

THE EUROPEAN UNION, INDIA, AND THE INDO-PACIFIC: INSIGHTS FOR STRATEGIC, PRIVILEGED AND SUSTAINED PARTNERSHIPS

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26 March 2022

ABSTRACT

In the present century, the Indo-Pacific region has emerged as a seedbed of both confrontation and cooperation. Outside of the moves and countermoves of the USA and China are two other major players, namely, the EU and India. Concerted actions by the two actors have, until recently, been mostly half-hearted and, consequently, the public goods that they have delivered are far removed from their actual capacity and capability. Indeed, an enduring EU-India strategic partnership, deftly leveraged, could well transform the region into a zone of peace, prosperity, and development.

Europeans are fully aware that to be secure and prosperous, and for the European Union (EU) to remain an influential global player, the EU needs to play an effective role in the Indo-Pacific strategic space, which, in the present century, is the epicentre of the global economy and geopolitics. The EU, for its part, recognises that it has a compelling stake in the preservation of a resilient, rule-based liberal order within the Indo-Pacific, and consequently, it embraces and advocates the notion of an open and free maritime domain, as also a multilateral and enduring normative approach to conflict-resolution.

Being the second-largest economy and the largest trading bloc of the countries of the Indo-Pacific region, which account for over a third of its global trade, the EU, as a collective entity, is driven in its approach to the region by substantive and substantial geoeconomic considerations. The Indo-Pacific, as a unified region, figures in the top-five trading partners of the EU, and ranks eighth in terms of *merchandise* trade. Unsurprisingly, therefore, the EU is clear that Europe's economic prosperity and vitality as a single-market system is materially dependent upon a free and unfettered flow of maritime traffic to, from, and through the Indo-Pacific. Given that the bulk of merchandise trade flows upon the sea, European prosperity requires reliable, safe and secure sea routes, which are also prerequisites for stability in the Indo-Pacific itself.¹ With this degree of centrality in terms of maritime security and regional stability, the EU is being increasingly compelled to take a proactive stand on developments in the predominantly maritime reaches of the Indo-Pacific region.

¹ Eva Pejsova, "The Indo-Pacific: A passage to Europe", *European Union Institute for Security Studies (EUISS)*, Issue Brief, No. 3, March, 2018, www.iss.europa.eu/.

The EU has been deeply involved in the Western Indian Ocean (WIO) sub-regional space since 2008, largely through its counter-piracy operations (Operation ATALANTA in particular). Since then, EU institutions and member-states have provided considerable financial assistance and deployed significant human-resources in an effort to ensure maritime security and safety in this sub-region. The EU has been — and continues to be — deeply invested in training mechanisms related to maritime-security and domain-awareness, as also in other forms of capability-enhancement such as shaping and even drafting national legislation, and, enabling and promoting information-sharing. The EU’s Maritime Domain Awareness (MDA) operations, through its “Critical Maritime Routes in the Indian Ocean” (CRIMARIO) programme, promote a holistic approach to maritime security, encompassing both, non-traditional security, as well as hard security (the latter far more subtly than the former).² The push for renewable sources of energy notwithstanding, Europe’s dependence on West Asia, (including north Africa, the Mozambique Channel and the “Vanilla Islands”) for its energy supplies is likely, over the next several decades, to deepen, rather than diminishing. This dependence will act as a powerful driver of European involvement in these sub-regional spaces.

The EU perceives itself to be a sincere proponent of multilateralism and principled pragmatism. It is, thus, keen that the entire process of enhancing maritime-security and enduring maritime stability be set within the framework of an international order that is founded upon dialogue and respect for multilaterally-set rules that are derived from an international consensus.³ This necessitates the championing of not just the 1982 UNCLOS (United Nations Convention on the Law of the Sea), but a slew of other international treaties and agreements as well, which have preceded and succeeded UNCLOS. Important amongst these are the International Maritime Organization (IMO) Convention of 1948; the Convention for the Suppression of Unlawful Acts of Violence Against the Safety of Maritime Navigation (SUA Convention), 1988; the Convention on the International Regulations for Preventing Collisions at Sea (COLREGS), 1972; and the International Telecommunication Union (ITU) standards; all of which determine and govern the behaviour of ships and other vessels at sea. China’s ongoing attempts to promote and exploit “*lawfare*” is now well-known. Lawfare is “*the strategy of using – or misusing – law as a substitute for traditional military means to achieve an operational objective.*”⁴ As such, it is a non-kinetic weapon designed and/or executed to circumvent, obfuscate, or otherwise abuse the provisions of international law to further its own intent, and to discredit, threaten, or defeat the efforts of States, perceived as being opposed to Beijing, and, in general, to limit their navigational freedom, as well as curtail access to areas of Chinese interest, as and when required. In all these issues, the EU’s stance and its approach to the Indo-Pacific concept are more akin to that of India than any other State or collective (including the much-vaunted QUAD).

Unfortunately many Indian strategists and analysts remain so obsessed with the more visible and obvious instruments of maritime power that they appear unable to distinguish

² Eva Pejsova, “Scrambling for the Indian Ocean”, *EUISS*, Issue Brief, No. 4, February, 2016, www.iss.europa.eu/.

³ Eva Pejsova, “Europe: A New Player in the Indo-Pacific”, *Policy Forum, Asia & The Pacific Policy Society*, January 2019, www.policyforum.net/.

⁴ Major General Charles J Dunlap, Jr, USAF, “Lawfare Today: A Perspective”, *Yale Journal of International Affairs* (Winter 2008), 146-154
https://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=5892&context=faculty_scholarship

between “*capacity*” (which denotes material wherewithal, such as ships, submarines, aircraft, etc., whether manned or unmanned), and “*capability*” (which denotes human skills in terms of the development of maritime thought at the strategic, operational, and tactical levels; organisational structures, training mechanisms, legal frameworks). They are thus often (but always incorrectly) dismissive, if not downright derisive, of the EU as a serious security actor, as it has no military force of its own to deploy.⁵ Even where the EU’s member States are concerned, barring France (and to a very marginal extent, Germany and Spain), the EU has negligible capacity within the Indo-Pacific.⁶ However, the strength of the EU, in terms of maritime “*capability*” is enormous, and this strength area can only be ignored or dismissed by the Indian strategist establishment at its peril.⁷

Therefore, given the economic and developmental disparities amongst the constituent States lying within and operating-in the Indo-Pacific, both India and the EU could well become a force to reckon with. Such reasoning is not just based on the vast, predominantly maritime geographic spread of the Indo-Pacific, but also on the formulation of the Indo-Pacific constructs that closely coincide with the Indo-Pacific cartographic boundaries and wield very real influence within the entire Indo-Pacific, rivalling or possibly even exceeding the influence of the QUAD.⁸

EU Member States and the Indo-Pacific

The EU’s projection as a relevant player in the Indo-Pacific, “*with its geographical scope and focus on connectivity and maritime security, as well as its values of freedom and openness*”,⁹ inherently “*promotes the Indo-Pacific concept, which is well-aligned with its ‘interest and ambition in the region.’*”¹⁰ The Indo-Pacific remains a region where the foreign policies and interests of its member-states align, suggesting that stability in the region cannot be sustained without considering all players, existing institutions, and security structures. The European Union intends to strengthen its role as a ‘cooperative’ partner in the Indo-Pacific by offering value-added services to its partners in the region. With its neutral security-profile and its excellent working relations with all powers involved, the EU is well-suited to play an effective and stabilising role in both, the traditional and the non-traditional security environment within the Indo-Pacific region.¹¹

The terms ‘actorness’, ‘international personality’, and ‘competency’ refer to the capacity of a sovereign political entity to independently engage and interact with other sovereigns, by exercising the natural right of a State to follow its international role and to take decisions

⁵ Vice Admiral Pradeep Chauhan, “India’s Proposed Maritime Strategy”, *National Maritime Foundation*, 03 February 2020, <https://maritimeindia.org/indias-proposed-maritime-strategy/>.

⁶ Wesley Rahn, “South China Sea: France and Britain Join the US to oppose China”, *Deutsche Welle Asia*, June 2018, <https://www.dw.com/en/south-china-sea-france-and-britain-join-the-us-to-oppose-china/a-44422935>.

⁷ Vice Admiral Pradeep Chauhan, “India’s Proposed Maritime Strategy”, *National Maritime Foundation*, 03 February 2020, <https://maritimeindia.org/indias-proposed-maritime-strategy/>.

⁸ *Ibid.*

⁹ Eva Pejsova, “Europe: A New Player in the Indo-Pacific”, *Policy Forum, Asia & The Pacific Policy Society*, January 2019, www.policyforum.net/.

¹⁰ *Ibid.*

¹¹ Eva Pejsova, “The Indo-Pacific: A passage to Europe”, *EUISS*, Issue Brief, No. 3, March, 2018, www.iss.europa.eu/.

independently.¹² The EU, however, is not a sovereign entity in the international political realm, as its actorness and personality in international politics are based upon “borrowed sovereignty”¹³ — sovereignty that is derived-from and is dependent-upon its independently sovereign member-States. The EU consequently possesses fairly ‘limited competency’ as its member States are at times hesitant in sharing their sovereign authority, thereby restricting the competence of supranational EU institutions to act ‘internationally’.

The EU offers developmental assistance to countries of the region to achieve its own cherished foreign policy goals of strengthening democracy, and protection, and promoting human rights, for which it relies on contributions from the member States. However, some of its member-states, instead of contributing their share of funds to the EU, seem more inclined to act on a national level — that is, remaining outside EU mechanisms.¹⁴

Another major problem for Brussels appears to be that member-States follow or abandon the EU mechanism as per their convenience. When it comes to matters of multilateral-trade negotiations or human rights-related issues, for example, they fall in line with EU institutions, so as to maximise dividends. However, in defence or security matters, they tend to prefer a national stance. Such behaviour weakens the unity and effectiveness of the EU as a collective body and, is clearly a matter of some concern to Brussels. This notwithstanding, EU States appear determined to continue playing their due role in the region with ambitions to protect and promote their individual national interests.¹⁵

France is a good example. France is the only European country that has a very significant number of citizens — one million or so — living outside its European borders. It has a large Exclusive Economic Zone (EEZ) to protect, and has significant strategic assets employed in the Indian Ocean region. These are not features shared by the EU as a collective body nor are these factors prioritised by the EU in quite the same manner as they are by France. Thus, France as a sovereign nation-state and France as a member-state of the EU often have different drivers, different priorities, and different mechanisms-of-choice. France as a sovereign nation is a strong supporter of India and, since both France and India define at least the Indian Ocean segment of the Indo-Pacific identically, it is that much easier for them to reach a common understanding on defence and security matters. Moreover, Paris and New Delhi have several geoeconomic interests and goals in the Indian Ocean Region (IOR) that are capable of being achieved through cooperative and collaborative endeavour. Thus, India and France tend to coordinate their respective geostrategies for the attainment of these geoeconomic goals. All these factors propel India to consider France as a natural European partner in the Indo-Pacific region, even in terms

¹² Klaus Jakob, Julia Teebken, “Testing EU Actorness and Influence in Domestic and Global Governance”, Working Paper D3.1, 18 May 2020, *Trends in Global Governance and Europe’s Role*, <https://trigger-project.eu/2019/12/03/conceptualizing-eu-actorness/>

¹³ Duncan Pickard, “Judicial Interpretation at the European Court of Justice as a Feature of Supranational Law”, Stanford-Vienna European Union Law Working Paper No 20, https://www-cdn.law.stanford.edu/wp-content/uploads/2017/05/pickard_eulawwp20.pdf

¹⁴ Lisbonne-de Vergeron, “Contemporary Indian Views of Europe”, *Royal Institute of International Affairs*, Chatham House and Foundation Robert Schuman, 2006, <https://india-platform.org/wp-content/uploads/2017/07/Lisbonne-de-Vergeron-Indian-views.pdf> .

¹⁵ *Ibid.*

of hard power. This is, however, not the case with the India-EU relationship, even though France is well-recognised as being a leading member of the EU. In the perception of a substantial swath of New Delhi's strategic community, the EU is not a serious security-player whether within the Indo-Pacific as a whole or even just within the IOR. On the other hand, the EU, as a normative power is very well-respected and admired by New Delhi, but Brussels tends not to perceive India's normative weight with matching admiration. Many opportunities within the IOR are consequently lost. Several analysts, including these authors, believe that Brussels would do well to recognise India's strategic value in the coalition of democracies, and should not hesitate to seek support in areas where India has the potential to help. Likewise, of course, New Delhi, too, needs to change its own perception and demonstrate its faith in the EU not only as a 'payer'¹⁶ in the system, but also as an active 'player' in the region.

Insights into Commonalities and Divergences

The Indo-Pacific region is a significant economic area that is highly vulnerable to climate change. It is, therefore, not surprising to note that the EU-India convergence in the Indo-Pacific region is based on an improved and expansive focus on the blue economy, climate change, and ocean governance. The EU published the "International Ocean Governance: The Future Agenda of our Ocean", which outlined the rules and proposed priority areas of ocean governance. The Indo-Pacific strategy of the EU, too, highlighted strengthening of ocean governance, supporting disaster relief, and combating climate change.¹⁷ Likewise, New Delhi enunciated the "Indo-Pacific Ocean Initiative" (IPOI), which incorporates both, the vision and best practices, of a sustainable blue economy, and supports scientific research on climate-change issues.¹⁸ As a result of such convergence, the EU-India dialogue has become a more pragmatic basis for engagement in the maritime domain.

During his address at the Raisina Dialogue 2020 in New Delhi, Mr Josep Borrell, High Representative of the European Commission, pointed out that the relationship between India and Europe must become more strategic in view of the importance of Asia and the Indo-Pacific region.¹⁹ He also called for a new roadmap for a strategic partnership over the 2025 time-horizon. He emphasised the need "*to face together problems such as climate change, new technological developments and the new geopolitical landscape, with China rising*". The EU's commitment to the Indo-Pacific was reinforced with the announcement of the "Indo-Pacific Cooperation Strategy", which defined the Indo-Pacific as the region stretching from the east coast of Africa to the Pacific Island States. This strategy encompasses security and defence cooperation so as to tackle hostile cyber activities, terrorism, and organised crime. Both, the EU and India, are dedicated to

¹⁶ Garima Mohan, "Rediscovery of Europe: New Avenues for the Europe-India Partnership" *Carnegie India*, August 2018, <https://carnegieindia.org/2018/08/09/rediscovery-of-europe-new-avenues-for-europe-india-partnership-pub-77066>.

¹⁷ European Commission, "EU Strategy for Cooperation in the Indo-Pacific", September 2021, https://ec.europa.eu/commission/presscorner/detail/en/QANDA_21_4709.

¹⁸ "Prime Minister's Speech at the East Asia Summit", 04 November, 2019, MEA, https://www.mea.gov.in/Speeches-Statements.htm?dtl/32171/Prime_Ministers_Speech_at_the_East_Asia_Summit_04_November_2019.

¹⁹ Josep Borrell Fontelles, EU High Representative-Vice President, Speech at Raisina Dialogue 2020, Observer Research Foundation, 21 January 2020, <https://www.orfonline.org/expert-speak/after-the-5th-raisina-dialogue/>

a free, open, inclusive Indo-Pacific, founded upon a ‘rules-based order’. This convergence resulted in the first EU-India Maritime Security Dialogue, held in New Delhi in January of 2021.²⁰ The second dialogue, held online in February of 2022, highlighted territorial integrity and sovereignty, democracy, the rule of law, freedom of navigation and overflight, unimpeded lawful commerce, and the peaceful resolution of disputes in accordance with international agreements’,²¹ notably the UNCLOS.

Yet, as has been repeatedly pointed out in this paper, significant sections of the strategic community within India feel that the EU is yet to mature and act as a credible partner. Similarly, some elements of the European strategic community feel that India is either not ready to take on the responsibilities commensurate with her growing ambitions and capabilities, or is deliberately trying to avoid becoming a responsible actor in the region. This lack of faith and trust leads to mutual doubts and denigration of each other, and makes working for a common cause difficult. Both India and the EU have made attempts to develop confidence in each other, but these have been largely-ineffective, forcing them to become curious onlookers rather than active and effective parties in bolstering security-related developments within the Indo-Pacific.²² The outlook is not however, uniformly bleak, and there are encouraging instances of the EU-India cooperation in the security sector, which must also be acknowledged. New Delhi and Brussels adopted the “EU-India Strategic partnership: A Roadmap to 2025” during the 15th European Union and India Summit, to foster cooperation between the two entities over the next five years.²³

The EU, in its well-established role as a ‘norm-setter’, has initiated a strategy for cooperation in the Indo-Pacific, adding value to its relations with all partner-countries. The India-EU relationship endeavours to further develop this strategic partnership, based on the Roadmap to 2025, so as to enable them to work jointly towards the establishment and sustenance of peace, stability, safety, and security in Indo-Pacific. Brussels and New Delhi have initiated a dialogue on maritime security and consultation on security and defence to strengthen naval cooperation.²⁴

The politico-economic and strategic interests of the EU and India in the Indo-Pacific and the formulation of their respective strategies to deal with the challenge of China’s growing unilateralism and assertiveness are witnessing an encouraging degree of convergence. Both entities have realised that only a successfully functioning multilateral and multipolar system, founded upon a consensually-driven rules-based order, can safeguard their individual and common interests. The EU’s stand on the Indo-Pacific is different from that of the US. The

²⁰ Ministry of External Affairs, India, “Inaugural India-EU Maritime Security Dialogue”, 20, January 2021, https://www.mea.gov.in/press-releases.htm?dtl/33400/Inaugural_India_EU_Maritime_Security_Dialogue .

²¹ European Union, “Second EU-India Maritime Security Dialogue”, Joint Press Releases, *European External Action Service*, 01 February 2022, https://eeas.europa.eu/topics/security-defence-crisis-response/110399/second-eu-india-maritime-security-dialogue_en .

²² Álvaro de Vasconcelos, “A Strategy for EU Foreign Policy”, *EUISS Report*, 18, June, 2010, <https://www.iss.europa.eu/content/strategy-eu-foreign-policy> .

²³ European Council, “EU-India 15th Summit Joint Press Statement”, 15, July, 2020, <https://www.consilium.europa.eu/media/45026/eu-india-roadmap-2025.pdf> .

²⁴ European Council, “EU-India Strategic Partnership: A Roadmap to 2025”, July, 2020, <https://www.consilium.europa.eu/media/45026/eu-india-roadmap-2025.pdf> .

Europeans maintain that the “*free and open Indo-Pacific*” advocated by Washington underscores freedom of navigation and right to overflights, and a rule-based, liberal order is a necessary precondition for the development, prosperity, and stability of not only that of the Indo-Pacific region, but also at the global level. Nevertheless, they argue that the growing competition and confrontation between the US and China leaves Southeast Asian countries with a Cold War type of binary choice.²⁵ This, in turn, poses a potential risk to the Indo-Pacific at the level of concept and developments in the region.

On the other hand, a deft process of engagement between India and the EU could propel both into new areas of cooperation that could significantly enhance and enrich their mutual interests. The recent EU-India leaders’ virtual summit on May 8, 2021, was certainly a success in this regard. Both sides identified areas of further cooperation and agreed on the resumption of Free Trade Agreement negotiations. The EU-India relationship also has the potential to accelerate infrastructure-development projects in small island nations. A robust India-EU partnership on connectivity could emerge as an alternative to such island-states, many of which are in need of better connectivity and infrastructure development. In this way, small nations could have more strategic partners and multilateral relations, and reduce their dependence on any single power.²⁶

Working with the EU to establish rules and norms in the maritime domain considerably helps India to emerge as the *de-facto* ‘regional leader’ and ‘preferred security partner’ in South Asia. In addition, the extensive European experience and expertise in sustainability in ecological and infrastructure development could benefit India’s own ecological development.

Conclusion

The Indo-Pacific region is all set to become the defining feature of the present century, for both regional and extra-regional powers. The politico-economic stability of the Indo-Pacific maritime domain is essential for international security. Any crisis or conflict in this area is likely to adversely affect the economic interests and security imperatives of all global powers. China’s assertive incrementalism in the south China Sea and its ambition to establish a Sino-centric world order has left the regional powers, especially the southeast Asian countries, in a precarious position. The widespread perception of a US withdrawal from the scene, despite the occasional deployment of US naval might in the south China Sea, the US-China trade war, and the US technological competition with China, are all causes for concern.

There is, on the other hand, considerable scope for regional and extra-regional middle powers to play a strategic role in the Indo-Pacific. A situation wherein middle powers that routinely operate within the Indo-Pacific region, and the EU, pool their resources in order to face emerging challenges, coordinate capacity-building programmes, improve prospects of

²⁵ B Krishnamurthy, “India, Europe and Indo-Pacific” in India, Europe and Asia: Convergence and Divergence, ed Rajendra K Jain, (Palgrave Macmillan, 2021), 161-184.

²⁶ Zheng Haiqi and Claudia Chia, “The EU and India’s Indo-Pacific Strategies: A Strategy on Synergy”, *ISAS insights*, July 2021, <https://www.isas.nus.edu.sg/papers/the-eu-and-indias-indo-pacific-strategies-a-strategic-synergy/>.

achieving a peaceful and stable environment, and generate a “*multilateral rules-based order*” is, indeed, a goal that is well worth striving for.

The interplay of India-EU convergences and divergences will inevitably influence the manner and degree of their cooperation in the Indo-Pacific. Therefore, Brussels needs to approach New Delhi in a more practical fashion, extending beyond the articulation of normative principles. The EU should engage Indian decision-makers in a proactive and initiative-taking dialogue and must focus on common maritime-security interests that incorporate, of course, terrorism, cyber defence, but is not shy of expanding from these areas to ones involving more direct considerations of ‘hard power’. The mutual strategic partnership between the EU and India transcends their differences, and gives it the flavour of privileged partners. This can and must be leveraged for the regional good.

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