, Marine Domain Awareness for Trade – Gulf of Guinea, in Brest, France)? Furthermore, Denmark and Netherlands²⁸ are parts of the ReCAAP (Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia) in Singapore, while France is still knocking on its door. Last, the Chinese investments in Southern European ports, especially in Italy and Greece, question the other governments of the EU, as well as the Chinese infrastructures in Sumatra, in Mindanao or across the Malaysian peninsula puzzle the ASEAN community. How did each of them react? Are there any mistakes to avoid in the business models or the pre-agreements? This issue leads to switch to the more traditional threats and concerns, particularly in the so-called “East-Asian Mediterranean” Sea according to French historians²⁹ – another evidence or example of the geopolitical commonalities between the European and East-Asian sphere.

The European Union and the Maritime Disputes in the South China Sea

The European Union has clear interests in

²⁸ As well as Norway and the United Kingdom in Europe.

²⁹ See Fernand Braudel, Yves Lacoste, Denys Lombard and more recently François Gipouloux.

Southeast Asia and pursues a strategy based on the promotion of multilateral ocean governance and concrete collaboration measures. The European Union does not take part or does not have a stance on the territorial maritime disputes in the South China Sea between China and some ASEAN countries. Each of the countries argues that it is the legal owner of entire groups of reefs. China, Taiwan and Vietnam claim the Paracel and Spratly islands. The Philippines, Malaysia claim some reefs close to Borneo. Brunei claims one reef in the same area and Indonesia wants to reinforce its position on the Natuna islands.³⁰ The European Union authorities are concerned about some illegal actions and strategies pursued by some countries in the region, especially China, as previously mentioned. The European Union emphasizes multinational solutions, calls for the respect of international norms and the promotion of dialogue based on international law (here UNCLOS).³¹ Unlike the United States, both the European Union itself and its member states signed the United Nations Convention on the Law of the Sea. Unlike the United States too, the European Union lacks military capabilities of its own, even more, military power projection capabilities and rely on its member states when they are volunteered to project military forces in Southeast Asia, mostly France and the United Kingdom. It does not seem that the situation will evolve in the next years.

From a military and defence point of view, the European Union itself is lacking military

³⁰ Bill Hayton, “How Europe can make a difference in the South China Sea”, Berlin Policy Journal, published on February 7, 2019, see: <https://berlinpolicyjournal.com/how-europe-can-make-a-difference-in-the-south-china-sea/>.

³¹ Robin Emmott, “EU’s statement on South China Sea reflects divisions”, Reuters, published on July 15, 2016, see: <https://www.reuters.com/article/southchinasea-ruling-eu-idUSL8N1A130Y>.

capabilities. However, if the situation in the region should deteriorate, the European Union bodies may support its member states to send more warships to Asia and Southeast Asia. The European Union sent official observers on board of some French warships. The possibility to have a so-called “European task group” based on volunteer member states is not impossible. During the 2016 IISS Shangri-La Dialogue, former French Defence Minister and currently Foreign Affairs Minister Le Drian called for the increase of European countries warships presence and patrols in the region, especially in the South China Sea against the illegal activities - according to UNCLOS - from some countries.³² Senior EU diplomats in Singapore admitted that they had been “taken by surprise” when they heard him. Eventually, in April 2017, the French Defence Ministry invited a dozen of EU officers, beside an EU official, to cross the South China Sea, outside of the 12 nautical miles of the Spratleys Islands, on a Mistral-class ship – the Royal Navy personal and their two helicopters stayed until the end of the mission, in July 2017. In 2018, the speech of the new French Minister of the Armed forces, Mme Parly, was also and – surprisingly? – equally firm towards China – with a feeling of diplomatic-naval bids with her British counterpart. More recently, France sent its nuclear-propelled aircraft carrier for the last Shangri-La Dialogue; however, afterwards, this is a frigate, which sailed across the South China Sea, without any specific European crew.

At the end, a coalition with the support (probably mostly financially) of the European Union bodies could happen in the future. Their mis-

sion will not be a threat to any country, even China. On the contrary, the task force should make at least one port call in China during its mission to show the goodwill and that the European Union and its member states defend UNCLOS and the current international order. The task force’s goals should be to reaffirm the importance of Asia for EU’s strategic interests as previously mentioned through port calls in the region, training, exercises, conferences and exchanges of experience with Asian navies. Observers should be fair and point out that the European Union can impose sanctions in case of a consensus amongst EU member states on nations violating international law, like those against Russia after the illegal annexation of Crimea.

A last idea would be to reinforce military students exchanges with creating a European Union program allowing selected maritime law enforcement agents to take a training course in the European Union. The selection process could be done by the European Union delegations to ASEAN member states and it could follow the example of the program Erasmus Monde and Marie Curie.

Conclusion

After having wisely and patiently consolidating the basement of its strategy towards Asia in general and towards its geopolitical core in the ASEAN in particular, the EU has now the opportunity to take advantage of a new context. For that, it will take to deepening first initiatives and to find new paths towards close cooperation.

In parallel, it makes sense for Brussels to sustain bilateral partnerships, primarily in trade:

32 Tan Hui Yee, “France calls for European patrols in South China Sea”, *The Straits Times*, published on June 6, 2016, see: <https://www.straitstimes.com/asia/se-asia/france-calls-for-european-patrols-in-south-china-sea>.

for example, Singapore in October 2018, nine years after the first negotiations³³ and Vietnam in June 2019³⁴ have signed free trade and exchange agreements, while Indonesian trade negotiators have sat down with their EU counterparts in Jakarta for an eighth round of negotiations in June 2019 as well. All these various diplomatic beachheads will be useful in the short term.

Will it be enough to get an observer status within the ADMM-Plus (ASEAN Defence Ministerial Meetings – Expanded) or to deepen its partnership with ASEAN, as planned? The answer mainly lies within its state members. Indeed, their own national policies towards specific states, like China, regarding sensitive topics like arms exports or human rights, can a minima highlight a lack of consistence or harmonisation within the members. Much worse, it can also interfere with Brussels' Common Foreign and Security Policy. Last, let us see whether countries like France will play their own card or the European one get a seat within the ADMM-Plus first. The EU could lose key-players if Paris, after London – even if in a more frontal way – decided to choose the national option.

The recent appointments, in Singapore and within the European diplomats, in EU Delegations and at the European External Action Service (EEAS), will certainly give some clues. As a historian, Fernand Braudel did not want to be “terrorised by the events”. Nevertheless, political scientists have to be careful with the

global trends in the only *longue durée*: decisional processes, especially in diplomacy, still rely a lot on individuals.

33 Press release from the European Commission, “EU-Vietnam: trade agreement – investment protection agreement”, last update on 23 May 2019, see: <http://ec.europa.eu/trade/policy/in-focus/eu-singapore-agreement/>.

34 Press release from the European Commission, “EU-Singapore: free trade agreement – investment protection agreement”, last update on 25 February 2019, see: <http://ec.europa.eu/trade/policy/in-focus/eu-vietnam-agreement/>.