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**The Contemporary German Navy as an Instrument of Foreign Policy
The Federal Republic and its Naval Deployments after the Cold War**

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The Contemporary German Navy as an Instrument of Foreign Policy

The Federal Republic and its Naval Deployments after the Cold War

Moritz Georg Jens Brake

PhD in War Studies

2022

Ethical Approval has been granted for this research project by King's College London under the registration numbers LRS-17/18-5564 and LRM-20/21-5564

Abstract

The scale and scope of naval missions since the Cold War clearly demonstrate that Germany has increasingly come to rely on its navy as an instrument of foreign policy. Changes in strategic context, new security challenges and a transforming international role after reunification have altered the traditional perception of the navy's utility. This evolution was neither linear nor excluded the navy itself. The navy has seen proportionally higher investment – or relatively less cuts owing to the post-Cold War 'peace dividend' – than either army or airforce. Its share of personnel within the substantially reduced Bundeswehr has also increased over the past decades. Despite having been continually asked to do more with the numerically '*smallest fleet*' it ever had, the present day navy has not only markedly changed, but actually has increased relevance and utility for Germany's evolved foreign policy.

Given the importance of the sea and contemporary Germany as an international actor, it is surprising that the active use of its navy since the Cold War has not been systematically studied. The past 30 years of deployments constitute valuable case studies of a key element of European seapower and what Geoffrey Till called a 'post-modern navy'. Employed in the service of foreign policy, the German navy supported comprehensive maritime security and ocean governance, and its missions not only reflect its own evolution, but also change within Germany. Closer examination suggests that Germany's appreciation of the navy's unique potential has grown and it has come to prefer using it over 'boots on the ground', whenever military force is called for. This is a marked shift for the '*continental power*' Germany and forms a substantial component of its much broader '*maritime turn*' in the 21st century.

This thesis examines the missing naval dimension of Germany's '*New Global Role*' and its shift towards a much more maritime international actor. Building on case studies of the navy's missions since the end of the Cold War, tracing changes in policy and the navy, this thesis engages with and feeds into scholarship on navies and German foreign policy. In the quest to better understand German power, studying its navy offers valuable insight. While not a universal solution, naval power adds a set of unique options and lends a global presence to foreign policy at much reduced risk and greater cost-effectiveness than army or airforce could.

Contents

Abstract.....	3
Contents	4
Acknowledgements.....	7
List of Abbreviations	9
List of Figures.....	12
I. Introduction	17
I. 1 Literature Review	26
German Foreign Policy and International Affairs.....	29
Maritime Security and Ocean Governance	30
Seapower and Navies.....	34
I. 2 Methodology.....	44
I. 3 Structure.....	49
II. Understanding Germany’s Use of the Navy in Foreign Policy	51
II. 1 The Utility of Navies in Foreign and Security Policy	55
The Traditional View.....	55
Post-Modern Navies, Maritime Security and Ocean Governance	60
II. 2 The Role of the Navy in Foreign Policy in German Discourse.....	69
1848 to 1990	69
Post-Cold War.....	76
II. 3 Evolving German Thought on the Navy, Maritime Security and Ocean Governance	82
III. The State, Maritime Security and The Navy as an Instrument of Foreign Policy	84
III. 1 The Parameters of Maritime Security	87
III. 2 The Policy and Strategy Level.....	95
The Länder and the Navy.....	102
The Economic and Defence Industrial Element.....	104
The Legal Framework.....	109
III. 3 The Navy.....	111
The Forces and their Mission.....	113
III. 4 Evolving German Strategy and the Navy.....	117

IV. Phase 1: First Steps in International Crisis-Response.....	125
IV. 1 Introduction.....	125
IV. 2 Developing an Understanding of the Utility of the Navy	128
IV. 3 <i>Südflanke</i> and the Naval Response to the 1990 Iraq War.....	133
IV. 4 Sharp Guard: 1992 - 1996.....	137
IV. 5 Southern Cross 1994: Getting Germany’s Peacekeepers Home from Somalia.....	144
IV. 6 Effects of the First Phase of post-Cold War Naval Missions on German Foreign Policy and the Navy	154
V. Phase 2: The War on Terror: Becoming An Expeditionary Force for Good Order at Sea.....	164
V. 1 Introduction.....	164
V. 2 The Utility of the Navy to Germany in the War on Terror	167
Mission, Mandate and ROEs	174
V. 3 Operating off the Horn of Africa	181
The Navy’s First Encounter With Somali Piracy: the Case of the <i>Panagia Tinou</i>	188
V. 4 The Effects of the Schröder years on the Navy in German Foreign Policy	191
VI. Phase 3: Comprehensive Maritime Security and Ocean Governance.....	204
VI. 1 Introduction.....	204
VI. 2 The Navy in the Economic and Foreign Policy Context of the Merkel Years	207
VI. 3 UNIFIL: The Arab-Israeli Conflict, Diplomacy, Presence and Training	212
VI. 4 EU ATALANTA: Comprehensive Maritime Security at the Horn of Africa.....	221
VI. 5 Refugee Crisis in the Mediterranean	240
VI. 6 Crisis-Response, Comprehensive Maritime Security and the return to Great-Power Confrontation	250
VII. The Navy and Germany’s New Global Role.....	259
VII. 1 The Paradox of German (Sea)Power	262
Constitutional Limitations and the Parliamentary Prerogative	268
Germany’s National Maritime Cluster.....	270
VII. 2 The Complexity of Challenges and the Increasing Relevance of the Navy	273
‘Out-of-area or out of business’	276
Counter-Terrorism and National Self-Defence.....	282
Comprehensive Maritime Security and Ocean Governance	283
VII. 3 Emancipating the Navy from its Cold War Role.....	286

VIII. Concluding Remarks.....	289
Some Principles of German Maritime Strategy	293
Over the Horizon.....	306
Appendix.....	308
Interviews.....	308
Bibliography	309
Primary Sources	309
Official Publications, Documents and Records	309
Court Rulings, Laws, Treaties and Resolutions	326
Secondary Sources	327
Articles, Books and Reports.....	327
News	354
Other Sources.....	359

Acknowledgements

This research project was inspired by the experience of my service as an officer in the German navy. The research and writing of this thesis was a private part-time effort accompanying my duties between fall 2016 and spring 2022. The result is my own work and does not represent the opinion of the navy or the federal government.

I am grateful to the navy and my superior officers for the trust placed in me and opportunities granted over the course of my service. It makes me especially proud to have served with my shipmates in frigate *Köln* during the EU mission ATALANTA in 2010 and 2011. My related experiences with Somali piracy sparked the questions that initially led me to the Department of War Studies at King's College London for a Master's programme in 2012.

Here, I especially want to thank my supervisors, Dr. Marcus Faulkner and Professor Dr. Rachel Kerr at King's College. From planting the idea, encouraging me to continue my research and supporting me as supervisors during the PhD programme, to helping me grow my thoughts and findings into this thesis: It would not have been possible to complete this work without them.

I also thank my friend and mentor Captain (RN, ret.) Colin Cameron for introducing me to the French *Institut des Hautes Études de Défense Nationale* (IHEDN) and the related opportunities for personal growth involved in becoming one of its *auditeurs*. This included an early showcasing of my research at the *Forum National des Auditeurs* at the *Sciences Po* in Aix-en-Provence and contributing to the IHEDN's 'blue book', '*La mer, un livre bleu pour la France*' in 2017. Standing out among other conferences and guest lectures, was the opportunity to present some of my thoughts at the annual *Historisch-Taktische Tagung der Marine* (HiTaTa; 'historical-tactical congress of the navy') in January 2020. The discussion of my ideas with a high-ranking audience in the navy was uniquely profitable and I am particularly grateful for the mentorship provided by Captain Torben Jürgensen in the months leading up to it.

The research for this thesis benefitted immensely from interviews and conversations with a number of personalities within and outside of the navy, still on active duty or in retirement. Admiral (ret.) Gottfried Hoch was not only especially generous with his time, he also allowed me to use some of the material in his private collection. His and the other interviewees' generosity in sharing their experiences and insights with me contributed

substantially to developing my understanding of the role of the navy as an instrument of foreign policy.

Most importantly, I thank my family. My parents Anna Elisabeth and Heinz-Georg Brake have always been supportive and invaluable in discussing many of my ideas. Sadly, my father did not live to see the completion of this thesis. But in addition to so much else, his passion for the written and spoken word has inspired me throughout and helped me finish it. Furthermore, as family in a very special way, I thank Barbara and Douglas Hedin, who are not only wonderful people, but have in no small share contributed to my life-long love for learning, reading and writing. Finally, as my children, Milla, Fiona and Nils, had to bear with my seemingly endless hours at my desk – and at times me turning our home into a library, it is to them that I owe the most.

List of Abbreviations

For the sake of ease of understanding a host of German ranks unfamiliar to an international audience, all naval officers of flag-rank are addressed as ‘Admiral’.

AA – Auswärtiges Amt

AfD – Alternative für Deutschland

AMISOM – African Union Mission in Somalia

BMVg – Bundesministerium der Verteidigung

BMZ – Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung

CDU – Christdemokratische Union

COI – Contact of Interest

CSU – Christlich-Soziale Union

DPKO – UN Department of Peacekeeping Operations

EAV – Einsatzausbildungsverband

ECSA – European Community Shipowners’ Associations

EU – European Union

EUCAP – European Union Capacity Building Mission

EU NAVFOR – European Union Naval Force

EUTM – European Union Training Mission

FGS – Federal German Ship

FOST – Flag Officer Sea Training

GDP – Gross Domestic Product

GDR – German Democratic Republic

GOST – German Operational Sea Training

HiTaTa – Historisch-Taktische Tagung der Flotte / der Marine

HMS – Her Majesty’s Ship

IMB – International Maritime Bureau

IMF – International Monetary Fund

IMO – International Maritime Organization

IR – International Relations (academic discipline)

IFSH – Institut für Friedensforschung und Sicherheitspolitik an der Universität Hamburg

IRTC – International Recommended Transit Corridor

ISAF – International Security Assistance Force

ISPK – Institut für Sicherheitspolitik an der Universität Kiel

JALLC – The Joint Analysis & Lessons Learned Centre

LIO – Leadership Interdiction Operation

MDA – Maritime Domain Awareness

MIO – Maritime Interdiction Operation

MPA – Maritime Patrol Aircraft

MSCHOA - Maritime Security Centre Horn of Africa

MV – motor vessel (ship with an engine as its main source of propulsion)

NATO – North Atlantic Treaty Organization

NATO COE CSW – NATO Centre of Excellence for Confined and Shallow Waters

NAVCENT – US Naval Forces Central Command

NBC – Nuclear Biological Chemical (agents)

NDR – Norddeutscher Rundfunk

NGO – Non-Governmental Organisation

NVA – Nationale Volksarmee

NZDF – New Zealand Defence Force

OAE – Operation Active Endeavour

OEF – Operation Enduring Freedom

ROE – Rules of Engagement

SOLAS – Convention for the Safety of Life at Sea

SPD – Sozialdemokratische Partei Deutschland

SCRes – Resolution of the United Nations Security Council

SUA – Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation

SWP – Stiftung Wissenschaft und Politik

UN – United Nations

UNCLOS – United Nations Convention on the Law of the Sea

UNCTAD – United Nations Conference on Trade and Development

UNITAR – United Nations Institute for Training and Research

UNSC – United Nations Security Council

US AFRICOM – US African Command

USS – United States Ship

WEU – Western European Union

ZVM – Zielvorstellungen Marine

List of Figures

Chapter I

Fig. 1, world shipping routes and critical 'chokepoints' (source: *World Ocean Review 2021*, p. 118)

Fig. 2, increase in volume of trade by sea since the 1980s (source: *World Ocean Review 2021*, p. 118)

Fig. 3, 'Trade openness index' of the OECD comparing Germany with the world's leading economies (source: Ortiz-Ospina & Beltekian, (2018))

Fig. 4, *The Exotic Island of German Naval Diplomacy* (author)

Fig. 5: *Localising the research* (author)

Fig. 6, *Bueger's Maritime Security Matrix* (source: *Bueger (2015)*, p. 161)

Fig. 7, Rowlands' model of 21st century naval diplomacy (source: *Rowlands (2015)*, p. 417)

Fig. 8, (top, left), Booth's 'The Functions of Navies' (source: *Booth (1977)*, p. 16)

Fig. 9, (top, right), Grove's adaptation (source: *Grove (1990)*, p. 234)

Fig. 10, (bottom), Stöhs' colour-coded version applied to France's 2015 Counter Daesh mission (source: *Stöhs (2019)*, p. 85)

Fig. 11, *Analytical Map of Missions* (author)

Chapter II

Fig. 12, one illustrative example of a spectrum of the use of navies, ranging from friendly port visits to the Single Integrated Operational Plan (SIOP, US military term for 'all out nuclear war'; source: *Moran (2009)*, p. 14)

Fig. 13, *Human Security, Maritime Security, the Comprehensive Approach and Ocean Governance* (author)

Fig. 14, *Painting 'Der Letzte Mann' (the last man) by Hans Bohrdt (1915)*, widely used in propaganda during the First and Second World War. (source: *Wikimedia Commons*, public domain)

Fig. 15, *Typical Challenges of 'Small Navies'* (author; input from *Till (2014)*, pp. 22-4)

Fig. 16, *The Utility of the German Navy as Stated in Official Strategy* (author; input from *BMVg (1994)*, pp. 120-2; *BMVg (2006)*, pp. 131-3; see *Speller (2019)*, pp. 29-32)

Chapter III

Fig. 17, *The pinball-machine of German policy- and strategy-making with regard to the navy* (author)

Fig. 18 (top), *Trade as share of GDP (trade openness index)* (source: *Our World in Data*)

Fig. 19 (bottom), *GDP of Major Economies 1990 – 2020* (graphic: author; data: *World Bank, IMF*)

Fig. 20, *Size of Merchant Fleet in Tonnage* (graphic: author; data: *UNCTAD*)

Fig. 21, *Overview of maritime interests and actors in Germany* (author; input, *BMVg (2016)*, Art. 1.2; 5.2; *Bundesregierung (2017)*, II. Introduction)

Fig. 22, (left), *Bamberg, federal police, one of three of 86.2 m-long, 1,980t vessels* (source: *Bundespolizei*)

Fig. 23 (bottom, left), *multi-purpose vessel, shipping and waterways authorities* (source: *WSV*)

Fig. 24 (bottom, right), *ocean-going Seeadler, 72.4m-long, 1,774t fisheries protection vessel of the federal agency for agriculture* (source: *BLE*)

Fig. 25, *Dramatis Personae* (graphic: author; input: Brake & Walle, p. 71, p. 80, p. 84, p. 88, p. 94, p. 104, p. 106; Bundesregierung; various Jahresbericht des Flottenkommandos/Marinekommandos)

Fig. 26, *The German Cabinet, chancellor and sixteen ministers, including their affiliation to one of the parties in the governing coalition (number of ministries and allocation of responsibilities of the 2021 Scholz coalition government/graphic: author; data: Bundesregierung)*

Fig. 27, *The Aims of German Foreign Policy* (graphic: author; input BMVg (2016), p. 47, Auswärtiges Amt (2017), pp. 45-7, BMZ (2017), p. 28)

Fig. 28, *German-built South African corvette Amatola. Badge of exercise 'Good Hope III', 2008, between the German and South African navies, part of a longer voyage of three German warships with several African port-visits during which the German naval arms industry also showcased its latest products (image source: South African Navy; badge in possession of author)*

Fig. 29, *German Arms Exports 1996 – 2020 (amount cleared for shipment by the government that year, not amount actually delivered; data: Rüstungsexportbericht der Bundesregierung 1999 – 2020; graphic: author)*

Fig. 30, *German Naval Arms Exports 1992 – 2020 (graphic: author; data: UNROCA reports 1992 – 2020)*

Fig. 31, *Military expenditure of Germany, France, UK compared from 1990 until 2020 (Source: Our World in Data)*

Fig. 32, *Change in numbers of characteristic equipment of the three services compared over time (graphic: author; data: UNROCA)*

Fig. 33, *The German Navy in 1970 (graphic: author: data: Weißbuch 1970, p. 140)*

Fig. 34, *Changing force of the German navy, 1990 – 2020 (graphic: author: data: Jane's Fighting Ships)*

Fig. 35, *Comparing the Navy's 1991 plans for the 2005-Fleet with Reality (graphic: author; data: Deutsche Marine (1991), p.14; Flottenkommando (2005), 11-5)*

Fig. 36, *Spectrum of thought on the navy's role in Germany (author)*

Chapter IV

Fig. 37, *the navy's Cold War area of operations and mission (source: BMVg (1985), p. 217)*

Fig. 38, *Defence budget from 1990-2000 (numbers for 1999 and 2000 converted from € to DM; data: see Bundesregierung (1991c), p. 21; Bundesregierung (1992a), 14., p. 1; Bundesregierung (1993); Bundesregierung (1995), p. 19; Bundesregierung (1997), pp. 19-21; pp. 19-21 ; Bundesregierung (1999), pp. 35-7)*

Fig. 39, *Mission area Sharp Guard (Source: ZMSBw)*

Fig. 40, *Type 122 frigate Lübeck in Sharp Guard in Summer 1994, still with the old ship's cutter on her starboard side (Source: Waldemar Benke)*

Fig. 41, *newly fitted speedboat of frigate Karlsruhe in 1995, the one related to the fatal accident (Source: Gero Breloer, picture alliance)*

Fig. 42, *Type 122 frigate Emden, ending Sharp Guard on 21st July 1996, speedboat instead of cutter, 20mm gun just aft of the bridge-wing (Source: Ingo Wagner, picture alliance)*

Fig. 43, *Cover of the 'Southern Cross' original operational orders (courtesy Gottfried Hoch)*

Fig. 44, *Capt. Hoch with Col. Kammerhoff on the pier in Mogadishu, March 1994 (courtesy Gottfried Hoch; unknown source/photographer)*

Fig. 45, *Historic overall forces levels presented by the government to parliament in 2018 appear patchy – to say the least: Südflanke is not included in 1991, Sharp Guard and Southern Cross are also missing in 1994 (source: Bundesregierung (2018c), p. 7)*

Fig. 46, Germany's Südflanke in Comparison (graphic: author; input: Bundesregierung (1991a), pp. 1-2; Bundesregierung (1991), p. 7)

Fig. 47, Analytical Map of Early Out-of-Area Deployments, 1990 – 2001 (author)

Chapter V

Fig. 48, German Navy destroyer Lütjens in passing salute to USS Winston Churchill on the day after the 9/11 attacks in 2001 (source: U.S. Navy/Lt. Mike Elliot, USS Winston S. Churchill, public domain)

Fig. 49, Timeline of events for the commencement of the OEF deployment (author; input, see Hoch (2005), pp. 687-9; Schneller (2007), pp. 81-2; Szandar et al. (2007))

Fig. 50, Map of the OEF mission area with German Navy as part of CTF 150 (MGFA; Hoch (2005), p. 689)

Fig. 51, Comparing Initial OEF Deployments: Oct. 2001 – Feb. 2002 (author)

Fig. 52, 20mm gun installed as a consequence of Sharp Guard, seen here during OEF, 2002 (source: Bundeswehr)

Fig. 53, 'Germans to the front?': not in this display of allied seapower assembled in OEF. In four descending columns, from left to right: ITS *Maestrale* (F 570), FNS *De Grasse* (D 612); USS *John C. Stennis* (CVN 74), FNS *Charles de Gaulle* (R91), FNS *Surcouf* (F 711); USS *Port Royal* (CG 73), HMS *Ocean* (L12), USS *John F. Kennedy* (CV 67), ITS *Luigi Durand de la Penne* (D560); and HNLMS *Van Amstel* (F 831) – the German Navy was deployed further South and away from the 'hottest' part of the fight (source: US Navy)

Fig. 54, GDP of Djibouti in current USD (source World Bank)

Fig. 55, German force levels in the War on Terror from 2001 until 2010, where available, approximate numbers (–) refer to average deployed force-levels, not to maximum ceiling of mandates. War on Terror-participation is split up between navy (blue) and army, medical branch, airforce (light green), and compared with those of the Bundeswehr in ISAF and Resolute Support in Afghanistan (dark green). After 2010 and until 2016, OAE continued as a mission in passing for German units in transit in the Mediterranean (light blue, shaded). (graphic, author; data: mandates, parliamentary enquiries, reports)

Fig. 56, Selection of badges made by various ships' crews to mark their participation in OEF, note the one in the centre, shaped like a US police-badge (2002-2009; unknown authors)

Fig. 57, Analytical Map of the post-9/11 Deployments, 2001-2010(OEF)/2016(OAE) (author)

Chapter VI

Fig. 58 (above), Map of Bundeswehr missions abroad 10th October 2006 (source: Bundeswehr)

Fig. 59 (below), Map of Bundeswehr missions abroad September 2021 (source: Bundeswehr)

Fig. 60, Percentage of Population in Favour of Missions of the Bundeswehr Abroad (graphic: author; data: Sozialwissenschaftliches Institut der Bundeswehr, respectively the ZMSBw, Bulmahn et al. (2008), p. 115; Steinbrecher et al. (2016), p. 69)

Fig. 61, Top 5 UNIFIL force contributors October 2006 (land and sea) (graphic: author; data: UN DPKO)

Fig. 62, UNIFIL Maritime Task Force 448, 15th October 2006 (graphic: author; data: UN DPKO, correlated with contemporary news coverage)

Fig. 63, UN Peacekeeping Contributions of Germany (graphic: author; data: UN DPKO)

Fig. 64, corvette Erfurt, F262, commissioned in 2013, arriving in Limassol, 2nd May 2015 (source: Bundeswehr/Bastian Fischborn)

Fig. 65, UNIFIL's last German fast patrol-boat. Hyäne, P6139, commissioned 1984, Naqura, Lebanon – site of the UNIFIL headquarters in the background, 21st March 2016 (source: Bundeswehr/PAO UNIFIL)

Fig. 66, map of main maritime circulation and acts of piracy and armed robbery, 2006-2013 (source: UNITAR)

Fig. 67, *Managing Countries whose Ships were attacked more than ten times in 2008* (source: IMB)

Fig. 68, *Incidents of Piracy/Armed Robbery at Sea related to Somalia* (graphic: author; data: IMB, UNITAR 2014)

Fig. 69, *The 'live piracy map' of the IMB for 2011* (Source: IMB)

Fig. 70, *Planned forces, first year EU NAVFOR ATALANTA, 08th December 2008* (graphic: author; data: Bundesregierung)

Fig. 71 (left), *boarding-team and speedboat of Köln interdicting suspect pirate supply vessel* (source: Bundeswehr)

Fig. 72 (bottom, left), *29th September 2011, doorgun of Köln's helicopter sinking an empty skiff with piracy artefacts on board (fuel, weapons, ladders) close inshore* (source: Bundeswehr)

Fig. 73 (bottom, right), *vessels of an interdicted 'pirate action group' destroyed after suspects were taken aboard Köln* (source: Bundeswehr/PAO ATALANTA)

Fig. 74, *Map of area of operations of EU ATALANTA (as extended September 2010, source: EU NAVFOR)*

Fig. 75, *Overview of Private Counter-Piracy Stakeholders* (graphic: author; input: UNCTAD (2021b), p. 38; Allianz Global Corporate & Specialty (2014), pp.22-4; www.alliedmarketresearch.com (2021); Oceans Beyond Piracy (2014), p. 8; Topp (2015), p. 194; Rodrigue (2020b); Bunker Index (2015); Oceans Beyond Piracy (2014), pp. 14-18; Beckman (2013), p. 19; Guilfoyle (2013c), pp. 330-1; Siebels (2015), p. 219; Siebels (2015), p. 213; Bundesregierung (2008), p. 12)

Fig. 76, *Official VPDs vs. PCASP* (graphic: author; input: Einsatzflottille (2014), p. 92; Oceans Beyond Piracy (2014), p. 14-8; Ickert (2015), pp. 125-7; Unruh (2015), p. 190)

Fig. 77, *Comparing Resources of Mare Nostrum (Oct. 2013 – Oct. 2014) with Triton (Oct. 2014 -)*(graphic: author; data: Ministero Della Difesa (2018); FRONTEX (2014); FRONTEX (2015))

Fig. 78, *Map of Refugee/Migrants Emergency Response* (Source: UNHCR 2016)

Fig. 79 (left), *Hessen and Berlin, en route to Crete* (source: Bundeswehr/Ricarda Schönbrodt)

Fig. 80 and 81 (below), *flight deck and hangar of Hessen, 29.05.2015, 880 boat migrants on board* (source: Bundeswehr/Gottschalk)

Fig. 82, *EUNAVFOR MED SOPHIA in perspective (15th September 2015)* (graphic: author; data: ARD Magazin Monitor (2015))

Fig. 83, *EU Net Migration Compared 2008 – 2019* (graphic: author; data: Bundesinstitut für Bevölkerungsforschung, eurostat)

Fig. 84, *arrivals/dead and missing 2014-2021*; Fig. 85, *Sea arrivals monthly* (Source: UNHCR)

Fig. 86, *Number of Boat Migrants Saved by Mission/Actor* (graphic: author; data: European Council (2022))

Fig. 87, *Analytical Map of the Merkel-era Deployments, 2005-2021* (author)

Chapter VII

Fig. 88, *A 'European navy'? The frigates, Aquitaine, Provence, Chevalier Paul (FRA) Augsburg (GER) St. Albans (UK), supply vessel Marne (FRA), escorting the aircraft-carrier Charles de Gaulle (FRA) during operation Counter Daesh, 18th January 2016* (source: Bundeswehr/Marine Nationale/Cindy Luu)

Fig. 89, *Military expenditure as a share of GDP. Translating economic into military power* (source: OurWorldinData)

Fig. 90, *Germond's map of the EU and the 'global maritime frontier'* (source: Germond (2015), p. 188)

Fig. 91, German Development Cooperation and Partnerships, Naval Arms Exports and Missions of the Navy (design: author; data: BMZ, BMVg, UNROCA, US Navy)

Fig. 92, Deployments and NATO Commitments of the German Navy after the Cold War (graphic: author; data: Bruns (2020), p. 136; Brake & Walle (2016), p. 80, pp. 84-5, p. 88, pp. 94-5, pp. 104-9)

Fig. 93, Adaptation of Booth's/Grove's triangle on the functions of navies to the missions of the German Navy since 1990 (author)

Fig. 94, public visibility of select missions of the Bundeswehr in Germany (graphic: author; data: Graf (2021), polls of the ZMSBw)

Fig. 95, Personnel in Missions of the Navy until 2018 (graphic: author; data: numbers 2018 until 2021 not publicly available, others based on Bundesregierung (2018), pp. 2-4, and the accounts of the missions Südflanke, Sharp Guard and Southern Cross in this thesis)

Fig. 96, List of Commanders of Select Missions of the Navy (graphic: author; input: notices on change/takeover of command in the MarineForum over the years; accounts of missions in this thesis)

Fig. 97, UN Peacekeeping Contributions Germany, France, USA and Bangladesh 1991 – 2021 (author; data UN)

Chapter VIII

Fig. 98, drawings left by crew of the frigate Köln on the harbour wall of Djibouti, the Horn of Africa port the vessel also visited in 1994, participating in operation Southern Cross (source: author)

I. Introduction

Building on and contributing to existing research on European navies, 21st century seapower and Germany's global role, this thesis aims to discern how Germany sees and uses its navy as an instrument of foreign policy. Given the variety of missions carried out since the end of the Cold War, and their diplomatic-political communicative dimension, it is surprising that Germany's navy has received so little attention by scholars. From the lack of official evaluations of the missions, to the general public and academic focus on the army in Afghanistan,¹ the seapower element of German foreign policy is largely overlooked. While this is not in all consequence reflected by its budget, the record of deployments suggests that policymakers have come to appreciate the utility of the navy. This poses the question, how much is Germany willing to pay for the political benefits it gets from having a capable navy – and how big a navy does it need to handle the missions it deems necessary? A more thorough understanding of the missions the navy has carried out – and continues to carry out – may help in finding answers to these questions.

At the beginning of the 21st century, Germany not only possessed one of the world's leading economies and was a key EU actor, it had also become a major shipping power and learned to use its navy in different ways and much further away than ever before. After reunification in 1990, Germany aimed to achieve greater international recognition, involvement in UN, EU and NATO and assume greater responsibilities on the world stage.² This entailed actively using its armed forces, the Bundeswehr, in peacekeeping, crisis response and collective defence against international terrorism. Germany also contributed more and more to global maritime security and ocean governance. However, has all this become obsolete with Russia's aggression in Ukraine and China's mounting challenge to the US-led rules-based international order? Reducing the navy from its new evolved state back to the exclusive territorial defence Cold War role, would be a waste of its much broader utility to foreign policy – *especially* in the light of resurging geopolitical rivalry.³ Indeed, Germany and its navy have by all appearance of official strategy and deployment practice grown to appreciate the specific

¹ See the first ever announcement of such an evaluation – for the army mission in Afghanistan, Kramp-Karrenbauer (2021); the Bundeswehr's history branch's monumental work on missions abroad which completely omits the navy, Maurer & Rink (2021)

² See Bierling (2014), pp. 9-15; Kundnani (2015), pp. 1-5; Giegerich & Terhalle (2021), p. 41

³ On the utility of navies in warfighting and serving foreign policy much broader, see Corbett (2010), p. 6; Gray (1994), pp. 161-5; Booth (1977), p. 16; Grove (1990), p. 234

utility of naval means – and seapower more broadly – to serve a foreign policy that can no longer afford to focus on itself and very near abroad.⁴

Given Germany's significance in European and international affairs, its considerable economic power and the debates surrounding its foreign policy – at times deemed '*post-heroic*', '*post-modern*', '*cosmopolitan*', returning to '*normality*' or pursuing a new '*Sonderweg*' – the way it employs its navy requires greater attention than it has received.⁵ In a climate of declining armed forces and defence budgets in the post-Cold War era the relative significance of the navy in the Bundeswehr has grown. In 1990, the navy mustered 6.7% of military personnel,⁶ in 2022 almost 15%.⁷ Studies relating to the navy as an instrument of German foreign policy are rare, the last major one dates from the late 1970s and the changes in context after the end of the Cold War have yet to be integrated in a study of how Germany uses and sees its navy in the 21st century.⁸ By drawing on existing scholarship on navies, seapower, maritime security and foreign policy, this thesis takes an in-depth case-studies based approach to address the gap in research with respect to contemporary Germany and its navy.

The sea matters not only to Germany, its economy and foreign policy, but to international affairs and humanity as a whole. The sea is likely to remain the primary vector of power projection in the 21st century and protecting it as a vital element of the planet's ecosystem has also increasingly become an object of foreign policy.⁹ Ocean governance, stewardship for the world ocean as a '*common heritage of mankind*' slowly moved also onto the German political agenda.¹⁰ The shift from the '*infinity illusion*' to recognising the need to protect the ocean has begun as early as the 1950s, and from the late 1960s onwards fed into the development of UNCLOS.¹¹ As the planet's key regulator of heat distribution, the ocean is warming with climate change and losing oxygen. Its phytoplankton produces between 50%-80% of the oxygen in the atmosphere needed for human life.¹² As a food source, the sea is the exclusive provider of protein for over 15% of the world population, while over 60% of

⁴ See BMVg (1994), pp. 120-2; BMVg (2006), pp. 131-4; BMVg (2016), pp. 31-2

⁵ See Cooper (2002); Muenkler (2007); Kundnani (2015), p. 69, pp. 101-2; Beck (2001); Oppermann (2016)

⁶ 25,000, BMVg (1994), p. 97

⁷ February 2022: navy: 16,196; army: 62,766; airforce: 27,381; total Bundeswehr: 183,758 (remaining number serves i.e. in joint-support service, cyber-forces, medical branch or the ministry. These serve in army, airforce or navy uniform and are made up largely in proportion to the 'traditional' services' sizes), Bundeswehr (2022m)

⁸ Mahnke & Schwarz (1974)

⁹ See Coutau-Bégarie (2007), p. 67; UN Climate Change Conference (2015); United Nations (2015)

¹⁰ See UNCLOS (1982), preamble; Mann Borgese (1998), preface; see Germany's first ocean governance strategy, Bundesregierung (2008d)

¹¹ See Carson (1951); Jenisch (2012), pp. 126-32; World Ocean Review (2021), p. 27

¹² See World Ocean Review (2021), pp. 14-7; National Ocean Service (2021)

humanity derives at least 15% of its protein-intake from marine species. Fish-stocks are shrinking and increasingly overfished, the world population is growing and economic prosperity raises demand for seafood.¹³ Additionally, over 80% of world trade in goods is carried by seagoing ships and over 95% of data in cyberspace is transmitted via undersea cables.¹⁴

The vitally important contributions of the sea to human civilisation need protecting from hostile interference and criminal activity, while states and their navies play a crucial role in closing the enforcement gap identified with respect to ocean governance.¹⁵ Of all major economies, Germany's is the most 'open' – defined by the ratio of imports and exports vs. GDP (see Fig. 3) – with only much smaller outliers like the island city-state Singapore exceeding its dependency on trade.¹⁶ As global trade and globalisation are dependent on maritime transport (see Fig. 1 and 2), so is Germany. In parallel to the rise of the commercial significance of the sea, Germany moved from having been more or less gently '*nudged*' by its allies to use the navy in the 1990s,¹⁷ to appreciating its utility in demonstrating solidarity after 9/11, and subsequently employing warships with greater initiative and according to certain discernible patterns in cases the federal government deemed this beneficial to its interests.

Until the late 1980s, Germany's Cold War role fostered a specific strategic culture, which also narrowed the view on maritime strategy and the political utility of seapower. This was the case despite the rich naval history and maritime thought Germany could draw on. In the modern era Germany had at least seven navies between 1848 and 1955, the birth-year of today's navy. The *Bundesflotte* of 1848, Prussia's navy, Austria's navy (until 1866 a state in the German federation), the navy of Bismarck's *Norddeutscher Bund* (1866-1871), the *Kaiserliche Marine* (1871 – 1918), the *Reichsmarine* of the Weimar Republic (1919-1935) and Hitler's *Kriegsmarine* (1935-1945).¹⁸ Illustrating the influence of history on the contemporary navy, even if predominantly by distancing itself from many aspects of the past, Admiral Ruge, first chief of the post-1945 navy, not only served in the three before leading a fourth, he

¹³ See World Ocean Review (2021), p. 80; Science Advice for Policy by European Academies, SAPEA (2017), p. 12; pp.17-8

¹⁴ On trade, see Rodrigue & Notteboom (2022); on data, see Morcos & Wall (2021)

¹⁵ Enforcement gap, see Warner & Kaye (2016), preface

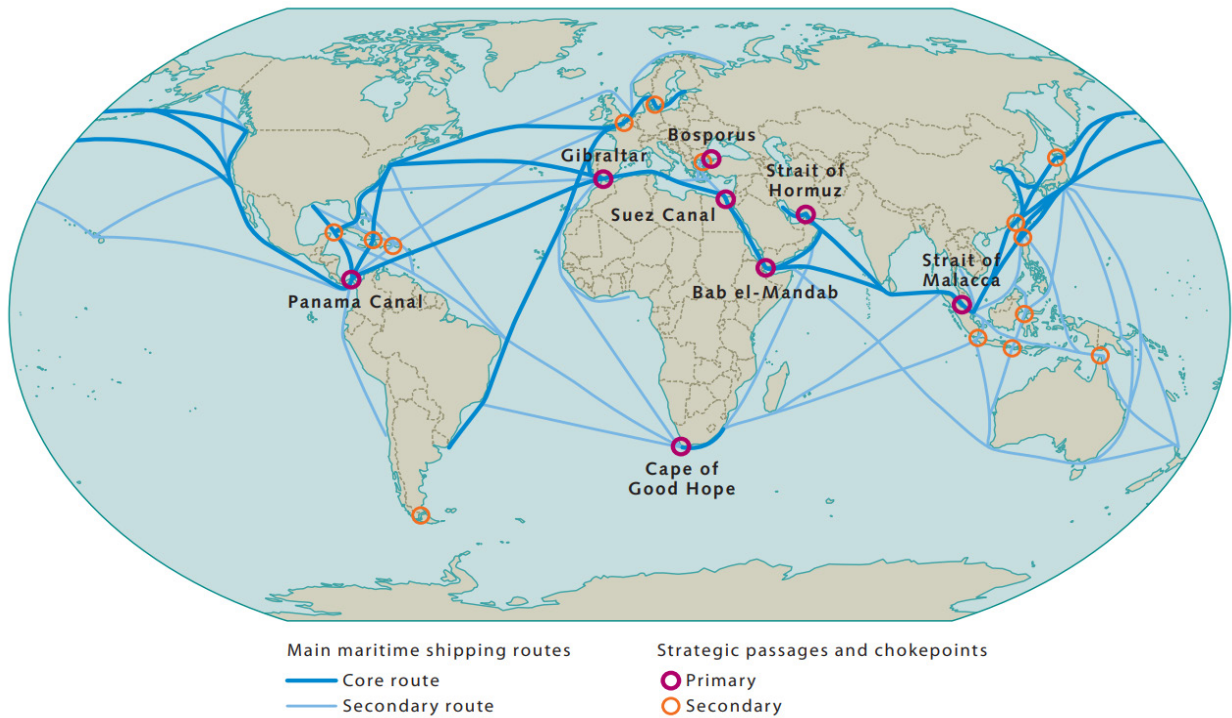
¹⁶ Singapore's combined import and exports have consistently made up well over 300% of GDP since 1990, see Ortiz-Ospina & Beltekian (2018)

¹⁷ Special thanks for pointing this out, goes to Captain (RN, ret.) Colin Cameron, who conducted a number of personal visits to Germany on behalf of the Western European Union (WEU) in the early 1990s, preparing the ground for operation '*Sharp Guard*' (1993-1996). *Personal communication with the author.*

¹⁸ See Roehr (1963), pp. 40-151

developed his political, historical and professional reflection by considering the influence of seapower on German history from the days of the Hanseatic League, via the Napoleonic Wars to the British Empire and the lost World Wars.¹⁹

¹⁹ See Ruge (1955), pp. 14-23; his foreword in Roehr (1963)



Trade – exports plus imports – as share of GDP, 1990 to 2020

Shown is the 'trade openness index' – the sum of exports and imports of goods and services, divided by gross domestic product.

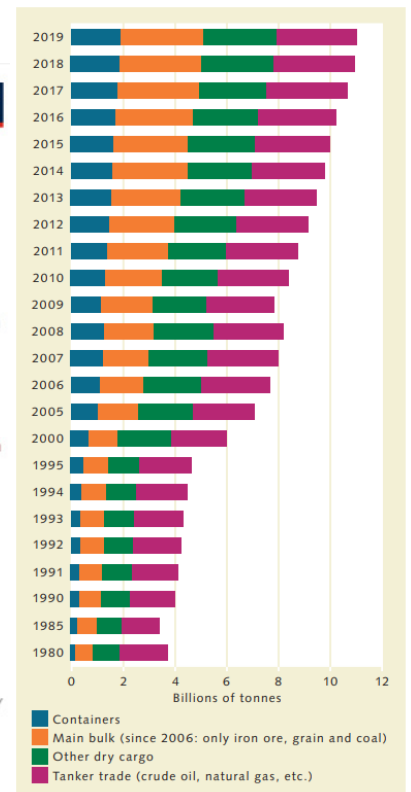
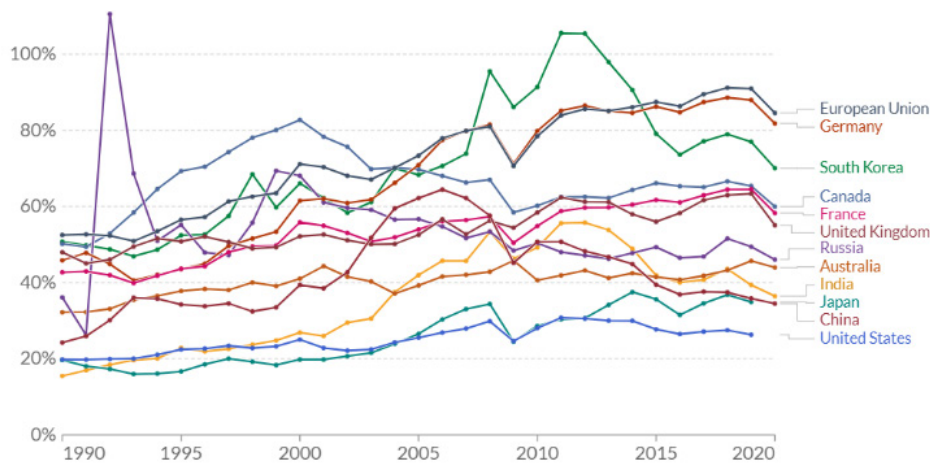


Fig. 1, world shipping routes and critical 'chokepoints'; Fig. 2, increase in volume of trade by sea since the 1980s (source: World Ocean Review 2021)²⁰; Fig. 3, 'Trade openness index' of the OECD comparing Germany with the world's leading economies.²¹

²⁰ World Ocean Review (2021), p. 116, p. 118

²¹ Ortiz-Ospina & Beltekian (2018)

The post-Cold War German navy as a subject of study offers insight into the evolution of strategic practice, thought and culture of a significant international actor, as well as of the evolving use of multilateral seapower for providing maritime security and ocean governance, an essential element of what Bueger and Edmunds call ‘*specific and novel patterns of international interaction, governance and political order at sea.*’²² Presenting in many ways an ideal case of what Till has described as a ‘*post-modern navy*’, Germany’s past and ongoing naval deployments are an ideal case to study the concept and such a navy’s role in maritime security or good order at sea.²³ Increasingly further afield from Germany’s familiar North and Baltic Seas, these operations have evolved over the past 30 years and in the context of major developments in international affairs. Understanding them helps to further understand both German security and the wider role of navies in contemporary foreign policy. Additionally, tackling various challenges, securing key partnerships, strengthening its NATO-ties, EU-integration and visibility at the UN-level, consistency between official strategy and deployment practice suggests that Germany today uses seapower deliberately to secure key foreign policy interests. Relevant for and indicative of how Germany thinks of its international role and what its power is for,²⁴ the navy unquestionably was and is part of the government’s instruments worth considering when making policy or assessing it.

Compared to its allies, the Cold War era had a disproportionate impact on the navy and Germany. To all Germans, its end brought about reunification and a fifth of the population was freed from Communist rule. While for example, to the British Royal Navy the Cold War is just one era within 450 years of its history, to today’s German navy, it constitutes more than half of its own institutional existence – and the formative strategic context in which it was founded. While British, French or American national policy certainly evolved during the Cold War, it did so rather in degrees of emphasis, rather than with a radical departure from the older logic of great-power competition – including the related role of their navies. To contemporary Germany, there is no continuity in foreign policy with Imperial or National Socialist Germany – to the point that it is frequently accused of (no longer) understanding the logic of geopolitical rivalry and balance-of-power politics.²⁵ Accordingly, the Cold War era, a very singular historic period of ‘frozen’ bi-polar super-power rivalry, is frequently the one ‘other’ strategic context

²² Bueger & Edmunds (2017), p. 1294

²³ See Till (2013), p. 25, pp. 35-41

²⁴ On the German self-image, see Chancellor Merkel’s foreword in *Auswärtiges Amt* (2017), or Steinmeier’s outline in Steinmeier (2016); discussions of German power, see Giegerich & Terhalle (2021), p. 21; Kundnani (2015), p. 69

²⁵ See Giegerich & Terhalle (2021), p. 14

that serves as a reference for comparison when discussing current affairs of security and defence policy. In a profound sense, everything that happened and will happen since 1990 is much more and for a much longer time ‘*post-Cold War*’ than it would intuitively be for a non-German observer.²⁶ Hence, more than in a study of the American, French or British navies, references to the Cold War will appear in discussions even of very recent developments.

An often unnoticed, but significant change in post-Cold War reunified Germany concerns its much expanded maritime character. This affects economic, political and social facets as much as strategic concerns and remains largely unexamined. A large part of Germany’s ‘*maritime turn*’ in the new millennium was merely due to chance – the election of the maritime-minded Gerhard Schröder as Chancellor in 1998.²⁷ But which factors have in the past led to political leaders developing a global and maritime perspective, and how can they be more deliberately integrated in the democratic system of leadership generation through various levels of inter- and inner-party competition, as well as experience in office? In the state of Niedersachsen, where Schröder was governor, politicians are inevitably socialised in maritime affairs – not least through their close engagement with one of globalisation’s highly trade-dependent giants, *Volkswagen*. Over 10% of the company’s shares are held by the regional government, while the governor and one of his ministers personally are members of the board of supervisors.²⁸ Furthermore, labour unions of workers in the shipbuilding industry and an established maritime commercial community generally have a strong influence on regional politics in coastal constituencies.

The aim of this thesis is to examine one aspect of Germany’s transition to a much more maritime nation in the 21st century by examining the role of the navy. Given the importance of the sea – and the importance of German power in Europe and beyond, it matters what Germans think their navy is for. By examining the role of the navy in foreign policy it adds to the understanding of decision-making and hopefully contributes to the process of consciously developing Germany’s maritime character. After all, beyond hoping for chance to provide it with maritime-minded politicians once in a while, for its own good and for the benefit of what it sees as its humanitarian mission in the world,²⁹ it should be of concern to Germany, to

²⁶ While this discussion goes beyond the scope of this thesis, one might perhaps generally differentiate between the US ‘*unipolar moment*’ immediately after the end of the Soviet Union in 1991, and the era of the ‘*War on Terror*’, or the new millennium.

²⁷ See Riddervold’s research into the ‘*maritime turn*’ of EU foreign policy, Riddervold (2019)

²⁸ Volkswagen (2021a); Volkswagen (2021b)

²⁹ See Chancellor Merkel’s foreword in, Auswärtiges Amt (2017)

promote a more systematic involvement of its national politics, individual leaders and citizens in maritime thought and maritime affairs.

Germany's particular path from a medium continental power in the Cold War to an increasingly global and maritime actor is traced by this thesis through deployments of its navy since 1990. Similar to other nations and their navies, the underlying hypothesis is that frequently '*the burden of responsibility to demonstrate political intent fell to naval forces*',³⁰ as Rowlands remarked with regard to naval diplomacy in the 21st century. To understand the role of the German navy in foreign policy, three levels of analysis are helpful. First, the strategic or policy-level with its actors and processes, secondly, the navy with its dynamics and force-structure, thirdly, the missions the navy performed since the end of the Cold War.³¹ Complex as the navy's use in German policy is, it is influenced by external factors like public opinion, Germany's allies and partners, its standing in and the dynamics of NATO, EU and the UN, as well as the defence industry with its crucial contribution to capabilities and diplomacy in its own right. In this, foreign policy and military strategy are seen in relationship with economic changes, a connection Kennedy emphasised in his seminal work on national and international power at the close of the Cold War.³²

Over three phases, the missions analysed involve international crisis-response, counter-terrorism and – increasingly – maritime security and ocean governance. Navies as instruments of foreign policy have utility in great-power rivalry *and* crisis-response or providing good order at sea.³³ Germany has also continuously contributed to NATO's maritime forces throughout the period under consideration.³⁴ However, in terms of the novelty of the operations and the substantive change in what Germany thinks its navy is for, deployments '*out-of-area*' – or beyond the scope of the collective deterrence effort in Europe – are of particular interest.

This focus is further justified as great power deterrence has only relatively recently returned to the agenda and not entirely displaced international crisis-response or ocean governance missions for the navy. In addition to refocussing on deterrence vis à vis Russia since 2014, NATO also is an important vector for Germany's multilateral crisis-response and maritime security commitment. Further tied to UN peacekeeping and an increasingly active

³⁰ Rowlands (2015), p. 310

³¹ See Stöhs approach to analysing European navies, Stöhs (2019), pp. 8-9

³² Kennedy (1987), *introduction*

³³ See Rowlands (2015), pp. 119

³⁴ See Bundeswehr (2022k); Bruns (2020), pp. 135-6

foreign policy of the EU, the way the navy has been used in multilateral frameworks since 1990 is not only indicative of, but often at the vanguard of the evolution German foreign policy.³⁵

Given the importance of Germany and the pressing international challenges ahead, this thesis' guiding research question is of more than just academic importance. *What does Germany think its navy is for and how does it use it?* This entails further inquiry on three interconnected levels; strategy- or policy-making, the navy, and its practical deployment experience since 1990. This approach draws on Stöhs' three-layered inquiry into *strategy, force structure and operations* in his study *'The Evolution of European Naval Power 1989-2019'*.³⁶ Furthermore, Rowlands' claim that navies have substantial utility as *'peacetime policy instruments of the state'* in the 21st century, even tend to spend most of their practical employment in missions of a political diplomatic nature,³⁷ leads to this thesis' first underlying argument that the Germany navy has substantial utility as a policy instrument and has increasingly been used in this manner since 1990.

This thesis also explores the naval part of the question of whether Germany has become more maritime after the Cold War. While the maritime character of a state is difficult to measure, Mahan's elements of seapower provide a foundational structure.³⁸ Given Germany's specific strategic culture – the way it uses its armed forces and thinks about security,³⁹ this thesis also seeks to answer whether by not having been called upon to do constabulary naval missions for the first almost fifty years of its existence, the navy developed a one-sided view on what tasks a navy is supposed to do. If so, this supposition would mean that in the mind of many contemporary German naval practitioners, the classic three-in-one-ness of naval functions – diplomatic, constabulary and warfighting – expressed by Corbett, or drawn as a triangle by Booth and Grove, would lack an element – and not be a triangle at all.⁴⁰

This invites consideration of a further triangular relationship related to the first, Gray's view of navies as the dynamic product of a struggle between three pressures: domestic, foreign policy and naval.⁴¹ For the US navy, he expected the naval justification, the consideration of a serious military great-power challenge to national security, to subside dramatically – but not entirely disappear – with the end of the Cold War. At the same time, with regional conflict

³⁵ See UNIFIL especially highlighted by Steinmeier (2016), pp. 108-11

³⁶ Stöhs (2019), pp. 8-9

³⁷ Rowlands (2015), p. 14; p.37

³⁸ Mahan (1899), *chapter 1*; Gray, Colin (1994), p. 6

³⁹ See Gray (1994), *preface xi*; Dalgaard-Nielsen (2006), p. 10

⁴⁰ Corbett (2010), p. 6; Booth (1977), p. 16; Grove, Eric (1990), p. 234

⁴¹ Gray (1994), p. 161

multiplying and the need for crisis-response or constabulary intervention increasing, the navy's utility in support of peacetime foreign policy would become the primary argument to balance domestic pressure to prioritise limited budgets for other purposes.⁴² By its detailed analysis of Germany across the 30-year timeframe elapsed since the Cold War, this thesis will test, whether and how the triangular struggle described by Gray has played itself out in a smaller but significant Western navy.

I. 1 Literature Review



Fig. 4, *The Exotic Island of German Naval Diplomacy* (author)

Research on the German navy as a tool of foreign policy is, as the illustration above indicates, an 'exotic island', a small niche of academic concern that has been only little explored. Even more so when it comes to the post-Cold War era. A search of the combined terms in English

⁴² Gray (1994), p. 161-5

or German, or – depending on the interpretation – the more or less narrow *Marinediplomatie* (‘Naval Diplomacy’), produces only few results, and overwhelmingly in relation to the World Wars. There are a handful of edited volumes that either in chapters or collectively address the topic in German, but the most substantial treatment, Mahnke’s and Schwarz’ edited volume on the navy as an instrument of foreign policy is of 1974 Cold War vintage.⁴³

Reflecting the overall structure of the thesis, the literature review begins with the (foreign) policy-level. Official documents are the main expression of how Germany sees the utility of its navy and they outline the strategic rationale in foreign policy, while their evolution and adaptation over time offers insight into how ideas and concepts changed. Foremost in this respect are the defence white papers, *Weißbücher* (notably those from 1970, 1985, two Cold-War examples, and those post-reunification, 1994, 2006 and 2016).⁴⁴ These are accompanied by *Verteidigungspolitische Richtlinien* (VPR; strategic directives),⁴⁵ and subsequent implementation concepts, so-called *Konzeption der Bundeswehr* (KdB),⁴⁶ of the ministry of defence, as well as similar strategic documents of other ministries, particularly the *Auswärtiges Amt* (foreign affairs) and the *Bundesministerium für Wirtschaftliche Zusammenarbeit und Entwicklung* (BMZ, foreign aid). The latter have only recently started to appear in published form, the so-called ‘*Leitlinien der Bundesregierung “Krisen verhindern, Konflikte bewältigen, Frieden fördern”*’ (directives on crisis prevention, conflict resolution and promoting peace),⁴⁷ as well as the foreign aid-dimension of strategy, as contained in the ‘*Entwicklungspolitischer Bericht der Bundesregierung*’ (development policy/foreign aid report of the federal government).⁴⁸ Of particular interest are also Germany’s first national strategy for ocean governance from October 2008, issued by the ministry of environmental protection, and the more comprehensive 2017 ‘*Maritime Agenda 2025*’, focussing on commerce but integrating environmental, safety, security and defence aspects, issued by the ministry of economic affairs.⁴⁹

Not only as they feed into the expression of ideas in official strategy and policy, three strands of literature are of principal relevance to this thesis: on *Germany’s foreign policy and the international context after the Cold War*; on *maritime security and ocean governance* –

⁴³ Jopp (2014a); see Mahnke & Schwarz (1974); Walle (1983)

⁴⁴ BMVg (1970); BMVg (1985); BMVg (1994); BMVg (2006); BMVg (2016)

⁴⁵ BMVg (1992); BMVg (2003); BMVg (2011)

⁴⁶ BMVg (2004); BMVg (2013); BMVg (2018b)

⁴⁷ Auswärtiges Amt (2017)

⁴⁸ BMZ (2017)

⁴⁹ Bundesregierung (2008); Bundesregierung (2017)

including *maritime security law*; on. *seapower and navies*. As the focus is on Germany, the ‘exotic island’ image also highlights proportionality and relevance of influences on the research endeavour. While there are clearly ‘mountains’ (to the West in the image) of scholarship of IR, strategic studies and other related fields, a virtual ‘jungle’ (to the East) of writings on maritime security, maritime violence, terrorism and piracy available, as well as a dangerous path up the slope of Germany’s (domestic) foreign policy debate (the volcano in the North).⁵⁰ Together with the sketch below, this also illustrates this thesis’ unique place at the intersection of a number of disciplines and sub-disciplines overlapping to form the foundation of its inquiry into Germany and its navy’s role in foreign policy.

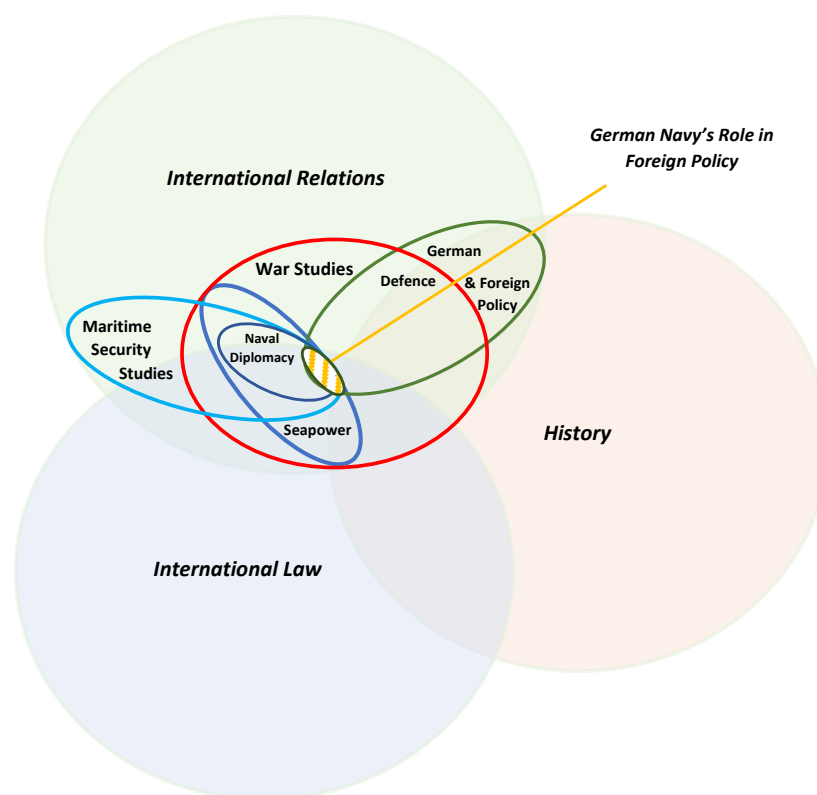


Fig. 5: Localising the research (author)

⁵⁰ Which hints at the sinister legacy of Germany’s history and continuing wariness it is accorded by neighbours, as well as at the difficulties awaiting academics at (some) German universities when dealing with security- or military-related scholarship, see Krause, Joachim (2014)

German Foreign Policy and International Affairs

The debate on German foreign policy covers a vast field, but little of this addresses the navy or is directly relevant to this study. Generally, many policymakers and academics tend to describe contemporary Germany's foreign policy as something 'new' – distinct from 'traditional' expressions of great-power politics based on spheres of influence, the concept of international affairs as a 'zero-sum-game' and the use of force in pursuit of narrow national interests to the detriment of others.⁵¹ Notable exceptions see Germany on a trajectory towards 'normalising' its foreign policy since 1990, including with regard to the use of force.⁵² However, what otherwise is described as a '*reflective power*' (Steinmeier), '*civilian power*' (Maull) or '*post-heroic*' (Münkler), also fits the paradigms of Cooper's '*post-modern*' or Beck's '*cosmopolitan*' state.⁵³ Such described, Germany makes a particularly interesting case to study with regard to the concept of '*post-modern navies*' forwarded by Till.⁵⁴

Of further value, though not focussing on the navy, is von Krause's work on the Bundeswehr as an instrument of foreign policy.⁵⁵ He remarkably uses the term '*Außenpolitik*' as compared to '*Sicherheitspolitik*' (security policy) – the widely preferred alternative by insiders to the system, despite the author being a former general. He covers the entire political process of the Bundeswehr evolving from its Cold War role, to the missions abroad until the time of writing in 2013. Providing an in-depth review of the public and political discussion, as well as within the Bundeswehr, it draws on the author's insider's perspective.⁵⁶ Von Krause appears to be primarily interested in the domestic political process, and not so much in the – hard-to-measure – foreign policy utility of the Bundeswehr. While clearly relevant to the unified military's utility to foreign policy, not least as an essential enabler of distant expeditionary deployments, the study does not discuss the value of the navy.⁵⁷ The focus on domestic processes is underscored by the fact that von Krause almost exclusively draws on German sources. While this provided an extremely valuable addition to the literature on the Bundeswehr's missions abroad since the end of the Cold War, it also leaves gaps to be filled.

⁵¹ See Steinmeier (2016); Eberwein & Kaiser (1998b), pp. 2-3; Bierling (2014), pp. 11-3

⁵² See Oppermann (2016)

⁵³ See Beck (2001); Cooper (2002); Maull (1990); Muenkler (2007); Steinmeier (2016)

⁵⁴ Till (2013), pp. 35-41

⁵⁵ Krause von (2013)

⁵⁶ Throughout the book, Krause von (2013) i.e. , p. 222, p. 225, p. 229, p. 232, p. 237

⁵⁷ On the value of the navy as an enabler of military interventions in US foreign policy, see Gray (1994), pp. 161-5

Dalgaard-Nielsen also deals with the domestic process and the influence of ‘*strategic culture*’ on Germany’s use of the Bundeswehr in foreign policy in her 2006 book.⁵⁸ Too early to have covered UNIFIL, ATALANTA or the critical phase of the Afghanistan mission (when combat experiences increased and numbers of casualties started rising), Dalgaard-Nielsen still provides a very enlightening ‘culturalist’ view on German foreign policy behaviour and strategy, one that – just like von Krause’s – focussed on the domestic political process.⁵⁹ In a more recent analysis picking up on strategic culture, Giegerich and Terhalle have asked the big question of ‘*what is German power for?*’.⁶⁰ They especially hone in on Germany’s overreliance on US forces for its security and chronic post-Cold War underfunding of its armed forces,⁶¹ but have nothing specific to say on the navy or its missions. Still, their sweeping overview and essayistic critique of German security and defence politics since 1990 provides a relevant perspective on the context of this thesis.

Maritime Security and Ocean Governance

The first comprehensive German-language publication since Mahnke’s and Schwarz’ from 1974, Jopp’s already mentioned edited volume from 2014 discusses seapower, maritime security, ocean governance and German security in the context of its dependence on trade in a rapidly globalising post-Cold War world.⁶² Like the older study it drew inspiration from, it interacts with and highlights the key role of English-speaking authors in the discussion on navies as tools of foreign policy.⁶³ Whereas the 1970s had no German deployment practice to offer to include in the older analysis, it is surprising that Jopp’s work gives the missions of the navy since 1990 and the navy itself such scant treatment. Its policy-level analysis begs integration with the navy that is to carry out the tasks identified, as well as combing its mission experience for patterns and trends that aid in understanding them.

Alongside the evolution from ‘security’ seen as the *absence* of a threat, to *human security* based on the *presence* of conditions conducive to individual development,⁶⁴ ‘maritime security’ evolved into a concept of the presence of positive conditions for human uses of the sea.⁶⁵ Maritime security, defined by Bueger as a field of study and a ‘buzzword’ in international

⁵⁸ Dalgaard-Nielsen (2006)

⁵⁹ Dalgaard-Nielsen (2006), p. 3

⁶⁰ See Giegerich & Terhalle (2021), p. 21

⁶¹ See Giegerich & Terhalle (2021), p. 9

⁶² Jopp (2014), Kieseewetter’s foreword; Jopp’s introduction, pp. 20-1

⁶³ Jopp (2014b), p. 28

⁶⁴ See United Nations Development Programme, UNDP) (1994)

⁶⁵ Bueger (2015), p. 160

affairs, deserves attention –especially, from the point of view of this thesis covering the role of military force in peacekeeping, nation-building and countering transnational (irregular) threats such as terrorism and organised crime.⁶⁶ Providing maritime security or good order at sea is a fundamental role of navies and typically essential to how their mission and utility is cast.⁶⁷

In addition to describing a set of tasks or desired end-state for missions of navies, ‘maritime security’ also describes an academic (sub)field of International Relations. It is concerned with maritime and security related expertise that came to be in increasing demand in the wake of 9/11 and Somali piracy.⁶⁸ Bueger, one of the key academics in the field, with a prolific output of publications over the past decade, has described how the generally raised awareness of piracy since 2008 has drawn him to it in his ‘*academic journey*’.⁶⁹ In terms of knowledge content or the relationship to other fields and areas of study, Bueger has drawn up an instructive matrix.⁷⁰

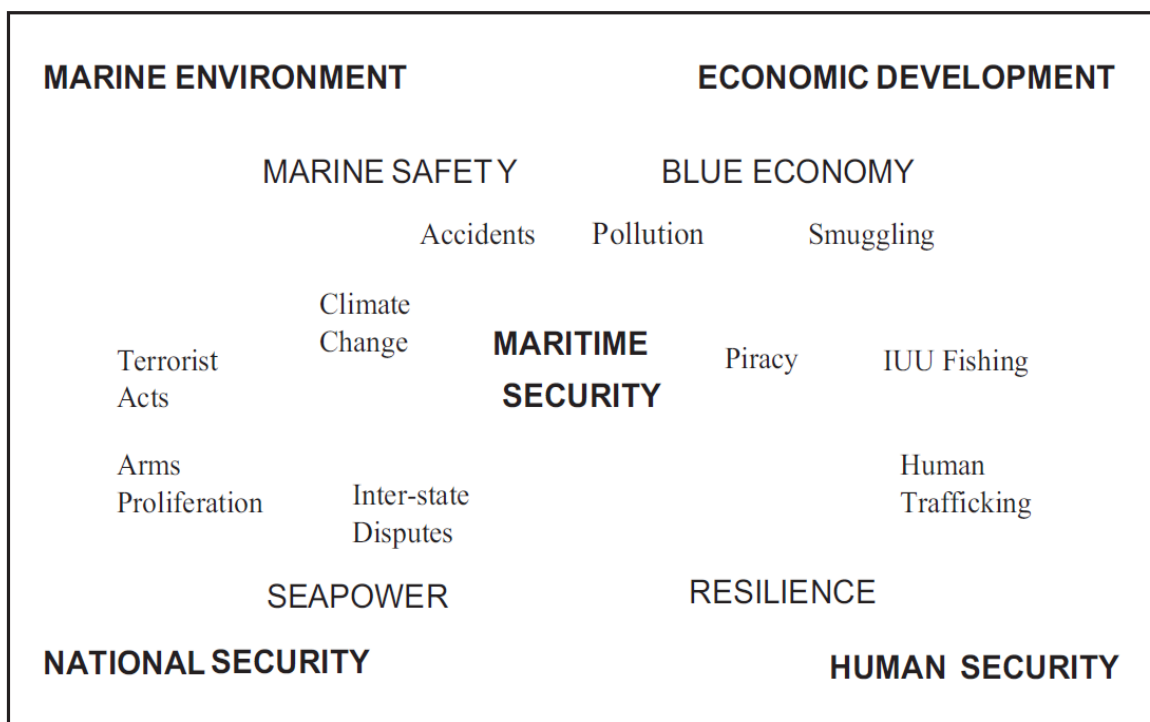


Fig. 6, Bueger’s Maritime Security Matrix.⁷¹

⁶⁶ Bueger (2015), p. 160

⁶⁷ Corbett (2010), p. 6; Booth (1977), p. 16; Grove (1990), p. 234

⁶⁸ Bueger & Edmunds (2017), p. 1293

⁶⁹ Bueger (2018), pp. 41-3

⁷⁰ See Fig. 6

⁷¹ Bueger (2015), p. 161

Maritime security is a vague term. Spelling it with capital letters – and the implied meaning behind this – is seen as a ‘*recipe for confusion*’ by Till, who generally prefers the older ‘*good order at sea*’ for what ‘maritime security’ may describe as a desired end-state or set of tasks for navies.⁷² However, lacking a better label, the confusing vagueness of the ‘buzzword’ (Bueger), may actually have its advantages in practically encouraging cooperation between parties of limited common ground between comprehensive and restrictive perspectives on security.⁷³ While a broader understanding of maritime security also leads to a wider range of actors to likely be involved,⁷⁴ it also has the potential to combine more holistic comprehensive approaches with cooperative contributions of ‘force providers’ less inclined to buy into the concept of human security, e.g. the participation of Russian and Chinese warships alongside European and American ones in international counter-piracy efforts off the Horn of Africa.

‘Maritime security’ directly relates to ‘ocean governance’. Both as an ‘*input*’ (its actors, experts, regional and topical specialisation contribute to the latter term in practice and research) or *precondition* (the need to uphold or enforce security, as part of any system of governance), as well as a potential ‘*output*’ (the provision of holistic *maritime* human security as one of the aims of the latter term). As Bueger cautions, trying to define any of the terms runs the risk of getting lost on an ‘*unproductive quest*’ of establishing definitions that have little universal value.⁷⁵ For the purpose of this thesis, maritime security and ocean governance are seen as interrelated in the input-output relationship outlined. *Maritime security* is seen and used in Till’s sense of ‘*good order at sea*’, while *ocean governance* is used in accordance with Mann Borgese’s description of *a system of governing and managing the ocean*, with the normative content of viewing the sea *as the common heritage of mankind*.⁷⁶ It is further deemed to contain various (academic) perspectives and areas of expertise: **physical** (marine science and technology), **cultural** (social, civilisational, world view), **economic, legal and institutional**.⁷⁷

Concerning this last dimension, the navy’s part in ocean governance rests on a legal framework, while in turn, its and Germany’s strong commitment to place ‘*law above power*’ make it a valuable subject of study for legal scholars.⁷⁸ ‘*Maritime Security Law*’, by the title and scope of Kraska’s and Pedrozo’s seminal 2013 volume, the field of law and policy, norms,

⁷² Till (2013), p. 25

⁷³ Bueger (2015), p. 160

⁷⁴ Bueger (2015), p. 163

⁷⁵ Bueger (2015, p. 163), p. 163

⁷⁶ see Mann Borgese (1998), *preface*

⁷⁷ Mann Borgese (1998), pp. 184-94

⁷⁸ Steinmeier (2016)

legal regimes, and rules to address state and non-state threats to the stable order of the oceans.⁷⁹ Its core element is the Law of the Sea, the 1982 United Nations Convention on the Law of the Sea (UNCLOS).⁸⁰ This is further augmented by the 1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (SUA Convention), as well as its 2005 protocol.⁸¹ UNCLOS, as the ‘*constitution of the ocean*’ is closely linked to ocean governance, managing human uses of the sea equitably and sustainably to protect the ocean as ‘*the common heritage of mankind*’.⁸²

Beyond Kraska’s and Pedrozo’s volume, a number of further scholarly publications on maritime security law are included in this consideration. In 2011, in the light of a resurgent international interest in counter-piracy, Klein addressed the security dimension of the Law of the Sea, while in her joint 2018 treatment of SAR obligations, she and her co-authors provide helpful insights on the legal and political context of the refugee crisis in the Mediterranean.⁸³ In addition to Geiß’ and Petrig’s 2011 book on the legal dimension of counter-piracy,⁸⁴ there is Guilfoyle’s edited 2013 volume on modern piracy more broadly,⁸⁵ and his comprehensive and still relevant 2009 book on shipping interdiction.⁸⁶ Furthermore, aiming to provide ‘*the most comprehensive and far-reaching approach to the subject of international maritime law ever produced*’, the International Maritime Law Institute (IMLI) of the International Maritime Organization (IMO) published a monumental three-volume-work on maritime law, covering the Law of the Sea, Shipping Law, Marine Environmental Law and Maritime Security Law.⁸⁷

For navies, the laws applicable in war and in military operations are of particular concern. The US Navy publishes the ‘*Commander’s Handbook on the Law of Naval Operations*’,⁸⁸ which, together with its supplements,⁸⁹ is often cited as a common international point of departure. This is further augmented by (often mission-specific) so-called Rules of

⁷⁹ Kraska, James & Pedrozo, Raul (2013), p. 1

⁸⁰ UNCLOS (1982)

⁸¹ SUA (1988; UNCLOS (1982)

⁸² See UNCLOS (1982), preamble; Pardo (1967); Jenisch (2012) , pp. 126-32

⁸³ Klein (2011); Ghezelbash et al. (2018)

⁸⁴ Geiß, Robin & Petrig, Anna (2011)

⁸⁵ Guilfoyle (2013a)

⁸⁶ Guilfoyle (2009)

⁸⁷ The institute itself the result of sponsorship of the government of Malta, the country as whose ambassador Pardo once set international society on the course to develop UNCLOS the institute itself the result of sponsorship of the government of Malta - the country as whose ambassador Pardo once set international society on the course to develop UNCLOS, David Attard et al. (2014)foreword by the IMO Secretary-General), foreword by the IMO Secretary-General; the further two volumes, Attard, David et al. (2016); Attard, David Joseph et al. (2016); David Attard et al. (2014)

⁸⁸ Naval War College, U. S. (1995)

⁸⁹ Thomas & Duncan (1999)

Engagement (ROEs), described as ‘*one of the best tools available to policymakers to help manage armed forces during crisis*’ by Hayes in his early 1989 treatment of the subject.⁹⁰ ROEs are a key part of the law in armed conflict, as recently further discussed by Hosang (2020) and Cooper (2019).⁹¹ The significance of this discussion to Germany is illustrated by the fact that the navy only relatively recently received its first-ever standing ROEs (2016, updated 2018), thereby acknowledging the reality of it typically being the only present representative of the German state beyond the support of civilian law-enforcement agencies on the high seas.⁹²

Ocean governance as an academic field in Germany does not pay much attention to the naval dimension of enforcing international stewardship of the ocean. The ‘*mother*’ of the 1982 Law of the Sea and the principle of the ‘*common heritage of mankind*’ at the root of normative ocean governance,⁹³ Elisabeth Mann Borgese, allocated navies and defence ministries a place in contributing to human security.⁹⁴ But this aspect is only peripheral to her writings and generally lacking in publications, discussions and in Germany’s related research clusters.⁹⁵ Furthermore, while Bueger stated that ‘*specific and novel patterns of international interaction, governance and political order at sea*’ need to be studied,⁹⁶ he seemed unsure whether studying the full spectrum of uses of naval forces in war, crisis and peace ought to be included in this.⁹⁷ Importantly, in this respect, Warner and Kaye highlight in 2016 that, as incomplete as it is, the existing regulatory framework to manage human interaction with the sea already ‘*far outstrips the resources and capacity of States and regional organisations to enforce compliance*’.⁹⁸ Given this enforcement capability gap, Mellet points out the contribution to ocean governance as a key area of responsibility of navies.⁹⁹

Seapower and Navies

Only a limited number of contemporary works deal with seapower in the German context or perception. The German term *Seemacht* combines the meaning of ‘*power exerted at or from the sea*’, with ‘*the state that possesses it*’, often differentiated between ‘sea power’ or

⁹⁰ Hayes (1989)

⁹¹ Boddens Hosang, J. F. R (2020); Guldahl Cooper (2019)

⁹² Deutsche Marine (2018)

⁹³ See Holzer (2015), pp. 180-1; pp. 196-200

⁹⁴ Mann Borgese (1998), pp. 193-4

⁹⁵ See the World Ocean Reviews published in Germany, the latest: World Ocean Review (2021)

⁹⁶ Bueger & Edmunds (2017), p. 1294

⁹⁷ Bueger (2015), p. 162

⁹⁸ Warner & Kaye (2016), *introduction*, xxxiv-xxxv

⁹⁹ Mellet (2014), p. 67

‘seapower’ respectively in English.¹⁰⁰ The 1974 translation of Admiral Nimitz’ 1960 ‘*Sea Power*’, initiated by Admiral Ruge, first post 1945 Chief of the Navy and sailor-scholar in his own right,¹⁰¹ contains several original articles added in the German version.¹⁰² It is followed by Mahnke’s and Schwarz’ edited volume,¹⁰³ Walle’s brief collection of essays on the German Navy in the service of diplomacy,¹⁰⁴ and Jopp’s comprehensive edition on maritime security, which also touches on the navy and foreign policy in one contribution by two officials from the ministry of foreign affairs, Bellmann and Wieck.¹⁰⁵ Prior to Jopp’s study, the German seapower and navy debate after the Cold War also notably yields Döppler’s 1999 historically focussed volume on seapower, strategy and sea control,¹⁰⁶ a valuable collection of essays published by Hess et.al. in honour of the navy’s 50-year anniversary.¹⁰⁷ Relevant to this study and representative of the international interconnectedness of Germany’s discussion of navies and seapower, these works nevertheless lack an engagement with the navy’s record of contributing to peacetime foreign policy – if only simply because, as in most cases, they are of Cold War vintage.

The navy annually hosts the so-called *Historisch-Taktische Tagung der Marine* (short: *HiTaTa*; ‘historical-tactical congress of the navy’) and publishes its proceedings. It is the annual meeting of the entire naval who-is-who, including the top ranks of its military and occasionally even political leadership.¹⁰⁸ Conceived by the first commander of the fleet, Admiral Johannesson, to counter and safe-guard against potential historical and political non-democratic tendencies in the early post-war navy,¹⁰⁹ it is a characteristically German institution inherently tied to the Bundeswehr’s principle of the critically reflecting ‘*citizen soldier*’.¹¹⁰ However, in terms of particularly focussing on the navy’s service to (peacetime) foreign policy, there is only one older collection of HiTaTa-proceedings dealing with historical cases.¹¹¹

¹⁰⁰ See Lambert (2018), pp. 2-3

¹⁰¹ See Ruge (1955); Ruge (1962); Ruge (1968); Ruge (1979)

¹⁰² German translation, Nimitz (1974), and English original, Nimitz & Potter (1960)

¹⁰³ Mahnke & Schwarz (1974)

¹⁰⁴ Walle (1983)

¹⁰⁵ Bellmann & Wieck (2014), pp. 130-1

¹⁰⁶ Döppler (1999b)

¹⁰⁷ Hess et al. (2005)

¹⁰⁸ The 2018 HiTaTa had the federal president as its guest of honour, Steinmeier (2018)

¹⁰⁹ See Rahn (2017), p. 14

¹¹⁰ For an inspirational introduction and overview over the ‘*citizen soldier*’, ‘*Staatsbürger in Uniform*’, and the leadership principle of the Bundeswehr, ‘*Innere Führung*’, Baudissin (1955)

¹¹¹ Walle’s edition of the 1980 HiTaTa, see Walle (1983)

International ‘*seapower literature*’ is far more extensive, though not an established or universally recognised genre. The label, drawing on Till’s definition of ‘*seapower*’, is meant to encompass writings that broadly deal with the ‘*input*’ and ‘*output*’ of power in a maritime context: covering what it takes to ‘*use the sea*’ – navies, coastguards, maritime industries, contributions of land and air forces, as well as the capacity to ‘*influence the behaviour of other people or things by what one does at or from the sea*’.¹¹² Authors like Till in his ‘*Seapower: A Guide for the Twenty-First Century*’, or Colin Gray ‘*The Navy in the Post-Cold War World*’ (1994) have written on seapower and navies in relation to the period under consideration.¹¹³ A further recent concise treatment is offered by Speller’s ‘*Understanding Naval Warfare*’ (2nd edition from 2019).¹¹⁴ In 2015, Germond published a sweeping treatment of EU seapower,¹¹⁵ which, especially when read together with Riddervold’s 2019 process- and actors-focussed work on ‘*The Maritime Turn in EU Foreign Policy*’,¹¹⁶ offers valuable insight on the European dimension of German foreign policy and missions of the German navy. Among further relevant (and American-focussed) works are Stavridis’ book from 2017,¹¹⁷ Bruns’ works on (US) naval strategy,¹¹⁸ and Haynes’ treatment of US post-Cold War naval thought.¹¹⁹ The idea of navies as a ‘*dynamic product*’ (Gray) of their utility in warfighting and peacetime foreign policy, balanced against their substantial cost to a state that maintains them, is recognised in the literature and is not only related to their role in supporting the conduct of war at sea and ashore, but their function to support diplomatic aims and protect a people’s uses of the sea – either in a strictly national or more cooperative, multilateral framework and humanitarian sense.¹²⁰

The vast majority of modern seapower and naval strategic studies concern larger navies,¹²¹ and very little attention has been paid to contemporary Germany. This appears to be a phenomenon related to a similar trend in academic publications on power and (grand) strategy as a whole, which seem to largely focus on the US,¹²² or – at least in naval history – on the Royal Navy.¹²³ In addition to covering complex independently conducted strategic operations

¹¹² Till (2013), p. 25

¹¹³ Till (2013); in its 4th edition by 2018; Gray (1994)

¹¹⁴ Speller (2019)

¹¹⁵ Germond (2015)

¹¹⁶ Riddervold (2019)

¹¹⁷ Stavridis (2017)

¹¹⁸ Bruns & Papadopoulos (2020) Bruns (2019; Krause, Joachim & Bruns, Sebastian (2016)

¹¹⁹ Haynes, Peter D. (2015)

¹²⁰ Gray (1994), p. 161; Corbett (2010), p. 6; Booth (1977), p. 16; Grove (1990), p. 234; Till (2013), pp. 35-41

¹²¹ See McCabe et al. (2020c), p. 1

¹²² See Gray, Colin & Johnson (2013), p. 362

¹²³ See i.e. Gray’s work on post-Cold War navies, Gray (1994)

and capabilities Germany does not possess, such as carrier warfare or sea-based nuclear deterrence, they may have substantially different concepts of foreign policy and national interests as their foundation. Their consideration of specifically German characteristics, history and contemporary requirements is insufficient.

Covering a broader range of small(er) navies has been a theme in more recent scholarship. For example Speller, Sanders, McCabe *et al* have explored issues around the subject of ‘small navies’.¹²⁴ In this, they continued the earlier work of Till,¹²⁵ as well as the aims of a conference and subsequent 1996 book, ‘*Naval Power in the Twentieth Century*’, which covers both historical, as well as strategic aspects and challenges of large and small(er) navies in the post-Cold War era.¹²⁶ For reasons ranging from the size of its navy, to its constitutional framework and history,¹²⁷ studying Germany and the contemporary foreign policy role of its navy benefits from looking into small navies’ strategies and policies.¹²⁸ Not least of all, because under this label, contributions on a range of other navies start becoming available. Recent relevant examples are Chamberlain’s extensive discussion of Canadian naval diplomacy,¹²⁹ or Nielsen’s one on the Danish Navy’s trade-off between maintaining warfighting capabilities and constabulary roles.¹³⁰ Perhaps because it is not ‘small’ enough, it is interesting to note that Germany’s navy has not yet received specific attention or been represented in this context.

‘Naval’ or ‘maritime diplomacy’, as LeMière points out ‘*remains a unique and useful tool for navies and governments worldwide*’, while he expands the concept from navies to further include non-military agencies and a range of maritime activities that have a diplomatic effect.¹³¹ Rowlands takes this further beyond state-actors and political activities ‘short of war’.¹³² He focusses on the ‘*multi-directional communicative process*’ of diplomacy, which in

¹²⁴ As expressed in the publications resulting from the Small Navies Conference, see Mulqueen et al. (2016), McCabe et al. (2020b)

¹²⁵ Till (2003)

¹²⁶ Rodger (1996)

¹²⁷ Coercive uses of the navy are required to be part of multilateral international efforts, except in reaction to ‘unforeseen acts of violence’, such as self-defence against an attack, or to evacuate citizens from a war-zone, see Bundesverfassungsgericht (1994), Art. 1, 7 a], furthermore, Germany, so far, for historical, as well as political reasons, has no national-level ‘general staff’, though this may gradually change with the role of the Einsatzführungskommando. Interviews with Wolfgang Schneiderhan, 21st December 2020, and Harald Kujat, 12th January 2021

¹²⁸ Tuck (2014)

¹²⁹ Chamberlain (2021)

¹³⁰ Nielsen (2020)

¹³¹ leMière (2014), pp.2-3

¹³² leMière (2014), p. 83

peace *and* wartime may use naval as well as other (maritime) means, and can also be employed by ‘a range of supra-state or non-state actors and (directed at) audiences from NGOs to commercial corporations and local populations.’¹³³ LeMièrè’s and Rowlands’ updates to the concepts of naval diplomacy, await application to contemporary Germany as a case-study. Furthermore, Rowlands’ 2015 thesis and book on post-Cold War naval diplomacy is not only conceptually valuable, it even lists among its case-studies a few incidents of relevance to Germany.¹³⁴ Still, omitting important EU, UN and German missions UNIFIL (2006-) and ATALANTA (2008-), Rowlands’ concept of naval diplomacy for the 21st century can profitably be expanded to the deployments of the German navy, a key actor in this regard.

The relatively recent addition of the Chief of the Navy’s own Twitter account left aside,¹³⁵ discussion on the navy and seapower in German is typically carried out via a limited number of public outlets. These have in common that they are more or less closely associated with the navy. Most prominently is the naval journal *MarineForum*, independently published but typically run by retired naval officers. It is a good source for first-hand accounts, professional and academic analysis, as well as official versions of events, and contributions from outside of the navy.¹³⁶ Still, its articles are for a professional audience and have to forego the depth of detailed studies. Beyond this, even though post-1945 Germany does not feature much in international seapower literature of recent years, considerations of German naval history of the World Wars have certainly influenced international thought and scholars in Germany have been in constant interaction with the international debate. For example, Duppler’s ‘*Seemacht und Seestrategie*’ from 1999 features English-speaking contributors,¹³⁷ and the 2016 ‘*Routledge Handbook of Naval Strategy and Security*’ was edited by two German academics with a wide range of international contributions.¹³⁸ Similarly, naval historians like Rahn and Epkenhans also publish in English.¹³⁹ This intellectual interaction is not restricted to academia, but also involves naval officers.¹⁴⁰

Several books and edited volumes address German post-Cold War security and defence policy. They focus on the Bundeswehr’s and the ministry of defence’s internal processes,¹⁴¹ or

¹³³ Rowlands (2015), p. 349, p. 365; Rowlands (2019)

¹³⁴ Rowlands (2015), pp. 155-285

¹³⁵ Inspekteur der Marine (2021)

¹³⁶ See its homepage, which regrettably lacks a searchable archive, *MarineForum* (2020)

¹³⁷ Duppler (1999a)

¹³⁸ Krause, Joachim & Bruns, Sebastian (2016)

¹³⁹ See Rahn (2017); Epkenhans (1996)

¹⁴⁰ Dirks (1999); Horten (1999)

¹⁴¹ See Böckenförde & Gareis (2014); see i.e. Wiesner (2013)

on perspectives and experience of service members who served abroad.¹⁴² But all these have in common, that they have very little to say specifically on the navy.¹⁴³ The latest of these, ‘*Einsatz ohne Krieg?*’ (mission without war), flag-ship-publication of the Bundeswehr’s own military history branch, and even introduced by a naval captain (its then-commanding officer), has not a single account or let alone chapter dealing with the navy’s missions.¹⁴⁴ While quantitatively at least somewhat understandable – there were simply substantially more people that rotated through personnel-heavy army-missions ashore – it is still striking, that the navy receives such scant treatment in the overall historical and (auto)biographical coverage of the post-Cold War Bundeswehr missions.

‘*Memoirs of officers of the Bundeswehr of all service branches ... are rare*’, as eminent naval historian Werner Rahn stated in his preface to an even rarer type: a naval memoir.¹⁴⁵ Accordingly, the dearth of published first-hand recent naval mission experience is not aided by the fact that the writing of memoirs or (auto)biographies is not an established tradition in the German Navy. Apart from those of the post-World War *Bundesmarine*’s first leadership duo, admirals Ruge (chief of the navy) and Johannesson (commander of the fleet),¹⁴⁶ only relatively recently, two relevant memoirs have appeared, of the admirals Braun (2013) and Toyka (2017).¹⁴⁷ Both cover important parts of the post-Cold War period, Braun until 1996, and Toyka until 2006, and prove an especially valuable and colourful addition to the literature. Nevertheless, autobiographies are apparently the domain of flag-officers and very rare. The relative difficulty in finding first-hand accounts of naval missions and insiders’ views of the processes behind them, underpins this thesis’ use of interviews.

Closely connected to the navy’s HiTaTa, is the naval branch of the Bundeswehr’s military historical institute, the former *Militärgeschichtliches Forschungsamt* (MGFA), since 2013 part of the *Zentrum für Militärgeschichte und Sozialwissenschaften der Bundeswehr* (ZMSBw).¹⁴⁸ The naval historians, typically naval officers who studied history at one of the Bundeswehr’s universities, have long contributed to the navy’s process of historical self-reflection and wider research on (naval) history.¹⁴⁹ However, the ZMSBw has not yet produced

¹⁴² See Bach & Sauer (2016); Beck, H. & Singer (2011); Maurer & Rink (2021); Würich & Scheffer (2014)

¹⁴³ Bach & Sauer (2016); notable exceptions are, Würich & Scheffer (2014)

¹⁴⁴ Maurer & Rink (2021)

¹⁴⁵ Rahn in his preface to Toyka's autobiography, Rahn in his preface to Toyka's autobiography, Toyka (2017)

¹⁴⁶ Johannesson (1989); Ruge (1979)

¹⁴⁷ Braun (2013); see Toyka's foreword, Toyka (2017); see Toyka's foreword, Toyka (2017)

¹⁴⁸ BMVg (2021d)

¹⁴⁹ i.e. Jörg Hillmann, its commanding officer until 2021, with a PhD from the University of the Bundeswehr in Hamburg, BMVg (2021)

an overarching study of the past 30 years of missions, connecting them with broader economic and political developments. Key works for this thesis find their origin in the circle of influence of the MGFA or ZMSBw.¹⁵⁰ Beyond this, in addition to producing accessible good quality historical political collections on countries where the Bundeswehr is deployed for operations,¹⁵¹ with the primary aim to educate service-members about the background and context of their missions abroad, the ZMSBw's social science branch conducts studies and regular opinion polls of relevance to this thesis, such as on the acceptance of the role and use of the military in Germany's foreign policy in the broader population, or to evaluate the effect of combat and service abroad on the armed forces' personnel.¹⁵²

The Bundeswehr's Command and Staff College, the *Führungsakademie*,¹⁵³ regularly produces dissertations of officers, which are – unlike those of the US Naval War College – typically not published or otherwise made available to a broader audience outside of the armed forces. This is especially lamentable, given the naval faculty's explicit aim to promote '*an understanding of the navy as an instrument of German foreign and security policy*'.¹⁵⁴ Through the internal library service of the Bundeswehr, a number of dissertations addressing the navy as a tool of foreign policy are available, but these have not entered public discourse. Although not available to a broader audience, the *Führungsakademie* is occasionally consulted by politicians and educates future leaders of the Bundeswehr.¹⁵⁵

There are four universities with a stronger naval profile and two more or less distinct schools of thought on the navy at work in Germany. The two universities of the Bundeswehr and the civilian universities of Kiel and Hamburg have close ties to the navy.¹⁵⁶ While Kiel's *Institut für Sicherheitspolitik* (ISPK) focusses on hard power, navies and research on seapower,¹⁵⁷ Hamburg's *Institut für Friedensforschung und Sicherheitspolitik* (IFSH) focusses more on maritime security and ocean governance.¹⁵⁸

¹⁵⁰ See Rahn (2005) or Hess et al. (2005)

¹⁵¹ So-called '*Wegweiser zur Geschichte*', Zentrum für Militärgeschichte und Sozialwissenschaften der Bundeswehr (2021b)

¹⁵² For an overview, see Zentrum für Militärgeschichte und Sozialwissenschaften der Bundeswehr (2021a)

¹⁵³ Bundeswehr (2020a)

¹⁵⁴ Bundeswehr (2020b)

¹⁵⁵ Interview Karsten Schneider, 8th February 2021

¹⁵⁶ One of the universities is in Munich, one in Hamburg. Naval officers study on both, see Bundeswehr (2020c); Bundeswehr (2020d)

¹⁵⁷ See cover and introduction of the director's and head of seapower department's joint publication, Krause, Joachim & Bruns, Sebastian (2016)

¹⁵⁸ See IFSH aktuell (2010); IFSH (2020); Ehrhart et al. (2013)

There is a third relevant school of thought in Germany – even though occasionally obscure and not particularly maritime in focus – which predominantly rejects the use of the military in foreign policy. Some related publications are obviously politically or ideologically biased, but others are of substantial value.¹⁵⁹ An illustrative example of a combination of both characteristics is an edited volume from 2012, ‘*Armee im Einsatz*’, published by the Rosa-Luxemburg Stiftung.¹⁶⁰ Reconciling themselves with – or absolving themselves for – inevitable partiality and bias in political science research, the study’s authors work from the premise of an assumed decisive shift towards militarisation of Germany’s foreign policy since 1990.¹⁶¹ While, for example, denouncing the defence of international trade-routes and related multi-national maritime security or ocean governance contributions of the navy as unconstitutional, the authors came to the wholesale conclusion that the treatment of symptoms with military force is always inferior to civilian prevention and conflict resolution, summing it up in the claim that the Bundeswehr has no business to be in Afghanistan, the Balkans, at the Horn of Africa or in Sudan.¹⁶² Nevertheless, while riddled with references to *politische Klasse* (political class) and *Herrschaftslogik* (logic of the ruling elite),¹⁶³ the study still has valuable detail and different perspectives on missions and the political process to offer.

In the context of the navy’s recent aim to re-balance towards warfighting and deterrence, it is not surprising that the latest – abortive – attempt to formulate an official naval strategy was undertaken with academic support from the ISPK. Swallowed up in the 2016 *Weißbuch* and vetoed for publication, the most visible outcome of this attempt is Admiral Krause’s ‘*Wilhelmshavener Erklärung*’ from February 2016.¹⁶⁴ In content and process, this yields valuable insights. The process of strategy formulation, inaugurated in 2014 by then recently appointed Chief of the Navy Krause, bore a resemblance to a) the earlier and last significant strategy-making process of the navy in 1989/1990,¹⁶⁵ which led to the *Zielvorstellungen Marine* (ZVM; concept of the navy),¹⁶⁶ and b) the model for conceptualising

¹⁵⁹ For examples of the former, see Buchholz & Ziefle (2010); Haydt (2009); and the latter, see Meyer (2007)

¹⁶⁰ One of Germany’s politically affiliated citizenship education trusts, this one associated with the leftist party DieLINKE; Brehm et al. (2012)

¹⁶¹ See Brehm et al. (2012), p. 8

¹⁶² Brehm et al. (2012), pp. 192-3

¹⁶³ See Brehm et al. (2012), p. 23, p. 49, p. 52, p. 73, p. 85, p. 107, p. 147, p. 188, p. 192

¹⁶⁴ See the emphasis on the Indian Ocean in the ‘*Wilhelmshavener Erklärung*’, Krause, Andreas (2016a)

¹⁶⁵ As underlined in importance by former chief of the navy, Axel Schimpf, interview 17th June 2019, as well as described in the details of the process by Ostermann, Ostermann (2018)

¹⁶⁶ Deutsche Marine (1991)

change in the US Navy which Chief of Naval Operations Zumwalt used in the 1970s – based on ‘a small team of highly innovative and strategic thinkers outside of the staff’.¹⁶⁷

In Germany, no single research institute bundles the entirety of strains to holistically consider ocean governance. The temporary professorial (political science) chair of Aletta Mondré at the University of Kiel is dedicated to *Meerespolitik* – translating to ‘ocean governance’ – is probably closest to achieving this aim.¹⁶⁸ Kiel offers the connection between the ‘hard’ seapower-focus of the ISPK, with Mondré a regular guest at its ‘*Kiel Seapower Symposium*’, while she also contributes to the ocean science-focussed ‘*The Future Ocean*’ network in Kiel.¹⁶⁹ Another such integrating character in the seapower, maritime security and ocean governance land- or rather *seascape* in Germany, is Uwe Jenisch, former mentee of Mann Borgese and (by now retired) professor of the Law of the Sea in Kiel. His contributions range from books and articles on piracy, to the law-enforcement roles of navies and coast-guards, to publications dealing with ocean sciences.¹⁷⁰

Concerning ocean sciences, the University of Kiel’s GEOMAR-Institute is one of Germany’s key research centres.¹⁷¹ Together with other internationally renowned institutions like the Alfred-Wegener Institute in Bremerhaven, it is part of the *German Marine Research Consortium* which focusses on the scientific exploration of the sea.¹⁷² ‘Ocean sciences’ in this regard, are meant to encompass a ‘*broad spectrum of marine sciences ... with complementary research topics and regional foci*’, a practical delimitation which does not systematically include social science research expertise on the political and international (sea)power dimension of human uses of the sea.¹⁷³

The lack of cooperation between ocean sciences and social or political sciences in questions of seapower and the role of navies in ocean governance, may have ideological reasons. As Bruns (of the ISPK) asserts, researchers in the GEOMAR and Ocean Sciences context have little love lost for seapower or maritime security studies.¹⁷⁴ This might be due to

¹⁶⁷ Haynes, Peter (2020), p. 101

¹⁶⁸ See Mondré & Kuhn (2017)

¹⁶⁹ See *The Future Ocean* (2019)

¹⁷⁰ See Jenisch (2015; Jenisch (2017; see i.e. *World Ocean Review* (2015)

¹⁷¹ GEOMAR Helmholtz-Zentrum für Ozeanforschung Kiel (2021)

¹⁷² See see Alfred-Wegener-Institut (2021; German Marine Research Consortium, KDM (2021)

¹⁷³ The economic and engineering side of shipping are included through the participation of the universities of Rostock and Bremen, the economic and engineering side of shipping are included through the participation of the universities of Rostock and Bremen, see German Marine Research Consortium, KDM (2021)

¹⁷⁴ All advances for cooperation on the part of the ISPK to their fellow institute at the University of Kiel have remained unanswered As described by Bruns in correspondence with the author.

a general aversion against the military in German academia,¹⁷⁵ or simply a natural-science based limited perspective on the role and value of social science. In either case, the otherwise very comprehensive ‘*World Ocean Review*’ (WOR) includes only a passing reference to ‘security’ – and generally downplays the value of navies in providing good order at sea.¹⁷⁶

Relevant publications of one school of thought, like the ISPK’s on naval strategy in 2016,¹⁷⁷ or the IFSH’s on piracy and maritime terrorism,¹⁷⁸ often lack contributions from the other and thus show limitations. However, there are exceptions to this, like the 2013 book by Bruns (ISPK) Petretto (IFSH) et. al. on maritime security,¹⁷⁹ and Jopp’s edited volume, which not only had contributors from several universities, including the Bundeswehr’s ones in Munich and Hamburg, but was further published by the IFSH’s director Brzoska and included a contribution of the ISPK’s, Krause. Most importantly, it is the most comprehensive joint treatment of foreign policy, seapower, maritime security and ocean governance published in Germany so far.

In the debate over its utility, the navy itself is not clearly situated within one or the other ‘camp’ of ‘warfighters’ vs. proponents of constabulary roles or good order at sea. Advocates for either position are found among active and retired naval officers, with especially retired Admiral Feldt regularly publishing with affiliates of both related academic schools of thought. He advocates for a unified perspective on the navy’s functions,¹⁸⁰ a position that resonates with the navy’s latest published self-image, ‘*Kompass Marine*’ from December 2020. The navy sees warfighting skills as the foundation of its utility to foreign policy, while contributing to maritime security and ocean governance are part of its mission.¹⁸¹ This study in turn looks to integrate this described comprehensive utility of the navy with Germany’s foreign policy since 1990.

International seapower literature is relevant to Germany and its navy – but engagement with it hinges on the endeavours of a small academic and naval professional community, a

¹⁷⁵ As suspected by Winfried Nachtwei, defence expert, former member of the Bundestag for the green party and decade-long participant in the ‘movement’ of so-called ‘peace activists’ in Germany. Expressed by Nachtwei in his speech at a parliamentary reception in Düsseldorf, 26.06.2014

¹⁷⁶ the report includes a photo of two Japanese naval vessels off the Horn of Africa, but has nothing to say on navies as such, *World Ocean Review* (2010), pp. 173-5

¹⁷⁷ this landmark publication of the ISPK had no contributors from the IFSH, but one from Lutz Feldt, see Krause, Joachim & Bruns, Sebastian (2016)

¹⁷⁸ Ehrhart et al. (2013)

¹⁷⁹ Bruns et al. (2013)

¹⁸⁰ Interview Lutz Feldt, 12th August 2019

¹⁸¹ See *Marinekommando* (2020a)

community and endeavour, this thesis seeks to contribute to. As Till noted, differences between navies, large or small, ‘*are more a matter of degree than of kind*’.¹⁸² Furthermore, despite its limitation to conventional non-nuclear capabilities, Germany is not only a contributing element of NATO’s and the EU’s strategic deterrence and cooperative seapower, but also depends for its security and foreign policy on their respective capabilities to project power and deter potential great-power aggressors. After all, German aircraft are part of NATO’s nuclear deterrence posture through ‘*nuclear sharing*’, the capability to deploy US (tactical) nuclear weapons,¹⁸³ and the navy’s vessels have been repeatedly integrated in US (NATO) and French (NATO and EU) carrier-strike groups,¹⁸⁴ while Germany took the lead as a framework-nation in Europe for developing sea-based anti-ballistic missile defence capabilities.¹⁸⁵

I. 2 Methodology

Much more than any shots fired or ships boarded, the political dimension of the navy’s missions over the past 30 years yields the greatest substance for this research. Following Gray’s expectations for the post-Cold War era, firepower – as in matching a potential peer-competitor – would matter significantly less for considerable time, than a navy’s utility to support peacetime foreign policy more broadly – drawing on, but not requiring (to the fullest) a navy’s warfighting ability.¹⁸⁶ It is also open for debate, how ‘small’ or ‘big’ – or categorized in any other form – Germany’s navy is.¹⁸⁷ Categorising navies is a difficult endeavour, but with an in-depth analysis focussing on one single navy, this thesis can contribute to situating it in the spectrum of navies – beyond mere reference to its presently ‘*smallest fleet of its history*’.¹⁸⁸ What this thesis uniquely contributes here, is more than measurements in terms of personnel and unit-numbers (quantity) or capability expressed in tonnage or ‘missile tubes’ (quality), it seeks to evaluate its utility with respect to foreign policy through the missions it performed over the past 30 years.

¹⁸² Till (2003)

¹⁸³ See Rudolf (2020), summary, on NATO's nuclear deterrence posture, see its 2010 strategy, NATO (2010), Art. 17, 18

¹⁸⁴ See Bergmann (2010); Bundeswehr Journal (2018); Wiegold (2016a)

¹⁸⁵ See Uhl (2015)

¹⁸⁶ Gray (1994), p. 161-5

¹⁸⁷ For one such well-known typology, see Grove (1990) pp. 237-41; updated by him in 2014, Grove, Eric (2014), p. 16

¹⁸⁸ Krause, Andreas (2020), p. 12

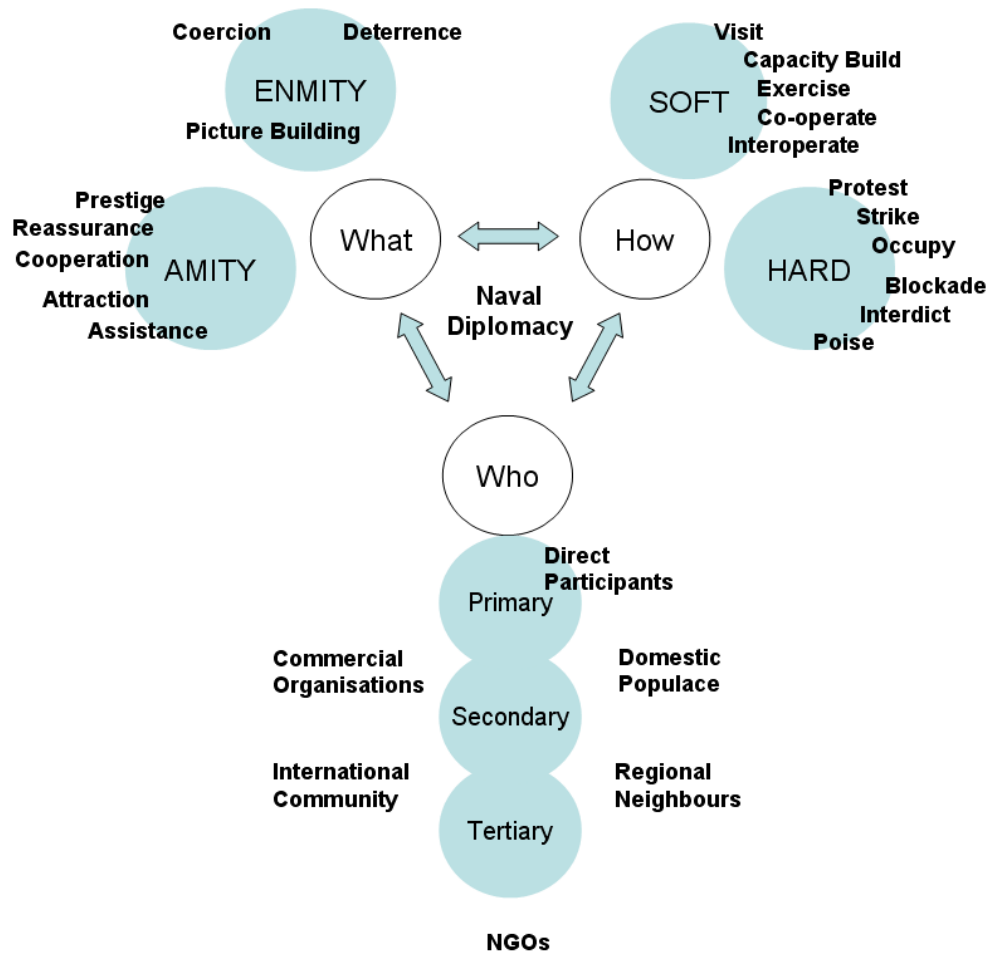


Fig.7, Rowlands' model of 21st century naval diplomacy.¹⁸⁹

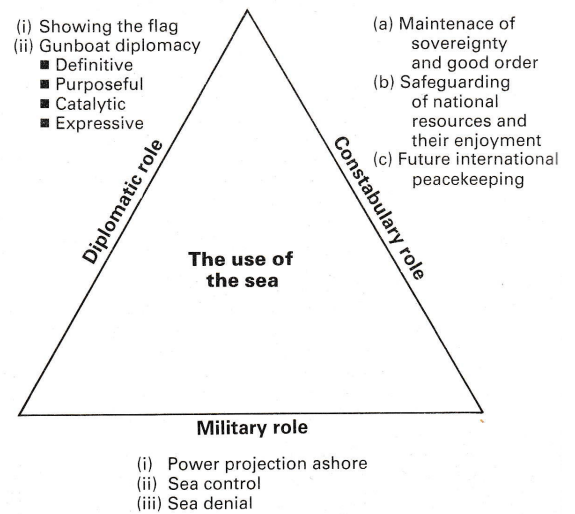
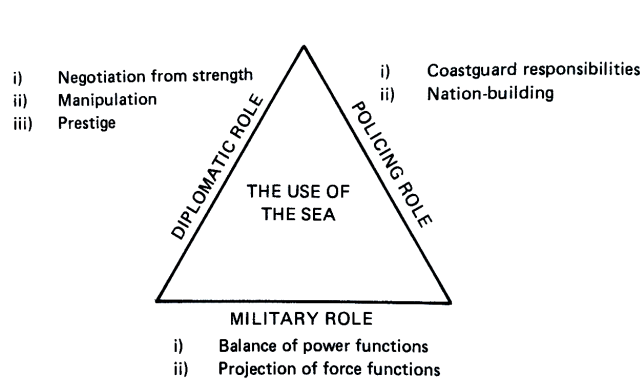
The analysis of naval missions as case-studies draws on Rowland's model of 'naval diplomacy' as a multidirectional, multi-stakeholder communicative process, and on concepts of functions and roles of navies as refined by Booth, Grove and Till – and recently Stöhs.¹⁹⁰ In 1977, Booth sought to address with the religious concept of the 'trinity', what Corbett already described as the threefold 'function of the fleet'.¹⁹¹ Booth graphically expressed his ideas in the form of the above-mentioned triangle, while Grove further expanded on this, for example introducing 'international peacekeeping' as a 'constabulary role' (also replacing Booth's 'policing' label). Recently, to better capture the fact that naval missions likely cover all three sides of the

¹⁸⁹ Rowlands (2015), p. 417

¹⁹⁰ See Grove (1990), pp. 234-5; Till (2013), pp. 32-5; Stöhs (2019), pp. 9-10; pp. 83-5

¹⁹¹ Booth (1977), p. 15; Corbett (2010), p. 6

‘triangle’ to some extent – and further include various degrees of cooperation, coercion or uses of force, Stöhs introduced a colour-code to a tri-axial graphic version of Booth’s triangle.¹⁹²



French Carrier Air Strike (ISIS)

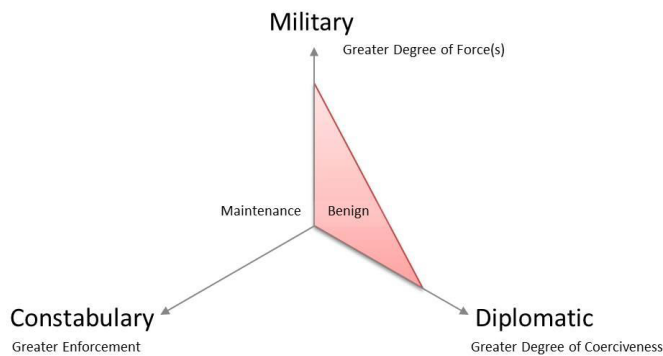


Fig. 8, (top, left), Booth’s ‘The Functions of Navies’

Fig. 9, (top, right), Grove’s adaptation

Fig. 10, (bottom), Stöhs’ colour-coded version applied to France’s 2015 Counter Daesh mission

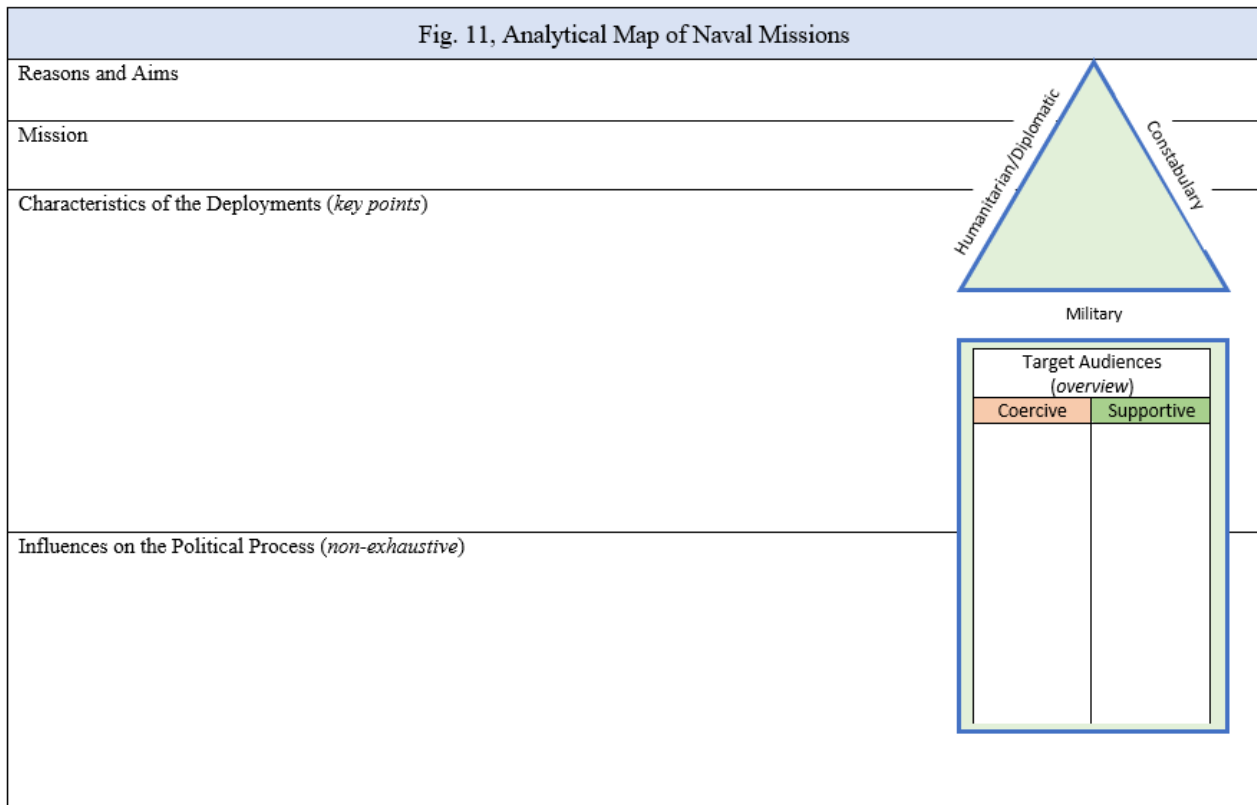
■ Kinetic Use of Force

To facilitate an overview across missions over thirty years, this thesis introduces an analytical map as a tool to summarise the findings of each case-study period.¹⁹³ The purpose is to increase the accessibility of the findings of the cases, while at the same time preparing them for comparative overview over a longer time frame. As part of the map, Grove’s version of the triangle is used alongside representations inspired by Rowlands’ model, while Stöhs’ idea of differentiating between coercion or cooperation/support is expressed with related target-audiences.¹⁹⁴

¹⁹² Stöhs (2019), pp. 9-10; pp. 83-5

¹⁹³ See Fig. 11 below

¹⁹⁴ See Booth (1977), p. 16; Grove (1990), p. 234; Rowlands (2015), p. 417; Stöhs (2019), p. 85



The comparative analysis of missions is of a qualitative nature, but draws on available data to permit quantitative evaluations of the context.¹⁹⁵ For the case studies, there are primary sources of autobiographical accounts and published documents on strategy, parliamentary records and other official information.¹⁹⁶ However, official evaluations of the missions are not undertaken – neither by the navy, nor the government, and existing reports of commanders are not in the public domain. As cabinet minutes are not yet disclosed, and the *Bundessicherheitsrat* – its security-related sub-committee – is not a structured institution with its own administration or records,¹⁹⁷ a lot of relevant detail has only become available through conducting interviews with witnesses and protagonists within and outside of the navy.¹⁹⁸ It added substantial value to the analysis to be able to have access to politicians’, ministry officials’ and naval officers’ recollections of political processes and aspects of the missions that otherwise are either not

¹⁹⁵ Economic statistics on GDP over time, trade, or numbers of migrants, shipping tonnage, etc.

¹⁹⁶ See the defence white-papers and VPRs, BMVg (2016) (and previous versions), politicians’ autobiographies, Fischer (2011); Schröder (2006); Struck, P. (2010), and those (rare ones) of naval officers Braun (2013); Hoch (2005); Toyka (2017)

¹⁹⁷ As will be discussed in Chapter III

¹⁹⁸ For a list, see the appendix ‘Interviews’

recorded or not (yet) available in a structured form. Nevertheless, interviews are necessarily subjective accounts and potentially affected by flaws in memory or may be biased in one way or another. Therefore, where possible, these valuable first-hand sources are balanced by secondary sources covering the missions and their context.

In the spirit of Corbett's ambition to extend academic inquiry even to affairs '*subject to infinite and incalculable deflections*',¹⁹⁹ this thesis seeks to discern patterns and aid judgment concerning Germany's use of the navy, while equally acknowledging the inherent difficulties in studying a subject which, measured in success or failure, is largely intangible.²⁰⁰ Employing navies as tools in the service of grand or national strategy falls under the purview of Freedman's judgement on the complexity of strategic interactions: '*strategy is an art and not a science. It comes into play when situations are uncertain, unstable, and thus unpredictable.*'²⁰¹ Therefore, this thesis aims not to predict or prescribe, but to identify and interpret patterns through a mix of *qualitative* assessment of past cases,²⁰² with a *quantitative* overview of contextual developments in the search for commonalities and patterns.

Evaluation is further complicated, as strategy – on its highest 'national' or 'grand' level – concerned with foreign policy,²⁰³ needs not only to consider a proverbial '*thousand and one factors*' in its application,²⁰⁴ but is also more often than not the result of what Till calls an '*accidental dialectic*' of seemingly '*random and irrational forces*'.²⁰⁵ Because of the high degree of complexity, uncertainty and potential influence of human irrationality, it is difficult, if not impossible, to approach strategy with the aim of discovering fixed generalisations or laws of behaviour and choice, as associated with positivist empirical methods characteristic of natural sciences. Still, in full recognition of these difficulties, Morgenthau sees theoretical simplification '*however imperfectly and one-sidedly*' as possible and necessary in the pursuit of patterns or 'laws' to aid the understanding of international politics.²⁰⁶ In this, the temptation needs to be resisted, as Freedman described it, '*to prove that politics could be a science*', by not giving in to oversimplifications for the sake of creating models that gloss over the role of

¹⁹⁹ Corbett (2004), pp. 7-8

²⁰⁰ See Rowlands (2015), p. 428

²⁰¹ Freedman (2013), p. 612

²⁰² On the interpretative character of qualitative research, Corbin & Strauss (2014), p. 3

²⁰³ See Gray (1994), p.138; Balzacq et al. (2019), p. 77

²⁰⁴ George Henderson's 19th-century description of (military) strategy in the American Civil War, as quoted by Weigley, Weigley (1986), p. 421

²⁰⁵ Till (2020), pp. 13-4

²⁰⁶ Morgenthau (1960), p. 4

instinct, thoughtless habit, self-defeating desire or the power and influence of metaphysical concepts in human choices.²⁰⁷

Rather than forcing the establishment of ‘objective laws’, a (self)critical and cautious approach to knowledge generation seems to be more suitable to this study. In the philosophical tradition of Popper’s *critical realism*, objective truths may be discoverable and verifiable, but – as the result of fallible human interpretation – any findings can only ever be preliminary.²⁰⁸ Guarding against subjectivity is further important, as this research endeavour concerning the German navy, is undertaken by an author who serves in it – including in two relevant missions considered here (UNIFIL 2007, ATALANTA 2010 and 2011). Popper’s critical stance on objectivity and knowledge generation serves as a steady reminder to guard against bias, test any conclusions and hypotheses against a diversified range of available sources while avoiding absolute claims to truth.²⁰⁹

Despite the inherent unpredictability and complexity of its subject, striving to understand strategy, navies and foreign policy is a worthwhile academic endeavour. Researchers in War Studies and more generally associated with International Relations (IR) seek to describe, explain and even predict related phenomena of international politics.²¹⁰ As Balzacq et al. add with a note of caution, if any such research were to be conducted, it should be especially a) *focussed on processes*,²¹¹ and b) *descriptive and explanatory* rather than prescriptive, furthering the general understanding of cause-and-effect relationships, before proposing any alternative choices.²¹² Further supporting this thesis’ approach, case study analysis is seen as particularly suitable in this field of study.²¹³

I. 3 Structure

This thesis is divided into eight chapters. **Chapter II** covers the utility of navies as political instruments in both conceptual and German understanding. This is particularly important, as over the course of less than a century, Germany moved from the world’s second-ranking naval and shipping power,²¹⁴ via two lost World Wars and post-1945 occupation, integration in the

²⁰⁷ Freedman (2013), pp. 577-8

²⁰⁸ See Popper on the possibility of the preliminary establishment of truths and their verifiability, Popper (1961), p. 461, p. 468

²⁰⁹ On Popper's theory of inevitable human fallibility, see Popper (1961), p. 468

²¹⁰ See Singer (1961), pp. 77-9; specifically for maritime security and piracy, see McCabe (2018), pp. 269-71

²¹¹ Balzacq et al. (2019), p. 77

²¹² Balzacq et al. (2019), pp. 82-3

²¹³ Balzacq et al. (2019), p. 77, p. 85

²¹⁴ See Pfeiffer (2009), pp. 83-91

West and the EU, to return to being one of the world's leading shipping nations with a modern navy deployed on expeditionary operations. **Chapter III** then covers two of the thesis' three levels of analysis. The policy and strategy level with actors, processes and principles guiding the navy's use in foreign policy, and the navy itself, its changing internal dynamics, force structure and capabilities.

Chapters IV, V and VI are dedicated to the case studies in three phases of uses of the navy in foreign policy tied to the three Chancellors since 1990, Helmut Kohl (1982-1998), Gerhard Schröder (1998-2005) and Angela Merkel (2005 – 2021). In this choice, the periods defined by the prominent role of the chancellors in influencing foreign policy,²¹⁵ largely coincide with three overlapping main questions or principal sets of challenges for navies in international affairs and related academic study. **Firstly**, in the 1990s onwards, the '*out-of-area or out-of-business*'-debate for NATO, in relation to the UN's '*Agenda for Peace*': Peacekeeping and crisis response were to promote human security – in extreme cases even with 'humanitarian interventions' to enforce an international *Responsibility to Protect* (R2P).²¹⁶ **Secondly**, in the wake of 9/11, the 11th September 2001, the resort to national and **collective self-defence against** the non-state '*asymmetric*' threat of **international terrorism**.²¹⁷ **Thirdly**, progressing attention to **maritime security and ocean governance** in connection with Somali piracy in 2008, as well as the '*return of great power rivalry*', as marked by Russia's annexation of Crimea in 2014 and China's rising challenge to US hegemony.²¹⁸ Finally, **Chapter VII** draws together the findings across the thesis by exploring the relationship between German power, foreign policy and the navy, before leading up to the conclusion, **Chapter VIII**.

²¹⁵ See Bierling (2014), p. 13

²¹⁶ See Lugar (1993); Boutros-Ghali (1992); United Nations Development Programme, UNDP) (1994), pp. 22-33; United Nations General Assembly (2005), Art. 138, 139

²¹⁷ See Freedman (2002); Oppermann (2016)

²¹⁸ See Bueger (2015), p. 159; Bueger & Edmunds (2017), pp. 1296-7; Mearsheimer (2021)

II. Understanding Germany's Use of the Navy in Foreign Policy

Tracing and understanding the shift in how Germany evolved in seeing the utility of its navy by analysing the practice of its post-Cold War deployments is at the heart of this thesis' contribution to research on navies more generally. This chapter covers the theoretical side of this process, the evolution of the debate and the ideas that define it. This also lays the groundwork for the subsequent work of the chapters that deal with the operational practice that was influenced by and in turn came to influence the ideas presented here. While the use of the navy in pursuit of Germany's new post-Cold War foreign policy also produced a novel character of missions and operational practice, the effect this has had on both navy and state has not been addressed in the existing literature, yet.

Navies continue to play an important role in foreign policy in the 21st century and their utility as a hard- and soft-power tool in war, crisis and peace is subject to considerable study. In this, it is contestable whether classic fixations with power and states are sufficiently accurate to describe international society, especially in the light of important social evolutions since the days that Morgenthau began occupying himself with '*politics among nations*'.¹ Similarly, while what navies have to offer to political leadership has changed in many ways since the days of Thucydides, many of their essential characteristics have not. What may at times be a very vague academic debate about the nature of power and the relationship between interests and values in international relations,² is still practically relevant in a study of Germany which in many ways can be seen to have incorporated and translated many post-modern or cosmopolitan features into its political system, culture and society.³

The view that sees navies primarily as instruments of great-power competition in a world driven by universal geopolitical rivalry between land- and seapowers, has only limited explanatory power – especially in the light of developments after the end of the Cold War.⁴ To advance this debate on the utility of navies generally, this thesis analyses the German navy specifically. In the tradition of Morgenthau's fascination with looking over statesmen's shoulders as they conduct international affairs,⁵ this thesis extends this approach also to their naval commanders and how they handle the missions given to them by their political masters.

¹ Morgenthau (1960), p. 5

² See Rose (2021), pp. 48-52

³ See discussion of post-modernism and cosmopolitanism further below.

⁴ See the critical evaluation Mahan's geopolitics in Pickering (2017), preface ix-x; p. 34

⁵ Morgenthau (1960), p. 5

Therefore, this work on Germany and its navy adds to the general debate on the question of ‘*what are navies for?*’ This question is central to a lot of what has been written by scholars and published in official strategies and doctrines. Relevant scholarship addresses *naval* history, strategy and technology, *international relations*, history and *international law*. This leads to the question of how Germany fits in with the wider international debate on navies. Addressing this involves covering the broader international debate and the specifically German one. In other words, the task boils down to understanding what is generally thought about ‘*what navies are for?*’, and what Germans think about this.

Internationally, the discussion ranges from navies being seen as instruments of great powers and empires,⁶ to their value in demonstrating commitment as a responsible actor,⁷ providing comprehensive maritime security and contributing to sustainable and equitable ocean governance.⁸ It is noteworthy that, as discussed in the literature review, studying German navies has especially focussed on the roles they played in the former context. Navies and seapower are often studied in relation to the great- or superpower contests of the 20th century, the World Wars and the Cold War, but much less so in its relevance to the post-Cold War era.

In Germany, *Seemacht* is still liable to be associated with *Seegeltung* and *Weltgeltung* – the imperial logic of seapower as a crucial element of great-power status, the recognition as a power to be feared, respected and reckoned with in the world – while its utility for the contemporary German ambition to be recognised as a *responsible* or *reflective power* is much less well discussed. Imperial and National-Socialist Germany, while different in character and foreign policy, clearly based their view of the utility of seapower on the aforementioned triad of *Seemacht*, *Seegeltung* and *Weltgeltung*.⁹ However, post-1945 Germany sought integration into the political and ideological ‘West’ and adopted the logic of seapower as one of NATO’s main strategic pillars in the Cold War superpower contest. In essence, though, this limited the role of the navy as an instrument of foreign policy. The German navy was exclusively focussed on deterrence, while being fully integrated into allied defence in Europe. It was not designed for independent global operations, as the defence of Germany’s international interests were

⁶ As discussed by Mahan, Mahan (1899)

⁷ See Rowlands (2015), p. 310; Krishnasamy (2001), pp. 59-60; Foot (2013), p. 23; p. 29

⁸ For an early tentative take, see Booth (1977), p. 270; or more explicitly and recently, see Mellet (2014), p. 67

⁹ Illustrating this connection, the *Kaiserliche Marine*’s last chief of naval staff in the imperial war ministry, Admiral von Trotha, later became head of the Nazi-Organisation *Reichsbund Deutsche Seegeltung* and published a book called ‘*Seegeltung – Weltgeltung*’, Trotha (1940), sleeve-text, foreword

delegated in a sort of division of labour to its allies.¹⁰ As discussed further below, this changed substantially after 1990.

To characterise the change in foreign policy after the Cold War, President Steinmeier coined the term '*reflective power*' in 2016 (when he still was minister of foreign affairs) to describe Germany's '*new global role*'. Based on lessons from its own history, it strives to be a responsible actor committed to peace, the rule of law and the protection of human rights. As it '*steps up*', Germany also does not shy away from using military force as a last resort in '*holding as much ground as possible*' until the EU develops the ability to play a stronger role to collectively promote and defend these shared interests on the world stage.¹¹ The bid for recognition as a 'responsible state' is also tied to Germany's great post-Cold War diplomatic ambition towards a permanent seat on the UN Security Council.¹² Both aims – as will be shown in the course of the thesis – have repeatedly been pursued by deploying the navy in international peacekeeping and crisis response.¹³

Using the navy in the context of the new post-Cold War agenda for broader '*human security*' – including maritime security – is not unique to Germany. Other European navies have also followed the shift of the UN, (W)EU and NATO towards assuming greater responsibility in international crisis management and creating more favourable conditions for human development across the board – including with a greater commitment to peacekeeping.¹⁴ Similarly, connections between contributing to peacekeeping and seeking recognition as a responsible member of the international community have been identified for various other states, such as Brazil, China, India and Pakistan.¹⁵

When it comes to analysing policy, strategic documents and the related discussion concerning deployments of the German navy after the Cold War, it is important to take into account the Federal Republic's complex politics and decision-making processes. Till's model of the 'pinball machine' of strategy-making is a striking and illustrative image of this complexity behind employing navies in the service of foreign policy. It illustrates the idea that naval strategy is inherently tied to foreign policy and with it to grand strategy. The process that underlies their formulation is likened by Till to a '*little ball of strategy*' which '*bounces around*

¹⁰ See Mahnke & Schwarz (1974), foreword of Georg Leber, minister of defence 1972-1978, BMVg (2020a)

¹¹ Steinmeier (2016), p. 106; p. 110; p. 113

¹² Beginning in 1992, Kinkel (1992); see Zschke (2021)

¹³ Generally on peacekeeping and recognition as a responsible member of the UN system, see Krishnasamy (2001), pp. 59-60; Foot (2013), p. 23; p. 29

¹⁴ See Germond (2015), p. 35; pp. 51-72

¹⁵ See Silva et al. (2017), p. 3; Krishnasamy (2001), pp. 56-8; Foot (2013), p. 35

*between the pins in a random but generally downward direction until it drops out at the bottom with some kind of accumulated value.*¹⁶ This view of strategy-making is different from traditional top-down approaches, as those of Mahan, Corbett or Clausewitz.¹⁷ By this quality, it is intriguing as a concept to apply to federal Germany with its various levels of influences, inclusive and subsidiary politics.

Concerning structure, this chapter is split into two main parts, the first outlines the general traditional and evolved post-Cold War view on navies and their role in foreign policy, the second traces these intellectual currents with regard to Germany. Part of this is the introduction of various models and helpful concepts,¹⁸ before outlining the combination of these models in an analytical map used to facilitate understanding the evolution of the role of the navy in German foreign policy since the end of the Cold War.¹⁹ Therefore, the aim of this chapter is threefold. first to provide, an overview over existing scholarship on navies and foreign policy. Secondly, specifically focussing on naval thought in Germany. Thirdly, developing and describing the models and concepts that are employed to understand the German navy in foreign policy today.

While there are scholarly works on navies and their use in foreign policy after the Cold War to draw on,²⁰ there is only very little available which applies this directly to the German navy. This also concerns Germany as a testing case for recently developed models. To be sure, in recent years, scholars such as Rowlands, LeMière, Stöhs and Germond have included Germany or German cases in their studies of naval diplomacy and European navies.²¹ Still, while clearly helpful to the discussion here, their coverage of the subject has been either based on examples pre-dating the end of the Cold War or in any case brief in the context of the focus of their respective research. Germond, for example, entirely omits the importance of the post-9/11 role of the German navy in the War on Terror – especially for its otherwise well-discussed changes in doctrine and self-image, while Rowland mentions the respective OEF deployment only very briefly and in turn omits the UN-mission UNIFIL after 2006 and the EU ATALANTA-participation after 2008.²² Because of this, the conceptual advances in analysis

¹⁶ Till (2020, p. 13)

¹⁷ Till (2020, p. 13)

¹⁸ See below, and in a brief overview, Booth (1977); Cable (1994); leMière (2014); Rowlands (2015); Stöhs (2019); Till (2013); Till (2014); Till (2020)

¹⁹ Supporting such a mixed-method process- and case-based approach to analysing foreign policy and (grand) strategy, see Balzacq et al. (2019), p. 85

²⁰ See Grove (1990); Gray (1994); successive editions of Till (2013)

²¹ Germond (2015); leMière (2014); Rowlands (2015); Stöhs (2019)

²² See Germond (2015), pp. 67-9; Rowlands (2015), p. 216

made since the Cold War still await application to Germany. Rowland's model of a complex multi-layered and multi-directional approach to naval diplomacy especially informs this thesis' inquiry into the use of the German navy in foreign policy.

II. 1 The Utility of Navies in Foreign and Security Policy

The Traditional View

Seapower and navies – including their foreign policy dimension – have been discussed since antiquity. Thucydides's *The Peloponnesian War* can be read not only as a foundation for a contemporary discussion of grand strategy,²³ it is also rife with references to the characteristics and utility of seapower in the epic struggle between Athens' naval supremacy and Sparta's infantry.²⁴ In the close proximity of grand strategy and naval – or in the Corbettian sense, *maritime strategy*,²⁵ past thinkers of geopolitics have often read Thucydides's history as the epitome of their supposed universal struggle of seapower with land-power.²⁶ Mackinder's early 20th century vision of human history pivoting around the 'inevitable' world apart and subsequent struggle between a giant Asian land-power and the individually more mobile, commercially and militarily more successful powers of the remaining world, encircling it in a balancing act of shifting alliances, is a key example.²⁷ In imagery and vocabulary this vision has remained influential despite its flaws and role in driving imperial ambition as well as fuelling war in the past. Ultimately, Mackinder's visions and their German reception by Haushofer formed the foundation of 'Hitlerian geopolitics' of expansionism and domination.²⁸

In addition to the recognition of naval forces' specific qualities, in shifting nuances, the underlying theme of seapower versus land-power has also remained a staple in the intellectual vocabulary of many seapower thinkers. Often referring back to Mahan, the unique properties of the sea as the great bridge and barrier between continents and cultures have come to be seen as enabling both the success of maritime commerce and the efficient flexibility of navies to underpin the '*influence of sea power upon history*'.²⁹ Regardless of the failings of geographic determinism and the connection between early geopolitical thought and imperialism,³⁰ Mahan's work deserves lasting attention. While Mahan's immediate influence upon navies

²³ As Gaddis, who used this and other classical texts with great inspiration, see Gaddis (2018), pp. 32-3

²⁴ See Thucydides (2009), p. 194

²⁵ See Corbett (2004), p. 9

²⁶ Mahan, Mackinder, Ratzel and Haushofer are the chief proponents, see Pickering (2017), p. 34

²⁷ Mackinder (2020), pp. 20-3

²⁸ Giblin as quoted by Pickering, Pickering (2017), p. 34; see Haushofer (1937)

²⁹ As by the title of his most famous book, published in 1890, Mahan (1899)

³⁰ See Pickering (2017), preface ix-x; p. 34

over time is open for dispute,³¹ it was foundational for the Imperial Navy and making it the *Kaiser's* primary vehicle to advance his bid for *Weltgeltung*.³² Nevertheless, many of Mahan's ideas about the unique strategic advantages of seapower have lasting value and formed the foundation on which many others have built modern theories about the utility of navies in war and peace.

After Mahan and with different emphasis, Corbett focussed on the sound integration of naval with overall strategy in wartime. Wars have typically been decided by the effects of military force on land, he claimed, therefore the combined use of navy and army under the direction of an integrated maritime strategy were paramount to his theory of war.³³ Joined in an increasingly international debate by his near contemporaries like the French Admiral Castex, Corbett's notion of the use of the navy and 'sea control' for military and ultimately national strategic ends, extended Clausewitz' reflections on the political nature of uses of military force to seapower and navies.³⁴

Beginning at least as early as the late 19th century, this international debate had a further intellectual current that was connected to the seapower versus land-power theme mentioned earlier. It centred on the question of whether sea control, decisive battle and defeat of the opponent was to be the only or inevitable goal of maritime strategy. The so-called *Jeune École* of naval thinkers in France laid the groundwork for an approach that centred on denying the enemy the uncontested use of the sea, rather than striving to obtaining it oneself. The use of cost-efficient means like mines and fast, small commercial raiders and torpedo boats was supposed to offer a way out of an inferior position against a dominant seapower.³⁵ In all this, the use of navies also came to be framed and discussed in relation to political aims, including the effect on populations and public opinion.³⁶ Combining the Mahanian view with the one of the *Jeune École*, the utility of one's navy centred as much on what it could do to affect an opponent in his core interests, as on what it could do to prevent his navy from having a negative effects on one's own.

Despite the preoccupation with brutal battles between armies of hundreds of thousands of soldiers in the collective memory of the World Wars, theories about the significance of

³¹ See Speller (2019), p. 37

³² See Epkenhans (1996), pp. 27-9

³³ See Corbett (2004), pp. 8-9; p. 14

³⁴ Corbett (2004), pp. 21-6; see Speller (2019), pp. 44-6

³⁵ Speller (2019), pp. 57-8

³⁶ Speller (2019), p. 58

navies and their political utility have been confirmed by their conduct and outcome. Indeed, in both World Wars, British and American seapower were the foundation on which allied victory over Germany was built.³⁷ Beyond cutting off global supply of critical raw materials, allied navies also imposed an effective blockade that in the First World War had a significant effect on Germany's war weariness. Nevertheless, Castex subsequently warned of falsely falling for the idea of '*mastery of the sea*' as the chief principle of naval strategy, a mastery he claimed could only ever be '*relative, incomplete and imperfect*.'³⁸

The resulting focus on vital maritime communications and the clever exploitation of any means available added a new twist to the pre-war debate between *Jeune École* and proponents of decisive naval battles. After all, rather than deciding the war with spectacular fleet actions, allied seapower had enabled the transfer of troops and the supply of allies beset by the war on land.³⁹ While the Second World War had seen the bloodiest fighting in the 'Homeric struggle between two massive continental powers',⁴⁰ the Soviet Union would have hardly been able to withstand Nazi Germany's initial offensive, had allied convoys not been rapidly begun to supply it with a massive and steady stream of the weapons it needed to turn the tide of the war.

Seapower was a key factor in the World Wars and also – with a maritime alliance denying a continental land power the domination of Europe and Asia – the Cold War.⁴¹ Still, in order to avoid the intellectual trap set by Mackinder's vision of geography's pivotal role in history,⁴² it helps to keep in mind that the West's success in the Cold War depended on more than just the fact that its navies had been stronger than its opponent's. Of the works that reflected on the evolving utility of navies in the age of nuclear armed superpower rivalry, the works of Brodie, Martin, Luttwak, Cable and Booth stand out.⁴³ Initially, the advent of nuclear weapons even caused some thinkers to relegate the utility of navies largely to history-books. Seapower would hardly have mattered in a war decided within hours of all-out nuclear war.⁴⁴ Still, navies came to play a crucial role within nuclear strategy – as the chief enablers of *mutually assured destruction* with their so-called second strike capability aboard nuclear armed

³⁷ See Speller (2019), p. 68

³⁸ Castex (1994), p. 53

³⁹ See Brodie (1977), pp. 2-4

⁴⁰ Till (2013), p. 4

⁴¹ See Gray, Colin S. (1992), pp. 263-6

⁴² As Till acknowledged, Till (2013), pp. 4-5

⁴³ See Booth (1977); Brodie (1943); Cable (1994); Luttwak (1974); Martin (1967)

⁴⁴ See Mahnke (1974), pp. 3-4

submarines. Their ability to survive nuclear attacks on the mother country and strike back reliably after the act, may have contributed in no small matter to the absence of ‘trigger-happiness’ in the use of nuclear weapons since 1945.⁴⁵ Furthermore, the more major war became impossible to ponder, the more the superpower rivalries came to play themselves out in smaller wars – from Korea via Vietnam to the Horn of Africa. These wars were fought expeditionary and often by proxy, while in their conduct, they depended on seapower to transport troops, deliver supplies, maintain a presence in a contested area or project sea-based airpower.⁴⁶

The Cold War offered a fertile background for many of the ideas that continue to inform the debate. Navies received greater attention in the West, once Admiral Gorshkov’s fleet expansion programme from 1956 onwards had turned the Soviet Union into a significant challenge to post-war Western naval supremacy.⁴⁷ As the Soviet naval expansion was not only related to war-time advantages, but also geared to achieve political benefits short of super-power war, peacetime and diplomatic roles of navies received growing attention in the West as well.⁴⁸

While decolonisation after 1945 entailed a loss of overseas bases of Western powers, raising the political threshold to ‘*send a gunboat*’ in support of foreign policy,⁴⁹ Soviet naval expansion returned the utility of navies – and overseas bases – back to greater attention by the 1970s, including in Germany.⁵⁰ Increasingly, the story of seapower at work was no longer just ‘*told in terms of ships, guns, torpedoes and bombers*’,⁵¹ but rather in the diplomatic effect it is able to achieve with the various functions and roles ranging from coercion to cooperation, the use of force to training assistance and humanitarian relief operations.⁵²

Despite more modern Cold War tendencies, there was still what might be called the ‘Mahanian’ or ‘traditional view’ of looking at the role of seapower in history. This typically contains a combination of the supposition of the unique utility of navies in wartime, the need to establish control of the sea through decisive battles, the existence of a difference in character between land- and seapowers, as well as typically a version of the persisting ‘inevitability’ of

⁴⁵ See Brodie (1977), p. 252

⁴⁶ See Till et al. (1984), pp. 226-44

⁴⁷ See Till et al. (1984), pp. 68-9

⁴⁸ See Luttwak (1974), p. 1; Martin (1967), p. 133

⁴⁹ See Till et al. (1984), pp. 164-5

⁵⁰ See Schwarz (1974), pp. 536-7

⁵¹ Brodie (1977), p. 15

⁵² See Booth (1977), pp. 16-25

rivalry and struggle between them.⁵³ Clearly this view can be and was contested. For example, the willingness to wage war over geographic positions probably depends more on geostrategic narratives ‘securitizing’ them – presenting loss of control as an existential threat – rather than on any universal intrinsic significance of whose or which nations flag flies over them.⁵⁴ Finally, of the influences upon history, seapower recedes in importance if compared with the role of democracy and differences in the inclusiveness of political systems on the power and success of nations.⁵⁵

Still, Mahan not only pointed out an important contributory influence on history, he also – by including ‘*character of the government*’ in his list of attributes that affect a nation’s ability to exploit seapower – did so in a fascinating degree of complexity. Not far from what later economists confirmed, he accorded representative governments an advantage in generating resources,⁵⁶ while granting to despotic ones an advantage in directing these available resources more quickly. This malleable factor came in addition to five other contributory factors of seapower.⁵⁷ *Geographic position* – access to the sea, the ability to concentrate maritime resources, relative protection from enemies; *physical conformation* – harbours of the right size in the right positions, also geography that cultivates a cultural view towards the sea; *extent of territory* – length of coastline, a good relationship between people and space (higher density being favourable); *population size* – sufficient for manning the fleet and supporting a strong economy, a sizeable proportion of the population whose lives are connected with the sea; *national character* – people need to have a seafaring attitude, commercial attitude facilitates an understanding of the importance of the sea.⁵⁸

Thucydides had already addressed the link between seapower and democracy – the superiority of ‘citizen-captains’ and ‘-crews’, as well as the multiplying effects of private capital on the available resources.⁵⁹ During the Cold War, it was called into question whether the large degree of independence of action required of naval commanders could be tolerated and cultivated by a totalitarian state.⁶⁰ More recently, Lambert also presented such a more

⁵³ See Speller (2019), p. 42; Pickering (2017), p. 34

⁵⁴ See Buzan et al. (1998), pp. 21-4

⁵⁵ On the link between democracy and reducing violence across societies and humanity, see Pinker (2011), p. 682; on the link between inclusive institutions, economic prosperity and power, see Acemoglu & Robinson (2012), p. 429

⁵⁶ See Acemoglu & Robinson (2012), p. 429

⁵⁷ Mahan (1899), *chapter one*

⁵⁸ See Speller (2019), p. 42

⁵⁹ See Thucydides (2009), p. 71

⁶⁰ See Ruge (1962), p. 16

complex vision in his work on *'Seapower States'* that reached beyond what he called Mahan's *'strategic surface'* focussed on geography, national maritime culture and naval prowess.⁶¹ While, as shown above, Mahan did not entirely ignore the significance of the political systems, it was Kant, with his vision of perpetual peace based on democracy, 'world citizenship' and a globally interconnected economy enabled by communications via the sea, who may be seen as providing an early enlightened version of seapower.⁶²

Of particular relevance to this thesis is the debate on 'gunboat', 'maritime' or 'naval diplomacy' which gained momentum in the early 1970s. Focussing on naval functions in scenarios 'other than war' by highlighting the way global superpower competition involved the deployment of naval forces to achieve foreign policy goals,⁶³ the main difference between different authors rests with the question of whether 'diplomatic' uses of the navy end, once fighting begins. Of these, Cable in his 1971 book on *'Gunboat Diplomacy'* has gained lasting prominence,⁶⁴ while his choice of a catchy term might not have been exactly 'diplomatic'. Similar to Booth, also dealing prominently with foreign policy and navies, the definition he used was limited to coercive uses of warships.⁶⁵ He also only included those events that involved ships and targets of different nations in circumstances not part of open hostilities or intended to initiate war. While these limitations were consciously chosen as a means to artificially delimitate the object of analysis, they nevertheless excluded a broad range of uses of navies in the service of foreign policy.⁶⁶

Post-Modern Navies, Maritime Security and Ocean Governance

With the end of the Cold War, the utility of navies was no longer framed by the parameters of superpower rivalry.⁶⁷ Still, as superpower-pressure on many latent conflicts across the globe waned, the propping up of client regimes ended and several intra-state conflicts escalated especially in the Balkans and Africa,⁶⁸ it did not take until the UN's *'Agenda for Peace'* for Western navies to prepare for a global role in crisis response.⁶⁹ *'New wars'* festering indefinitely, ethnic violence and armed groups intertwined with organised crime in new

⁶¹ See Lambert (2018), p. 2; pp. 50-1; pp. 170-1

⁶² See Kant (1795), pp. 169-70

⁶³ Till et al. (1984), pp. 226-44

⁶⁴ See note in the cover of the third edition, Cable (1994)

⁶⁵ Booth (1977), p. 16

⁶⁶ Cable (1994), pp. 7-13

⁶⁷ Gray (1994), pp. 181-2

⁶⁸ See Smith, R. (2006), p. 267

⁶⁹ See Boutros-Ghali (1992); Gray (1994), pp. 182

economies of war challenged previous concepts of conflict and statehood and made for an increasing demand in international peacekeeping.⁷⁰ This brought new concepts of ‘*human security*’ based on holistic societal development to the fore, alongside the ambition to create stability and build nations in an all-of-government *comprehensive approach*.⁷¹ Contributing to sustainable and equitable domestic as well as global social development became the duty of *responsible* states – including a much greater commitment to multilateral peacekeeping under the authority of the UN.⁷² As will be traced along the experience of the German navy in the course of this thesis, this also led to navies finding themselves deployed in novel scenarios, peacekeeping, stabilisation and comprehensive maritime security missions.⁷³

Furthermore, the multilateralism of the post-war era, with the advent of the UN and NATO, gained substantial momentum with the increasing integration of the EU. While not yet able act like a state or great power, the EU has become a more and more powerful actor in foreign policy– including a substantial seapower dimension.⁷⁴ Germond, Riddervold, and Stöhs have made important contributions on these developments in recent years. It is obvious that the agency and significance of international institutions like the UN, EU and NATO do not easily fit a traditional Mahanian paradigm based on states, power and national interests – even if they rely on traditional naval means. Related to the development of the growing significance of supra-national institutions in the international arena, is the idea of a post-modern or cosmopolitan international society. Post-modern states ‘*no longer think of security primarily in terms of conquest*’ and are distinct from ‘traditional’ or ‘modern’ states that behave as states always have, following Machiavellian principles and *raison d’état*.⁷⁵ The ‘post-modern’ label also came to be applied to post-Cold War Western armed forces lacking traditional enemies and involved in peacekeeping under the mandate of international organisations, such as the UN.⁷⁶ This further included the involvement of these forces – and their navies – in military operations ‘other than war’.⁷⁷

⁷⁰ See Boutros-Ghali (1992), I. 11; V.; Kaldor (2012), introduction; Münkler (2002), p. 11

⁷¹ See United Nations Development Programme, UNDP (1994), pp. 3-6; the term ‘comprehensive approach’ became popular in the 2000s, after 9/11, see SCRes 1373 (2001)

⁷² See Boutros-Ghali (1992), IV., V.; United Nations Development Programme, UNDP (1994), p. 11; on the relationship between peacekeeping, development and the responsibility of states, see Silva et al. (2017), p. 2; Krishnasamy (2001), pp. 59-60; Foot (2013), p. 23; p. 29

⁷³ See Till (2013), pp. 35-42

⁷⁴ See Germond (2015), p. 91, Riddervold (2019), p. 1

⁷⁵ See Cooper (2002), p. 12

⁷⁶ See Moskos et al. (2000)

⁷⁷ See Dahl (2001)

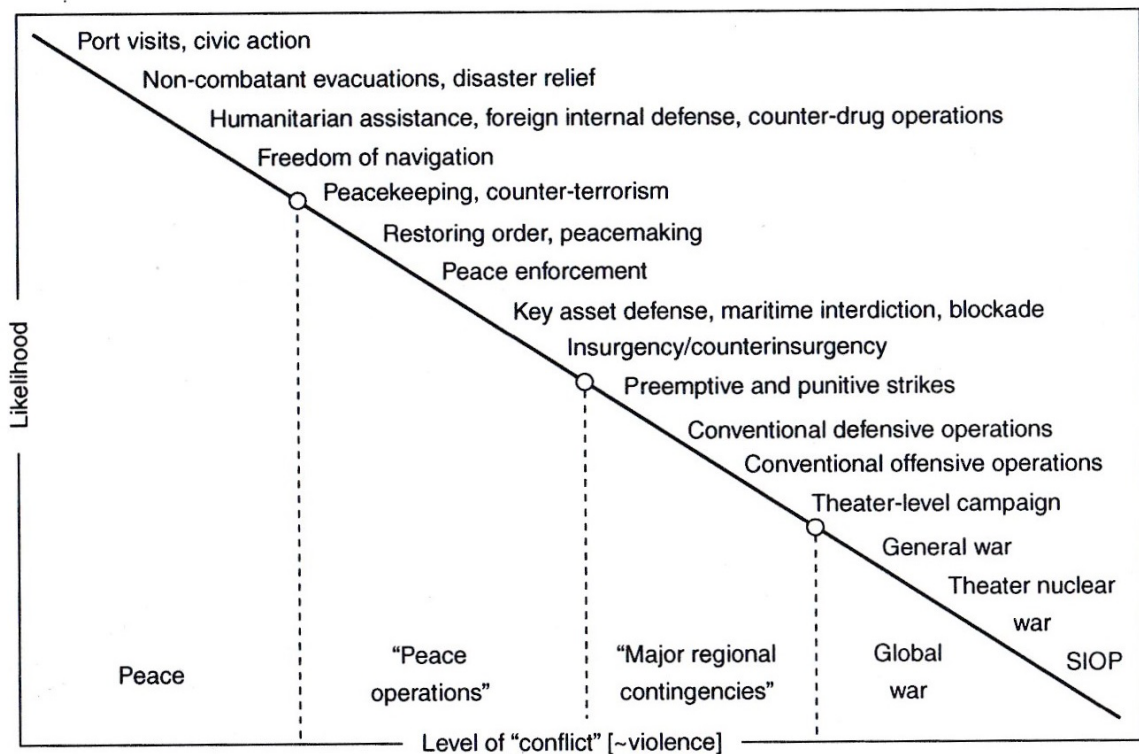


Fig. 12, one illustrative example of a spectrum of the use of navies, ranging from friendly port visits to the Single Integrated Operational Plan (SIOP, US military term for ‘all out nuclear war’; source: Moran)⁷⁸

Till subsequently translated the ‘post-modern’ label to seapower theory and applied it to navies which cooperatively protect the international system, rather than just their narrower national interests. Following this, the utility of navies as sketched out by Moran in Fig. 12, is no longer just seen in terms of narrow national interest, but ultimately for the benefit of upholding a multilateral international system based on universal human dignity.⁷⁹ This international system, as embodied by the UN and its related institutions is linked to post-modern navies, as they are deemed to uphold it ‘*directly by what they do at sea (by defending trade) and indirectly by what they do from the sea (by defending the conditions ashore that make that trade (and system) possible).*’⁸⁰ ‘Post-modern navies’ are operated by ‘post-modern states’. Accordingly, evidence of post-modern patterns in strategy, operations and tactics of a navy may be used to substantiate claims for the descriptive accuracy of the post-modern paradigm for the state that uses it as part of its foreign policy. This thesis’ inquiry into the German navy’s utility in foreign

⁷⁸ Moran (2009), p. 14

⁷⁹ United Nations (1945), preamble

⁸⁰ Till (2013), p. 35

policy, adds to the debate on how to best describe or even predict states' behaviour in international relations.

It is certainly debatable, whether 'post-modern' is an accurate label for both navies and states. Indeed, Stöhs avoids it by using '*state-centric*' and '*system-centric navies*' to refer to 'modern' and '*post-modern navies*' respectively.⁸¹ After all, what is described as 'post-modern' might also, and with good cause, be seen as the result of the critical continuation of what Habermas calls the incomplete struggling project of modernity,⁸² a much fuller realisation of the humanitarian values and mission of the enlightenment than the thus described system's historical predecessors.⁸³ From this perspective, which more recently has also inspired Pinker's call for '*Enlightenment Now*',⁸⁴ 'post-modern' states and Till's 'post-modern' navies, are in many ways the most enlightened and 'modern' realisations of their kind that humanity has managed to attain so far in history.

Intriguing as Till's and Cooper's concepts are, the Kantian term '*cosmopolitan*' for both state and navy appears to be more suitable if the humanitarian value-base is to be included. In this sense, Beck's post-9/11 call for '*cosmopolitan states*',⁸⁵ which picks up Kant's old ideal of '*world citizenship*',⁸⁶ offers a semantically accurate label that encompasses more than just differences in levels of self-interest, as Stöhs' choice of term implies.⁸⁷ Like Cooper's and Till's 'post-modern' equivalents, 'cosmopolitan states' are characterised by multilateralism, (far reaching) rejection of the use of force, adherence to international law and universal humanitarian values, and, as a consequence of accepting their '*citizenship in the world*',⁸⁸ they see a shared responsibility for humanity as a whole, for '*strangers within and without the national borders*.'⁸⁹ Therefore, while providing the descriptive power, the label 'cosmopolitan' avoids the connotation that 'modernity' – and with it the enlightenment – has ended, failed, or has to be overcome and replaced.

In the context of the evolution from a bi-polar world order, via a unipolar moment to an increasingly multipolar one, the international security agenda has evolved since the end of

⁸¹ Stöhs (2019), pp. 1-2

⁸² Habermas, Jürgen (1985), p. 15

⁸³ Habermas (1985), pp. 49-51

⁸⁴ Pinker (2018), pp. 452-3

⁸⁵ Beck (2001)

⁸⁶ Kant (1795), *Idee zu einer allgemeinen Geschichte in weltbürgerlicher Absicht*

⁸⁷ Stöhs (2019), p. 2

⁸⁸ Pinker (2018), p. 11

⁸⁹ Beck (2001)

the Cold War. ‘Security’ became more comprehensive and seen as a term constructed within the domestic and international political debate. Abstractly, it is ‘*survival in the face of existential threats*’.⁹⁰ Discernible in communication and practice, it depends on actors, audiences and specific sectors of society and expertise to acquire meaning and content. The issues that can come to be ‘securitized’ are manifold. What unites them is that they can be represented as existential threats and justifying extraordinary political measures otherwise not permitted: they are lifted ‘above politics’ as normally conducted.⁹¹

The expanded security agenda found its expression both in international development and crisis response as well as in national security documents and strategy across the world. Ranging from the seven components making up ‘*human security*’ as introduced by the UN Development Report in 1994, to the range of element of so-called ‘*comprehensive approaches*’ to security challenges, the traditional view that ‘security’ is largely the responsibility of the military or police of a state has considerably changed since the 1990s.⁹² However, while potentially conducive to holistic crisis-response, the expansion of the security agenda also carries the risk of ‘securitization’ of issues that have hitherto been subject of regular political discourse to a level of extraordinary, extra-legal measures beyond the typical checks and balances of democratic polities.⁹³

In the maritime context a similar expansion of the security agenda has taken place. Bueger traces the increase in the use of the term ‘*maritime security*’ over the past decades to the general recognition taking root that the sea is of critical importance to national and international security.⁹⁴ At the same time, the way maritime security is discussed can be seen in relation with holistic approaches to ‘*ocean governance*’ – a term that has equally gained in importance over the past decades since the advent of the debate at the root of the formation of UNCLOS since the late 1960s.⁹⁵ Mann Borgese influentially described ‘ocean governance’ as *a system of governing and managing the ocean*. Containing various (academic) perspectives and areas of expertise: **physical** (marine science and technology), **cultural** (social,

⁹⁰ Buzan et al. (1998), p. 27

⁹¹ See Buzan et al. (1998), pp. 26-7

⁹² See table below for an overview.

⁹³ Buzan et al. (1998), pp. 26-7

⁹⁴ See Bueger (2013b), p. 29

⁹⁵ See Pardo’s speech at the UN General Assembly in 1967, Pardo (1967)

civilisational, world view), **economic, legal and institutional**,⁹⁶ it is based on the normative view of the sea *as the common heritage of mankind*.⁹⁷

⁹⁶ See the table below and Mann Borgese (1998), pp. 184-94

⁹⁷ See Mann Borgese (1998), *preface*

Fig. 13, Human Security, Maritime Security, the Comprehensive Approach and Ocean Governance

Human Security ⁹⁸	Maritime Security ⁹⁹	Comprehensive Approach ¹⁰⁰	Ocean Governance ¹⁰¹
<i>Categories of Security:</i> <ul style="list-style-type: none"> • Economic • Food • Health • Environmental • Personal • Community • Political 	<i>Encompassing Threats to/by:</i> <ul style="list-style-type: none"> • Shipping by piracy & terrorism • Dangerous & illicit cargoes (smuggling of drugs, weapons, people; environmental risks) • Critical resources (fish, gas/oil) • Pollution • Hostile naval forces 	<i>Achieved Through:</i> <ul style="list-style-type: none"> • Promoting economic growth • Poverty eradication • Sustainable Development • National Reconciliation • Good Governance • Democracy • Rule of Law • Respect & Protection of Human Rights 	<i>Involving Actors/Perspectives:</i> <ul style="list-style-type: none"> • International institutions • National governments in ‘whole of government approaches’ • Marine science & technology • The maritime economy • Civil society; NGOs, local communities • International treaties, law and multilateral enforcement

Comprehensively approaching maritime security had substantial implications for navies and how they have been used in foreign policy. Not only did this put actors, assets and aims on the agenda that had hitherto not mattered much in traditional approaches to seapower and national maritime interests, it has by all appearance also altered the perception of these interests across states, institutions and non-state actors as well. It is now, for example, quite common to find references to migration, climate change or health as security threats in strategic documents, where just a few decades earlier, this would have been unheard of.¹⁰² Furthermore, the fact that the EU, a supra-national actor, has a global and maritime strategy,¹⁰³ is a clear departure from ‘traditional’ approaches to naval strategy, seapower and foreign policy. Within this changed context of naval strategy and maritime security, navies remain valuable tools of statecraft—from comprehensive approaches in crisis response, via enforcing global ocean governance to providing the sea-based deterrent in national defence and projecting power on a global scale.¹⁰⁴

⁹⁸ See United Nations Development Programme, UNDP (1994), pp. 36-7

⁹⁹ See Bueger (2013), p. 32

¹⁰⁰ See SCRes 1674 (2006)

¹⁰¹ See Mann Borgese (1998), pp. 184-94

¹⁰² See the 2021 UK national strategic review, Government of the United Kingdom (2021), III. (2)

¹⁰³ See European Commission (2016b), European Commission (2016a)

¹⁰⁴ See Krause, Joachim & Bruns (2016), pp. 3-7

After the Cold War, to avoid historic ballast in the analysis of events in which the ‘*presence of warships played an essential part*’ in international relations,¹⁰⁵ the terms ‘naval’ or ‘maritime diplomacy’ have come to replace the older and also pejoratively used ‘gunboat diplomacy’.¹⁰⁶ This further entailed a valuable modernisation to Cable’s pre-1990s perspective, as in the years following the end of the Cold War, the technological and socio-political context had changed significantly. There were also increasingly non-state actors to consider. Transnational NGOs, large criminal or terrorist organisations, inter- and supranational organisations like the UN, EU, NATO, OSCE, have all demonstrated the ability to exert power at and from the sea to some extent or another.¹⁰⁷ Finally, the role of navies in multilateral peacekeeping operations – in tandem with the evolving role of the UN and other international organisations – has become more and more important alongside ‘traditional’ national defence as Cable had discussed it.¹⁰⁸

Definitions of what constitutes ‘diplomacy’ or let alone ‘naval diplomacy’ are inherently difficult to formulate. Cable, Luttwak, Booth, Till, Grove, LeMière and Rowlands all highlight the relevance and versatility of navies as tools of foreign policy, but they slightly differ in their perspectives on which events fall within the purview of their employed terminology. Greatest remains the difference on whether ‘naval’ or ‘gunboat diplomacy’ ends, once war begins.¹⁰⁹ However, if in a broad sense, *diplomacy is seen as the pursuit of national interests with the various forms of power*,¹¹⁰ then it doesn’t end or fail with the initiation of hostilities. Indeed, paraphrasing Clausewitz, *any use of the navy in international relations is the pursuit of diplomacy with other means*. This applies in peace as well as in wartime without necessarily legitimising the use of force in foreign policy.¹¹¹

Using naval force is not only a catalyst for changing the facts on the ground – by destroying an opponent’s assets, but also – except in a strategy of total annihilation – much more importantly of communicating with the target audience(s) of the attack. After all, as Sun Zu, the ancient strategist, already taught, ‘*those who make the enemy’s army helpless, without*

¹⁰⁵ Cable (1994), p. 13

¹⁰⁶ See Rowlands (2015); leMière (2014)

¹⁰⁷ Rowlands (2015), p. 347

¹⁰⁸ See also Oswald in his foreword to the third edition of Cable’s classic ‘Gunboat Diplomacy’, Cable (1994)

¹⁰⁹ As a brief overview, the following authors have influentially covered the subject over the past more than 50 years, see Booth (1977); Cable (1994); Grove (1990); leMière (2014); Luttwak (1974); Rowlands (2015)

¹¹⁰ See Morgenthau (1960), p. 5; Heumann (2020), p. 19

¹¹¹ Heumann clearly sees peace and international order as the aims of his vision of diplomacy, Heumann (2020), pp. 16-9, and Clausewitz was by context and intention prescriptive as well as descriptive in his famous quote. War ought only to be waged within limitations set by politicians, and only if there are clear political aims that justify the use of force, see Gantzel (2001)

having to fight, are truly masterful.'¹¹² 'Masterful generals' – or admirals – communicate messages of superiority, of pointless resistance and inevitable defeat to the enemy not just by measures short of fighting, but also by the deliberate application of force.

Accordingly, in the definition employed in this thesis, 'naval diplomacy' describes a *communicative process in the pursuit of an international actor's interests with naval means*. 'Naval' in this sense is also viewed broadly as structured specialised armed forces at sea under some form of political leadership. Accordingly, non-state actors' actions could potentially be classified under this label, if their relative degree of organisation, leadership and technological sophistication reasonably merits this assessment. In the context of 21st century naval diplomacy, it does not appear to be a fruitful course of the debate to try and establish an absolute, quantifiable threshold, or restrict the perspective to legally endorsed official navies of states. The phenomenon is clearly relevant beyond the admittedly dominant part of it, which takes place with state-agency.¹¹³

Given these substantial changes in the conditions under which navies have come to be used, naval diplomacy, seen through the paradigm of a multi-directional and multi-stakeholder communicative process, as defined by Rowlands,¹¹⁴ is especially suited to understand Germany's use of the navy as an instrument of foreign policy. From formulation via execution to its target audience(s) the navy's utility is multi-layered, interactive and complex.¹¹⁵ Equally, naval diplomacy ideally encompasses whole-of-government comprehensive approaches that involve strategic cooperations and include public as well as private actors and audiences.¹¹⁶

Within a cosmopolitan approach to foreign policy, Western navies are more likely to be deployed as part of a cooperative multilateral framework,¹¹⁷ based not just on narrowly defined national interests, but also on universal values, international law, mandates and organisations. Constitutionally required to use military force abroad almost exclusively multilaterally and under the mandate of an international organisation,¹¹⁸ while also by public self-acclaim a cosmopolitan state and structurally inclined to comprehensive approaches to

¹¹² Sun Tsu (2016), p. 112

¹¹³ Rowlands (2015), p. 347

¹¹⁴ Rowlands (2015), p. 347

¹¹⁵ See Till's 'pinball machine' concept, Till (2020), p. 13

¹¹⁶ See McCabe et al. (2020), pp. 5-6

¹¹⁷ See Till (2013), p. 40; Till (2020), p. 19

¹¹⁸ except in reaction to 'unforeseen acts of violence', such as self-defence against an attack, or to evacuate citizens from a war-zone, Bundesverfassungsgericht (1994), Art. 1, 7 a)

strategy, Germany's naval foreign policy dimension is clearly best analysed with a complex multi-layered and multi-directional model like Rowlands'.

II. 2 The Role of the Navy in Foreign Policy in German Discourse

1848 to 1990

From the earliest days of naval thought in Germany, outside international influences have played a key role in shaping the debate and even the traditions and self-image of the service. The British Royal Navy, for example, was of crucial value in helping to set up and train the first 1848 German navy.¹¹⁹ Its still revered commanding admiral, Rudolf 'Brommy' Bromme,¹²⁰ gained his experience by serving foreign countries before being called up to serve the first national German parliament. Furthermore, misunderstood as he appears to have been by German strategists, the American Mahan nevertheless was a major influence on Imperial Germany's bid for seapower and the related popularity of the navy.¹²¹

Mahan's 'Sea Power' inspired the German bid for *Seemacht* and *Seegeltung* as an essential element of *Weltgeltung*. Both *Seegeltung* and *Weltgeltung* are difficult to translate. It does not just mean seapower or great power, but is related to *Geltungsdrang*, the need or urge to be taken note of, to be taken into account by others. More than seapower, the ability to influence or determine affairs at or from the sea,¹²² *Seegeltung* emphasises the need or urge to be taken into account. In a world connected via the ocean, *Weltgeltung* – being taken into account in the world as a power to be reckoned with – clearly needed *Seegeltung* and *Seemacht*. Accordingly, Admiral Alfred von Tirpitz, Kaiser Wilhelm II's architect of seapower, saw *Seegeltung* as the widespread acknowledgement, the *perception* of the ability of a state to make its power felt beyond the reach of its own territorial waters.¹²³ The instrument to achieve this, in the admiral's opinion, was a powerful battle-fleet of capital ships.¹²⁴ At odds with the ideas of the French *Jeune École* that emphasised lighter cruisers and a focus on attrition of the enemy in a *guerre de course* against his sealines of communication,¹²⁵ German *Seegeltung* was less

¹¹⁹ Döppler (1985)

¹²⁰ His bust in the auditorium of the naval academy in Flensburg is one of those that remains to this day (as witnessed by the author, September 2021)

¹²¹ See Rahn (2017), p. 16

¹²² Applying Max Weber's definition of 'power' to 'seapower'

¹²³ Tirpitz as quoted by Pfeiffer, Pfeiffer (2009), p. 83

¹²⁴ Tirpitz (1920), pp. 386-7

¹²⁵ Speller (2019), p. 43

about effect and utility in conflict than about prestige, the widespread recognition to possess capital ships capable of achieving victory in massed decisive battles at sea.

Seemacht and *Handelsmacht* (seapower and trade – or economic power) were also seen as directly related in Imperial Germany. This imperialist view of the role of the navy and *Seegeltung* in national power and in achieving great-power status, not only saw it as an instrument of foreign policy, but especially as part of the nation's critical infrastructure facilitating economic prosperity.¹²⁶ The creation of the *Reichsbank* (imperial Germany's national bank), the construction of railroads, canals, telecommunication and electrification played a central part in orchestrating the country's rapid industrialisation and rise to one of the world's leading industrial powers by 1900.¹²⁷ Reaching beyond Germany's borders, *Seegeltung* had been just as deliberately intended to facilitate international maritime trade, access to markets and raw materials. Consciously acquired for this purpose in a top-down approach, the tremendously expensive build-up of the *Kaiserliche Marine* to the second-ranking fleet in the world was therefore seen in direct relationship with the country's parallel ascendancy to the second-ranking global trading power.¹²⁸

As influential as Tirpitz' and the Kaiser's reading of Mahan once was in developing the Imperial German Navy as a battle fleet, and challenging Britain in the naval arms race of the early 20th century, it was not their (flawed) interpretation of the influence of seapower on history which came to lastingly define naval thought. Certainly, the Kaiser's '*childish naval passion*' and fondness for his '*mechanical toy*' (as quoted from a private remark by Tirpitz), helped to make naval thought and the navy popular in Germany.¹²⁹ Still, today's pejorative use of the term *Kanonenbootdiplomatie* (gunboat diplomacy) rife with connotations of the Kaiser's brand of imperialism and use of the navy, illustrates the persisting difficulties with this heritage.¹³⁰ Despite their flaws, in the long run, similar to Clausewitz' lasting influence on the relationship between the army and politics stemming from a generation earlier, Mahan's writings may well have proven beneficial in providing both '*recipe*', and '*comprehensive*

¹²⁶ Consistent with spirit of the era, see Speller (2019), pp.41-2

¹²⁷ for an overview, see BBC (2021)

¹²⁸ See Pfeiffer (2009), pp. 83-91

¹²⁹ Epkenhans (1996), pp. 28-9

¹³⁰ An example is how Trittin (Grüne) used the term to denounce president Köhler's statement in support of protecting international trade routes with naval force, see WELT (2011a), on the navy's role in building a colonial empire, see Herwig (2014), p. 165; pp. 168-9

philosophy of sea power' to a Germany that had been predominantly a land power without important overseas interests, neglecting the sea and maintaining only an insignificant navy.¹³¹

Germans associate navalism with the catastrophe of the First World War. Disconnected from Tirpitz' fatal misinterpretations and neglect of Germany's unfavourable geographic position, the original connection between Mahan's navalism and expansionist geopolitics can hardly be denied.¹³² As if to prove the point, Raeder essentially repeated Tirpitz' mistake by challenging the naval great powers during the Second World War – against his own better judgment.¹³³ This tied the controversial image of Mahan not just to imperialism, but also to Hitler's aggressive geopolitics.¹³⁴ To a degree, Mahan's fate in the public mind is similar to the commonly held prejudices against Clausewitz in contemporary Germany. After what others made of his theories, his image remains tainted. Moltke added his '*no*' to political interference in the conduct of war for politically set objectives,¹³⁵ Ludendorff saw war as no longer politically limited, but '*total*' – '*life and soul of every member of the nations at war*', Goebbels proclaimed '*total war*' as the '*not just military but spiritual*' *fight of the nation against 'evil' and the 'demon ... of international jewry'*,¹³⁶ while Hitler took the most extreme view in seeing only survival or extinction as the possible outcome of total war.¹³⁷ Still, just as Mahan's focus on the significance of the sea for international relations and power holds true today as much as in the past, so does Clausewitz' call for strategy to be based on political aims as well as subjecting the military and warfare under legitimate civilian political control.¹³⁸

The navy is not only seen in the context of imperialism in German history. Especially the Communist East, but also Western Germany, remembered the Imperial Navy's sailors who mutinied against their leadership in the final days of the First World War. Even the West German *Bundesmarine*, judging by the testimonies of Ruge and Johannesson, remained keenly aware of the role of bad leadership in politics and in the navy in bringing about the breakdown in discipline that proved to be the seed of the collapse of Imperial Germany and the end of the war.¹³⁹ While at the time, Johannesson, for example, was not on the side of the mutineers, but

¹³¹ Epkenhans (1996), pp. 27-9

¹³² Speller (2019), pp. 60-1; see Pickering (2017), p. 34

¹³³ Rahn (1999), p. 69

¹³⁴ See Pickering (2017), p. 34

¹³⁵ See his writings on the relationship between politics and strategy, i.e. Moltke (1936)

¹³⁶ Goebbels (2014), pp. 82-3

¹³⁷ As quoted by Goebbels in his 'proclamation of total war', Goebbels (2014), pp. 82-3

¹³⁸ Clausewitz (2012), Book I, Chapter 1, 23., 24., 25. , see Gantzel (2001), p. 7

¹³⁹ Johannesson (1989), pp. 24-30; Ruge (1979), p. 48

deployed against them, the navy he later helped to build for Federal Germany was to live by the lesson that illegitimate and senseless orders deserve no loyalty.¹⁴⁰

Rather than monolithically constituting naval thought in pre-war Germany, Tirpitz was even in his time criticised within the navy.¹⁴¹ Of his critics, Wegener, then a much more junior officer in the *Kaiserliche Marine*, is one to have arguably had a particularly lasting impact.¹⁴² It was this criticism that probably led to a recalibration of Germany's strategic approach to the navy in the later part of the first, but especially in the Second World War. The resultant *guerre de course* with submarines,¹⁴³ something which today might be called an 'asymmetric' approach of stealthy hit-and-run tactics,¹⁴⁴ strove to threaten the enemy's vital sealines of communication and deny him full use of sea control in a war against a stronger seapower opponent. Nevertheless, Tirpitz – with his emphasis on prestigious capital ships and decisive battles – and Wegener – with his on sea control – both ignored the overall political consequences and foreign policy dimension of their strategic approach.¹⁴⁵



Fig. 14, Painting 'Der Letzte Mann' (the last man) by Hans Bohrdt (1915), widely used in propaganda during the First and Second World War. (source: Wikimedia Commons, public domain)

¹⁴⁰Johannesson (1989), pp. 24-30; and Admiral Nolting's foreword to the 2016 re-print of the 1989 text

¹⁴¹ Speller (2019), pp.61-2

¹⁴² See Epkenhans (1996), p. 36, Wegener's most influential work was his post-war critique of Tirpitz's strategy, see Wegener, W. (1929)

¹⁴³ Epkenhans (1996), p. 36

¹⁴⁴ See Kiras (2013), pp. 175-6

¹⁴⁵ Möde (2019)

Hitler's *Kriegsmarine*, thought of by him as a global instrument of power to challenge half or two thirds of the world, privately resigned itself to be able to do no more than 'die gallantly' in the far mismatched contest with combined allied seapower.¹⁴⁶ On all levels, from policy, via strategy, conduct of operations and individual military accomplishments, the *Kriegsmarine* is a difficult heritage for today's navy. With military virtues like 'valour in combat' insufficient for official lines of tradition of the Bundeswehr if detached from commitment to democratic values, the *Kriegsmarine*, its officers, vessels or battles are not officially commemorated or revered in today's navy.¹⁴⁷ Furthermore, its concept of heroism, the idea of fighting to 'the last man' and that 'German ships don't surrender' – as epitomised in Bohrdt's famous 1915 painting, widely used in naval propaganda during both World Wars (Fig. 14) – is hard to separate from a stark disregard for human life. While the *Kaiserliche Marine*'s final act of scuttling the interned fleet in Scapa Flow on 21st June 1919 was one expression of this old 'heroism', its brutal consequences most drastically show in the behaviour of the *Kriegsmarine*'s commander of the *Bismarck* sacrificing his crew of over 2,200 on 27th May 1941,¹⁴⁸ or the staggering losses of roughly 70% of its 39,000 submariners in the Second World War – in addition to the over 40,000 lives of civilian merchant mariners aboard around 2,800 sunk ships in their war on allied commerce.¹⁴⁹

Contrasting with the *Wehrmacht* and *Kriegsmarine* as compliant instruments of inhuman totalitarianism and attempted world domination, the Bundeswehr and its navy were firmly integrated within NATO and committed to the democratic value base of post-war (West) Germany. A creation of the Cold War, the military of the post-war Federal Republic was an important component of Chancellor Konrad Adenauer's grand strategic ambition to firmly anchor Germany in the political 'West'.¹⁵⁰ In addition to aiming to bolster deterrence against the Communist East, a substantial military contribution to NATO was seen as the 'ticket' to enter into the Western alliance and integrate with the former enemies in Europa as well as across the Atlantic.

The navy also had to keep within strict confines of smaller vessel-sizes 'exclusively for defensive purposes', subject to consultation with its Western European allies until 21st July

¹⁴⁶ Chief of naval command, Admiral Raeder, as quoted by Rahn, see Rahn (2017), pp. 36-7

¹⁴⁷ See BMVg (2018c)

¹⁴⁸ See Roehr (1963), p. 140, p. 150

¹⁴⁹ Numbers vary; 80% casualties and 2,882 sunk given by Werner, Werner (1970), p. 20; 69,4% casualties and 2,779 sunk as given by Kurowski, Kurowski (1984), p. 386; Carr on US and UK merchant mariners, Carr (2004), p. 16

¹⁵⁰ See Schmidt (1965), p. 189

1984.¹⁵¹ As a primarily diplomatic instrument, the Bundeswehr prepared to fight, to actually never have to fight in a war that was hoped could be avoided in mutual deterrence. It never had a strategic planning capability independent of NATO, was placed under its command and fully integrated with its forces in Europe.¹⁵² Even in operational reach, the armed forces were deliberately kept at a level of national defence at home or in the near abroad. The idea was to credibly dispel fears about renewed German expansionist ambitions. Without long-range strategic weapons or logistics, the Bundeswehr could not have been deployed offensively at great range.¹⁵³

Germany's Cold War situation directly affected the navy and its capabilities. Focussed on defending NATO's 'Northern Flank' in the North and the Baltic Sea, the German navy was limited by its allies to just a specified number of high-seas capabilities of ocean-going frigates. The limitation to defensive vessels came with explicit restrictions in tonnage, not exceeding a displacement of 3,000ts (6,000ts, 1961) for surface warships and 350ts for submarines (450ts, 1962; 1,000ts, 1963; 1,800ts, 1973).¹⁵⁴ No so-called 'strategic' assets like aircraft carriers, nuclear-armed submarines or globally deployable joint logistics support or amphibious assault vessels were within tonnage limits or fitted the mission of the navy.¹⁵⁵ Apart from its training vessels, which regularly undertook global voyages, the sail-training vessel *Gorch Fock* and *Schulschiff Deutschland*,¹⁵⁶ only the occasional friendly port visit or exercise with allies took the Cold War *Bundesmarine* beyond its familiar waters in the proximity of Wilhelmshaven and Kiel. Fearing the status of a mere coastal defence force, the navy's first *Inspekteur*, Admiral Ruge, deliberately strove for inclusion in NATO's high seas naval forces, to keep an ocean-going maritime spirit alive in the navy and Germany.¹⁵⁷ Living through Imperial Navy, Weimar Republic and *Kriegsmarine*,¹⁵⁸ he may have believed that this practical experience would help navy and nation keep its eyes on the sea and global maritime interests.

Despite limitations in strategy and capability, naval thought in Germany during the Cold War did not end in the North and Baltic Sea or exhaust itself in super-power deterrence. Illustrated by the bibliography of Mahnke and Schwartz, the lastingly influential 1974 German

¹⁵¹ See WEU Council (1954)

¹⁵² See Krause von (2013), p. 43

¹⁵³ See BMVg (1970), III. 59., p. 37; 63., p. 39; on limitations on weaponry, see WEU Council (1954)

¹⁵⁴ See WEU Council (1954), V

¹⁵⁵ See BMVg (1985), pp. 214-221

¹⁵⁶ The former commissioned in 1958 and still in service, the latter commissioned in 1963 and decommissioned in 1990, see Bundeswehr (2021g); Hillmann, Jörg & Möllers, unknown)

¹⁵⁷ See Ruge (1955), p. 68; Schulze-Wegener & Walle (2005), pp. 30-1

¹⁵⁸ See 'In vier Marinen' in four navies – his autobiography, Ruge (1979)

language publication on the navy and foreign policy, Cable's '*Gunboat Diplomacy*',¹⁵⁹ Nimitz' '*Sea Power*' and Martin's '*The Sea in Modern Strategy*',¹⁶⁰ have been read and discussed in Germany. Indeed, Ruge had Nimitz' 1960 work translated, expanded with German contributions and published in 1974.¹⁶¹ Therefore, not only has there been a 'German' debate on naval strategy and its foreign policy dimension, it has also been connected with the wider international one from the earliest post-war years. The international dimension of the debate is further made obvious by the fact that post-war Germany's first soon-to-be admirals had to convince allies as much as their own politicians of the navy's utility in order to be permitted to re-build it in 1955.¹⁶²

Beyond the navy and a small circle of experts, there was little public and political discussion on the utility of the navy, let alone on deployments beyond NATO and its Cold War mission of deterring Soviet aggression. However, there was at least one occasion when Germany was prepared to use the navy beyond northern waters, and beyond the immediate scope of the East-West conflict. In 1967, Chancellor Kurt-Georg Kiesinger's (CDU) cabinet – including later SPD Chancellor Willy Brandt (SPD) as foreign minister – decided to deploy the navy in a NATO task force to counter an announced Egyptian blockade against Israel in the Six-Day War.¹⁶³ Due to Israel's rapid victory, the mission was never undertaken. Despite this early near-miss, which could possibly have laid the foundation for using the navy further afield, the SPD firmly resisted any direct involvement in an allied Persian Gulf presence in the Iran-Iraq 'Tanker War' in 1987-88. When Kohl's government settled for sending the navy as compensation into NATO's standing naval forces in the Mediterranean, replacing forces of allies rushing to the Persian Gulf, this deployment was hotly debated as being 'out-of-area' at the time.¹⁶⁴

From the abortive federal fleet in 1848, via the *Kaiserliche Marine* that at one stage was the second-ranking navy globally, via Hitler's *Kriegsmarine* to the post-war *Bundesmarine* fully integrated in NATO, German navies followed from very specific ideas about their utility to policy. After all, while Tirpitz alluded to the Kaiser's childish passion for his naval toy, foreign policy and grand strategic visions were nevertheless at the heart of the domestic

¹⁵⁹ See Mahnke & Schwarz (1974), p. 537

¹⁶⁰ See Mahnke & Schwarz (1974), pp. 5-7

¹⁶¹ German translation, Nimitz (1974), and English original, Nimitz & Potter (1960)

¹⁶² Rahn (1999), p. 77

¹⁶³ See Ruehl (1998), p.95; on Brandt, see Auswärtiges Amt (2020a)

¹⁶⁴ See Hippler, Joachim (1988)

seapower debate in Imperial Germany just as much as they were before and after.¹⁶⁵ Indeed, it is the *Kaiserliche Marine* with its role at the heart of colonial expansion, that often comes to mind, when the term ‘gunboat diplomacy’ is used. One of the most frequently cited cases is probably the 1911 Agadir incident, when the German gunboat *Panther* made its appearance off the coast of Morocco in the context of the Kaiser’s imperial and colonial policies.¹⁶⁶

Post-Cold War

Just as Germany’s naval and foreign policy reflected NATO’s during the Cold War, it also reflected its struggles and evolution after the Soviet Union’s collapse. Following NATO’s search for a new role, Germany could be seen to have ‘downloaded’ the alliance’s shift towards peacekeeping and international crisis response to its national strategy.¹⁶⁷ This deliberately began with a gradual increase in the intensity of missions. Contributing to peacekeeping efforts started with a deployment of the navy in the context of the 1991 Gulf War and was quickly followed by military medical personnel sent to a UN mission in Cambodia in 1992.¹⁶⁸ This was accompanied by the so-called ‘out-of-area’-debate on *Bundeswehr*-missions outside the scope of narrow national and NATO defence. The public controversy was carried out in parliament and the media, with occasional demonstrations loosely tied to the peace- and nuclear-disarmament-movement of the 1980s. Whether real, imagined or deliberately used as a ‘fig leaf’ by politicians, concerns about constitutional legality and public opposition to ‘out-of-area’ deployments were cited by successive governments, whenever missions of the *Bundeswehr* were discussed.¹⁶⁹

Germany’s navy was not alone in this process of adapting to a new strategic context and foreign policy. Other European navies faced similar challenges. Despite their less prominent role in the overall body of literature on naval power, under the label of studying ‘small navies’, the navies of i.e. Denmark, Ireland or the Netherlands have come to attract scholarly attention in the new millennium.¹⁷⁰ Regardless of how to determine whether its navy is ‘big’ or ‘small’, contemporary Germany has only a very limited legal and structural capability for *independent* naval strategy. Any coercive use of the navy is constitutionally required to be part of multilateral international efforts, except in reaction to ‘unforeseen acts of

¹⁶⁵ As quoted by Epkenhans (1996), pp. 29-31

¹⁶⁶ See Cable (1994), p. 3

¹⁶⁷ Germond (2015), p. 67

¹⁶⁸ See Chiari & Pahl (2010), contents and overview

¹⁶⁹ Krause von (2013), pp. 106-8; pp. 229-31; pp. 160-5

¹⁷⁰ See Till (2003); Mulqueen et al. (2016); McCabe et al. (2020)

violence', such as self-defence against an attack, or to evacuate citizens from a war-zone.¹⁷¹ Furthermore, Germany has no national-level 'general staff' with a strategic planning capability, for if need had ever arisen, defence would have been organised through joint-NATO or EU command.¹⁷²

Regardless of the label attached to it, the German navy as a military tool of statecraft is of strategic relevance, just as small and medium navies generally are of consequence and can have important effects on war- and peace-time strategy.¹⁷³ While even the smallest navies are also expressions of sovereignty and enforcers of local and regional ownership in ocean governance, Germany has a growing record of contributing to comprehensive approaches to maritime security beyond its immediate regional area of influence. In this ambition, related to its relative and absolute size, as well as depending on good leadership to at least partially mitigate the effects, Germany's is likely to share to some degree or another in typical problems generally identified for small navies.

¹⁷¹ Bundesverfassungsgericht (1994, Art. 1, 7 a))

¹⁷² Though this may change with the role of the *Einsatzführungskommando* or a new further national command, interviews Wolfgang Schneiderhan, 21st December 2020, and Harald Kujat, 12th January 2021

¹⁷³ For an emphasis on their significance for local and temporary control in war-time strategy, see Castex (1994), p. 55, for their relevance for contemporary maritime security and strategy, see McCabe et al. (2020)

Fig. 15, Typical Challenges of ‘Small Navies’¹⁷⁴

- reliance on other countries for the supply of platforms, weapons or sensors;
- strategic dependence on other powers in fulfilling its missions of defence or crisis response;
- risk of ‘getting sucked into other issues’ its great- or superpower ‘sponsor’ may have;
- lack of ‘critical mass’ – small vessel numbers increase the cost of equipping, manning and maintaining per unit;
- difficulty to maintain a continuous output of a capability (one vessel of a certain type constantly on-scene, while typically two more are needed to allow for a sustainable training and maintenance cycle)
- low cost-effectivity (high per-unit cost, questionable reliability in output)
- difficulty to provide ‘cradle-to-grave’ top-notch professional military education and training, including higher (university-level) education
- lower morale of crews (reduced flying hours for pilots and sea-time for sailors – or at other times even an excess of it; lack of opportunities for promotion)
- reduced capability to influence or help shape policies at the national (and international) level (reduced naval professional input to the national grand strategy-making process)

These problems may not always be as pronounced and pressing for Germany’s navy, as it is not at the bottom-end of any however intricately defined ranking. Indeed, some much smaller navies have started to turn to Germany for support, such as Denmark’s in training,¹⁷⁵ or Norway’s in setting up its current submarine procurement programme.¹⁷⁶ Nevertheless, several of the past and ongoing problems identified in the German navy fall squarely within the scope of those listed above.¹⁷⁷ Therefore, the small navy framework of problems, comparative case-studies, lessons learned and related political processes are relevant for studying Germany and its navy. This also points towards a vital field of academic expertise and international practice, within which the cases studied in the course of this thesis might find a further echo. After all, as Grove predicted at the end of the Cold War, navies of various size and ambition will continue to ‘*be a vital political factor in the world political order*’.¹⁷⁸ In addition to important utility in a multi-polar world of renewed great-power competition – especially on the ocean,¹⁷⁹ small(er) navies are the substance out of which cooperative global ocean governance has to be woven.¹⁸⁰

¹⁷⁴ See Till (2014), pp. 22-4

¹⁷⁵ See Nielsen (2020)

¹⁷⁶ See Mergener (2020); Nugent (2020)

¹⁷⁷ In a broader high-level assessment of the overall situation of the Bundeswehr after decades of post-Cold War budget cuts, see Bartels & Glatz (2020) on the detailed adverse effects of bureaucratic centralisation in the wake of budget-centric reform on the navy, see Wessel (2020)

¹⁷⁸ Grove (1990), p. 241, p. 241

¹⁷⁹ Bergeron (2020), p. 48

¹⁸⁰ Mellet (2014), p. 67

Beyond the operational contributions, Germany has not only been influenced by, but also in turn influenced NATO and EU strategy after the Cold War. Supporting the shift in NATO – and later EU – towards the so-called *comprehensive approach* particularly made sense to Germany. The substantial civilian contributions and benevolent state-building focus, it rests on, were supposedly much easier to sell to a German audience than military peacekeeping.¹⁸¹ Furthermore, the process for the use of military force abroad established with the constitutional court ruling in 1994, also required reliance on a multilateral framework.¹⁸² Accordingly, through its influence in NATO and especially the EU, Germany contributes to shaping the framework under which it is able to exert international influence and contribute to ocean governance.

The ‘uploading’ of German strategic preferences to NATO and EU level had a significant impact on the overall Western post-Cold War strategy. In a similar vein, unified Germany’s foreign policy was characterised by a stronger focus on the UN, of which it had – simultaneously with the Eastern German state – become a member in 1977. Not only was an obligation to UN membership cited when peacekeeping commitments were debated, successive governments have also come to connect these with their ambition to achieve a permanent seat in the UN’s Security Council.¹⁸³

Mirroring the famous dictum for NATO, ‘*out-of-area or out of business*’,¹⁸⁴ the navy’s future role in foreign policy was closely tied to the outcome of the ‘out-of-area’-debate. After all, capitalising on its utility to gain political influence and as a base for military operations was clearly dependent on whether Germany would be willing to rely on armed forces in foreign policy at all in some form or another. However, with the constitutional court’s ruling in July 1994, the debate was resolved in favour of the government’s position of actively using the Bundeswehr abroad.¹⁸⁵ While warfighting roles like submarine warfare and mine-laying were not entirely given up, the priority gradually shifted towards expeditionary deployments, evacuations, humanitarian assistance or embargo operations.¹⁸⁶

¹⁸¹ Oppermann (2016), p. 135

¹⁸² Bundesverfassungsgericht (1994); Bundesrepublik Deutschland (2005)

¹⁸³ Kinkel (1993)

¹⁸⁴ Lugar (1993)

¹⁸⁵ Bundesverfassungsgericht (1994)

¹⁸⁶ See BMVg (1994), pp. 88-9; pp. 120-1

The entire concept of ‘*Basis See*’,¹⁸⁷ or *Sea Basing* (as the US Navy refers to it),¹⁸⁸ rested on the internationally recognised utility of a navy in ‘out-of-area’-missions. This is behind the utility of the German navy, as expressed in the *Weißbuch* 1994 and especially 2006, as summarised in the table below.¹⁸⁹ According to this, the navy supports political and diplomatic action by providing mobile, flexibly deployable forces, capable of joint (with army and airforce) and multinational cooperation to conduct international crisis response missions, protect German interests and contribute to maritime security.¹⁹⁰ This includes logistic support, command and communications, as well as substituting for extensive bases ashore. At the same time, ships out of sight of the shore and territorial seas can easily keep a low profile. As this shows, internationally familiar concepts are at the heart of what Germany thinks its navy is for.

¹⁸⁷ See the comprehensive monograph, in lieu of a published branch strategy, Deutsches Maritimes Institut (2008)

¹⁸⁸ See Clark (2002)

¹⁸⁹ BMVg (1994), pp. 120-2; BMVg (2006), pp. 131-3

¹⁹⁰ See Deutsches Maritimes Institut (2008), p.30

Fig. 16, The Utility of the German Navy as Stated in Official Strategy¹⁹¹

- *Global reach*: ~70% of earth's surface is water; ~50% of world population lives within 100km of the coast; ~80% of world trade passes over the ocean
- *Freedom of Navigation*: right of passage on the High Seas; no need for basing or overflight agreements
- *High Endurance in a theatre of operations*: compared to expeditionary armies and airforces, navies can remain in distant areas away from friendly bases for long periods of time
- *Prepositioning of Forces*: the above combine in the ability to maintain forces in proximity to potential crises without raising much political and diplomatic concern
- *Self-Reliance and Protection even under Threat*: warships operate in self-contained units or task-forces with a broad range of defensive capabilities
- *Scalability of Visibility*: naval forces can arrive, remain present and leave with great fanfare – or conversely keep a very low profile, just beyond the horizon.
- *Strategic Transport*: naval forces can convey, supply and support expeditionary military forces to and in distant theatres of operations; crucial value to open up additional fronts against a land-power opponent in major war, or in flexibly responding to global crises in peacekeeping
- *Command and Control of Joint Missions*: securely based at sea, operations ashore can be commanded and supported from warships off the coast
- *Multilateral Integration*: naval units are easy to integrate with other nations' forces
- *Evacuation*: ability to extract one's own forces from deployments abroad; save own or other nations' citizens from a zone of conflict or crisis.
- *Projection of Force*: naval gunnery, sea-based missiles and aircraft can directly affect military operations ashore or provide leverage in coercive measures against an opponent
- *Surveillance*: units deployed gather information and monitor activities at sea, ashore and in the air
- *Securing of Communications*: protecting own and allied shipping
- *Sea Control*: Securing the unmolested use of the above-mentioned features to one's own side or preventing it to the other
- *Providing Good Order at Sea/Maritime Security Operations*: peace-time version of 'sea control', comprehensively assuring equitable and sustainable use of the sea
- *Embargo/Blockade*: preventing an opponent from access to the sea and vital strategic goods transported by ship
- *Showing the Flag*: naval cooperation, manoeuvres, friendly port visits displaying presence, interest and power of a nation
- *Versatility*: naval forces are used to adapting quickly to new situations, relying on what warships carry with them – constabulary, high intensity combat or humanitarian roles can be fulfilled by a single type of vessel.
- *Humanitarian Aid & Disaster Relief*: tied to the above, warships are uniquely able to render assistance and medical support to communities in need, transport aid-shipments or be employed in search-and-rescue operations at sea

¹⁹¹ BMVg (1994), pp. 120-2; BMVg (2006), pp. 131-3; see Speller (2019), pp. 29-32

Judging by the above summary and the evolution of official strategic documents, the appreciation of the sea and the nations' key global and maritime interests has grown since the end of the Cold War. In 1992, true to Cold War tradition, the defence of global German interests was relegated to seapower allies in exchange for the provision of European security by the Bundeswehr's land-forces.¹⁹² The navy's role in protecting national interests without geographic restrictions first appeared in the *Weißbuch* 1994, and has been elaborated on further in the 2006 iteration.¹⁹³ The 2016 *Weißbuch* did not change any of this, but rather focussed on re-balancing crisis-response and deterrence after Russia's annexation of Crimea in 2014.¹⁹⁴

II. 3 Evolving German Thought on the Navy, Maritime Security and Ocean Governance

Over the course of the three post-Cold War decades, official German strategy has come to clearly appreciate and outline the utility of the navy. From its earliest steps, the debate on the navy in Germany has been in constant interaction with the international one. The evolution in thought and written doctrine is also reflected and influenced by deployment practice, as discussed in the further course of the thesis. Broadly stated, this led to Germany seeing the value of its navy in both war – for major deterrence, peacetime foreign policy and ocean governance. While the former was the navy's almost exclusive role in the Cold War, its peacetime functions became an increasingly important support to reunified Germany. Apart from taking on SAR duties and furnishing aircraft for the surveillance of oil spills,¹⁹⁵ providing good order at sea or maritime security beyond national defence in the event of war has never been part of the mission of the *Bundesmarine* from 1956 until 1990. The evolution of official strategy turned a navy fully and exclusively integrated in NATO's Cold War deterrence, into an instrument for supporting Germany's foreign policy after 1990, participating in peacekeeping efforts, conducting comprehensive maritime security operations and contributing to global ocean governance.

In parallel to the outlined evolution of what Germany thinks its navy is for, its national policy took a much broader maritime turn. The government published its first-ever overall ocean governance strategy in 2008, followed by the less ecologically focussed but nevertheless comprehensive maritime economic strategy, the '*Maritime Agenda 2025*'. These successively

¹⁹² BMVg (1992), Art. 8 3)

¹⁹³ BMVg (1994), pp. 120-1; BMVg (2006), pp. 131-3

¹⁹⁴ BMVg (2016), pp. 31-2

¹⁹⁵ See Bundeswehr (20221)

link the viability of the planetary habitat with the health of the oceans,¹⁹⁶ while connecting Germany's economic, social and political prosperity with access to the sea, safety and security of international shipping, as well as the vitality of the domestic maritime commercial sector.¹⁹⁷ While the 2008 ocean governance strategy does not even mention the navy, the *Maritime Agenda 2025* explicitly refers to the *Weißbuch* 2016, which clearly states the navy's role in protecting '*Sicherheit unserer Seewege*' (security of our sealines of communication).¹⁹⁸

More than within Mahanian terms of great-power politics, it is tempting to describe Germany's foreign policy after the Cold War as 'post-modern' or 'cosmopolitan'. A post-modern state, in Cooper's sense, has no appetite for conquest, favours multilateralism, places law over power and sees humanitarian values as part of its interests.¹⁹⁹ This is echoed in Germany's strategic documents and also in its current president's and then-foreign minister Steinmeier's 2016 description of '*Germany's New Global Role*'.²⁰⁰ Other voices, however, see Germany on a path to 'normalisation', rather than something 'new'.²⁰¹ As discussed earlier, under the label 'cosmopolitan' rather than 'post-modern', Cooper's and Till's theories have descriptive power concerning 21st century Germany and its navy. In return, this thesis' findings may shed further light on the utility of the 'post-modern'/'cosmopolitan' state and navy paradigm in this and other cases. It is further of interest, how the foreign policy pursued by Germany – and by extension the EU – shows signs of a '*maritime turn*' as has been explored for the latter by Riddervold.²⁰²

¹⁹⁶ Bundesregierung (2008), p. 5

¹⁹⁷ Bundesregierung (2017), pp.4-5

¹⁹⁸ BMVg (2016), p. 90

¹⁹⁹ Cooper (2002)

²⁰⁰ Steinmeier (2016)

²⁰¹ Oppermann (2016)

²⁰² Riddervold (2019)

III. The State, Maritime Security and The Navy as an Instrument of Foreign Policy

Given the broad variety of perspectives on maritime security within Germany *and* even within the navy,¹ discussing the latter's role in foreign policy is highly complex. Furthermore, by the prevalent interpretation of the constitution, the *Grundgesetz*, strict boundaries are set between domestic and international security. As a consequence, the Bundeswehr is to focus on (external) national defence and not generally vested with (domestic) law-enforcement powers.² Despite this strict separation of responsibilities between military and civilian law-enforcement domestically, the navy on international deployment will in all probability be the sole executive instrument of the German government available in the vicinity to deal with any incident of maritime crime it might encounter. Therefore, the more the navy deploys beyond the effective range of civilian German law-enforcement agencies, in itself an expression of Germany striving to responsibly contribute to international order, the more – for this very reason – its self-image, mission and the objective need to close the enforcement gap in ocean governance clash with its limited legal powers to act.³

In 1990, Maull described Germany as a model '*civilian power*', democratic, economically integrated, solidly anchored in the European Community and preoccupied with internal and regional problems of reconstruction and development, to which traditional military power '*has no relevance whatsoever*.'⁴ While Germany did not renounce the relevance military power altogether – or disband the Bundeswehr, after the guilt and trauma of two World Wars, it has lasting difficulties with acknowledging the role of 'hard' or military power in international relations.⁵ Peculiarities in strategic culture are at the heart of why it is so difficult to make sense of Germany's puzzle of national or 'grand' strategy. Beyond what Germans think of power – and what it is for, the evolution towards a more comprehensive understanding of 'security' and the federal system introduce substantial complexity across separate ministerial responsibilities and their published strategies.⁶

¹ See Bueger (2015), p. 160

² Except within narrow boundaries of a national state of emergency, see Bundeswehr (2022g)

³ On the navy's self-image, see Marinekommando (2020); on the enforcement gap in ocean governance, see Warner & Kaye (2016), *introduction*, xxxiv-xxxv

⁴ Maull (1990)

⁵ See Dalgaard-Nielsen (2006), p. 26; Matlary (2018), p. 156; Heumann (2012), pp. 307-10

⁶ See Giegerich & Terhalle (2021), p. 21; Eberwein & Kaiser (1998), pp. 1-6

Over the past decades, several German scholars have dealt with actors and processes in German foreign and security policy, some even with regard to navy.⁷ Concerning the former, there is a notable series published by the DGAP in the late 1990s, which also covers institutions and resources – including a chapter on security and defence policy.⁸ While it touches upon the navy’s foreign policy role, it does not address how the navy itself has influenced the discussion, its self-image or how it has evolved.⁹ With a very specific naval focus, there is Bruns’ more recent chapter in an edited volume on naval strategy-making. While necessarily remaining brief and not diving deeper into 30 years of post-Cold War mission experience, it covers valuable ground and can serve as a starting point for further research. In its description of the latest attempt at a published naval strategic ‘*capstone document*’, it is particularly valuable even as a first-hand account.¹⁰

⁷ See Bierling (2014); Bruns (2020); Harnisch et al. (2004); Till (2020)

⁸ Ruehl (1998)

⁹ Ruehl (1998), p. 95

¹⁰ Bruns (2020), pp. 129-30



Fig. 17, The pinball-machine of German policy- and strategy-making with regard to the navy (by author)

Strategy-making is rarely the result of a top-down rational linear process, complexity increases as power is dispersed, checked, balanced and channelled through complex institutions and their bureaucracies. This is especially true for contemporary Germany.¹¹ Using Till's image of a 'pinball machine' of strategy-making, the host of influences on different levels in Germany are illustrated above. The final outcome follows certain 'laws of nature', analogous to the force of gravity that pulls the pinball down to its inevitable ultimate destination, but along the way to eventually attaining some kind of result which deserves the name 'strategy', the 'ball' has been played by many pins and shot in directions that have neither been forethought or would have

¹¹ See Eberwein & Kaiser (1998), pp. 6-7

typically been part of a simplistic national interests-based approach to strategy-formulation.¹² Clearly, ends, ways and means are the elements of any strategy, but their make-up, alignment, priorities, risks and contingencies, are under a diverse and complex set of influences – especially in Germany. After all, even the Bundeswehr and the navy itself are not just instruments used by political leaders, they influence the debate in turn.

Analysing the process of policy- and strategy-making with regard to the navy not only includes various domestic and international influences and stakeholders, it also needs to address the role of the navy itself in influencing policy, as well as the effect of public opinion and a strategic culture shaped by interpretations of history, ideals, values and beliefs.¹³ Because authors that address the complexity – even ‘*paradox*’ – of German power have not dealt with its naval dimension,¹⁴ this thesis and this chapter specifically address the relationship between maritime security, the state, its constituent actors and the navy’s foreign policy role.

To further the understanding of the navy as an instrument of German foreign policy, this chapter deals with two of the three analytical levels examined by this thesis: the national decision making level and the navy as the tool that implements it. Accordingly, the focus is on actors and processes, structure, strategy and self-image of German foreign policy and the navy. This chapter is organised along two sections, the first deals with the political level, the second with the navy.

III. 1 The Parameters of Maritime Security

As contested and vague as the term ‘maritime security’ is,¹⁵ the state – represented by a variety of actors – assumes responsibility for protecting Germany’s maritime interests – or those influenced from the sea.¹⁶ Within the federal system, responsibilities for the maritime domain are dispersed across not only federal ministries, but are also partially shared or relegated to the *Länder* that have far-reaching authority in domestic policing and security.¹⁷ The navy, as a federal responsibility, is part of the maritime security community, albeit with a role that has traditionally – owing to constitutional limitations – been limited to national defence, with no general constabulary authority.¹⁸

¹² Till (2020), p. 13

¹³ On ‘*strategic culture*’, see on ‘strategic culture’, see Dalgaard-Nielsen (2006), p. 10

¹⁴ See Kundnani (2015)

¹⁵ See Bueger (2015), p. 160

¹⁶ Grundgesetz (1949), Art. 56, Art. 64 [2]

¹⁷ Grundgesetz (1949), Art. 73, Art. 74

¹⁸ See Sax (2018), pp. 387-8

Germany's maritime interests encompass the entire range of *human security, economic, food, health, environmental, personal, community, political* security and interests in relation to the sea.¹⁹ Highly industrialised, poor in natural resources and with a trade-focussed economy at the forefront of globalisation, Germany is highly dependent on maritime trade, resources extracted from the sea and – increasingly – offshore wind generation.²⁰ In addition to the sea's economic importance, the need to sustainably manage global human interaction with it is seen as part of the ecological rationale of ocean governance.²¹ Furthermore, the sea is of critical importance to German and alliance security. Maritime communications link Europe and America in NATO across the Atlantic and the sea is a key vector for military operations in defence, crisis response and international peacekeeping efforts under a mandate of the UN.²²

¹⁹ See United Nations Development Programme, UNDP) (1994), pp. 36-7

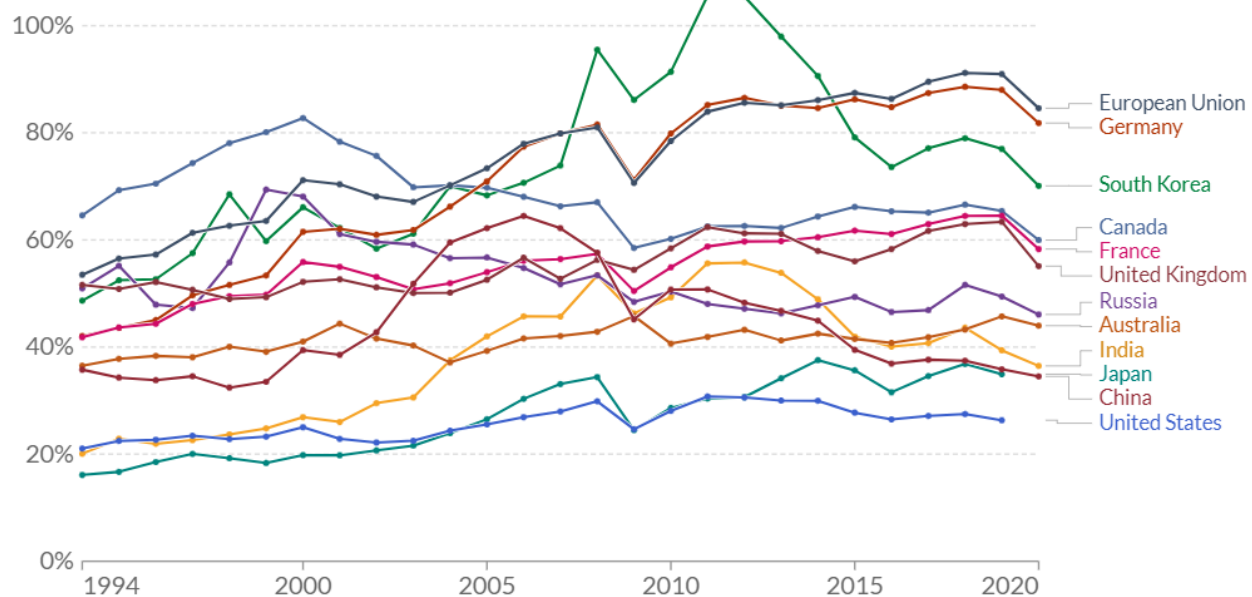
²⁰ ~5% of German electricity in 2021 is generated at sea, Deutsche WindGuard (2022), pp. 10-1

²¹ Bundesregierung (2008), pp. 6-7

²² See Flottenkommando (2003), 1-1

Trade – exports plus imports – as share of GDP, 1994 to 2020

Shown is the 'trade openness index' – the sum of exports and imports of goods and services, divided by gross domestic product.

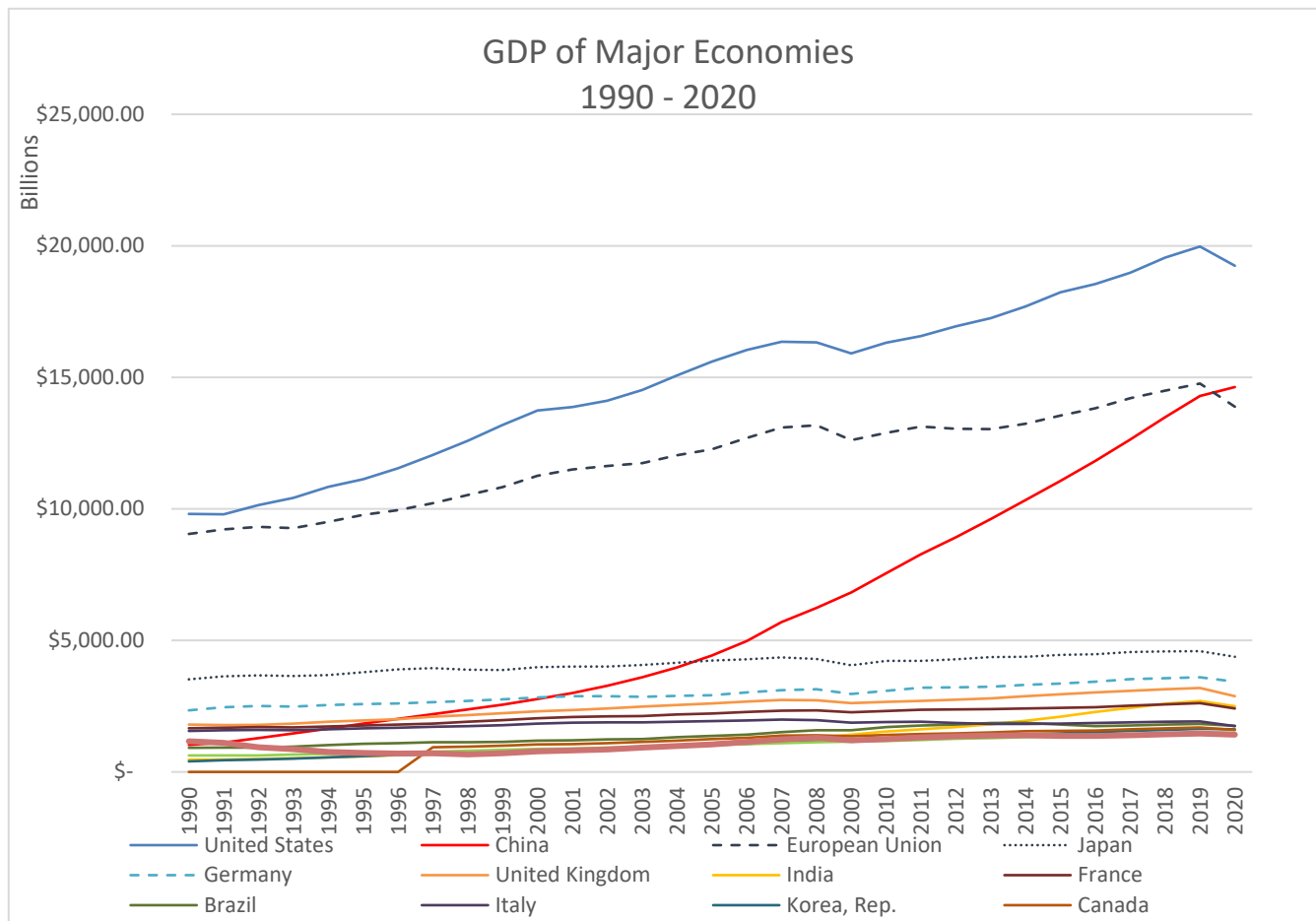


Source: World Bank and OECD

OurWorldInData.org/trade-and-globalization • CC BY

Fig. 18 (top), Trade as share of GDP (trade openness index) (source: Our World in Data)

Fig. 19 (bottom), GDP of Major Economies 1990 – 2020 (source: World Bank, IMF)



Accelerating globalisation in the early 2000s was driven by maritime trade and the revolutionary reduction in logistics-cost that came with containerised seaborne transport – and Germany had profitably positioned itself at the vanguard of this development.²³ Owing to the Schröder government’s labour market reforms and its policies to expand the maritime sector, German GDP increased in parallel with its exports and the size of its merchant shipping fleet.²⁴ While maritime expansion had driven what might be called ‘globalisation’ in past eras, the speed at which the process now unfolded substantially increased with technology and the political environment following the end of the Cold War – particularly because of the American-sponsored integration of China into the global trading system.²⁵

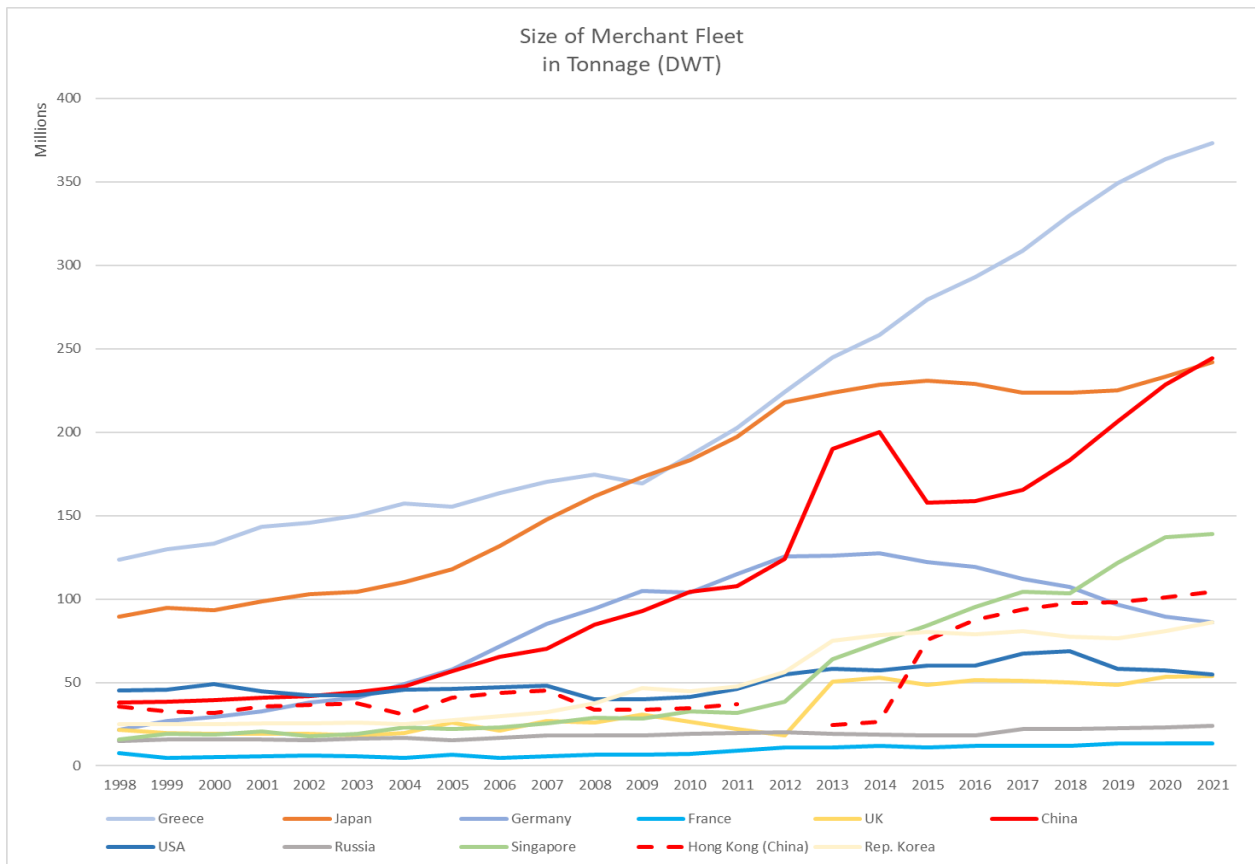


Fig. 20, *Size of Merchant Fleet in Tonnage* (data: UNCTAD; graphic: author)

²³ See Krüger-Kopiske (2017), p. 61, pp. 115-6, pp. 238-9

²⁴ On the positive effect of the labour market reforms on exports, see Dauderstädt & Dederke (2012), p. 4

²⁵ On globalisation, see Ortiz-Ospina & Beltekian (2018); on America’s role in China’s rise, see Mearsheimer (2021), pp. 50-2

Despite its critical significance to trade and as an economic driver, substantial automatisations in commercial maritime operations and the handling of cargo ashore reduced the visibility, social and cultural impact the maritime economy once had.²⁶ This was further affected by the fact that merchant crews rarely come from the countries where the so-called ‘*beneficial ownership*’ of vessels lays.²⁷ As ships mostly sail under ‘*flags of convenience*’, traditional notions of cultural ties or national prestige connecting nations with their merchant ships are largely rendered obsolete.²⁸ While politicians’ and the wider citizenry’s alleged ‘sea blindness’ has been regularly lamented by naval and maritime professionals across nations at least since the days of Mahan,²⁹ the above described 21st-century developments are likely to substantially contribute to a public negligence of maritime affairs – in traditionally culturally land-focussed Germany probably even more than elsewhere.

With 449,000 jobs in 2018, and as an essential enabler of the traditionally export-focussed, global supply-chain dependent automobile- and engineering industry – over 75% of cars made in Germany are exported – the maritime sector is of key importance to the German economy.³⁰ Even this seemingly high number translates into only 1.3% of Germans earning their living in direct relation to the sea.³¹ While millions of other jobs depend on trade, the number of German seafarers – 7,758 in the merchant service and 24,436 in the navy (2020) – is small.³²

Coming from a narrow Cold War focus, by 2021 the navy describes its role very broadly. As part of the Bundeswehr, it contributes to national and allied defence in the maritime domain. This also encompasses international crisis management, homeland security and international humanitarian emergency and disaster relief. Sea control, Search and Rescue (SAR), protection of maritime traffic routes and – with other authorities – security in the German maritime space are part of this. The navy places its highest priority on national and alliance defence in the North and Baltic Seas, and the North Atlantic. It also points out the relevance of the Mediterranean and mandated missions in peacekeeping and crisis-response.³³

²⁶ See Stopford (2009), pp. 35-6

²⁷ A term used to identify national and individual ownership of vessels, see UNCTAD (2022)

²⁸ The law of the sea requires a ‘*genuine link*’, UNCLOS (1982), Art. 91 (1), but the reality is often different. See International Transport Workers' Federation

²⁹ See Feldt et al. (2013)

³⁰ See Marinekommando (2021), p. 128; Verband Deutscher Automobilindustrie (2022)

³¹ See Bundesagentur fuer Arbeit (2022)

³² Marinekommando (2021), p. 70, p. 131

³³ See Marinekommando (2021), p. 68

German Maritime Interests <i>According to Official Strategic Documents</i>	Key Responsible Actors and Agencies in the Maritime Domain
<ul style="list-style-type: none"> • sovereignty & agency in foreign policy • defence of the ‘open society’, democratic institutions, territorial integrity & protection of allies • protection of citizens and property against attack at/from the sea • upholding freedom of navigation: international shipping & strategic access via the sea • access to maritime resources: i.e. fish, deep-sea oil, gas & mining, offshore wind, bioscientific use of maritime organisms, etc. • the ‘Blue Economy’ as a key to prosperity: i.e. shipping, ports, ship-building, maritime tourism, science & technology, etc. • sustainable use & preservation of the sea as a viable ecosystem & factor in the global climate • access to, furtherance & defence of a liberal international trading system and global economy • furtherance & defence of international rules-based order • furtherance & defence of EU integration and NATO 	<p>Entire government & society <i>in general</i>; diplomatic service, navy, development agencies, naval and maritime industry, shipping economy, regulatory authorities <i>specifically</i></p> <p>Civic vigilance, judiciary, civilian security services and the military <i>in general</i>, the navy <i>specifically</i></p> <p><i>Regulatory framework</i>: domestic shipping, energy, economic, environment & agricultural (fishing) agencies, diplomatic service with support of subject-matter expertise</p> <p><i>Key enablers</i>: society’s maritime culture & awareness, technology, education, economic facilitation, expertise in operations, sea- and land-based infrastructure, international networks and markets</p> <p><i>(Law) enforcement</i>: civilian authorities & navy</p> <p><i>Treaties and institutional framework</i>: diplomatic service and subject-matter expertise</p> <p><i>Defence</i>: civilian security services and the military <i>in general</i>; the navy <i>specifically</i></p>

Fig. 21, Overview of maritime interests and actors in Germany (author)³⁴

³⁴ See BMVg (2016), Art. 1.2; 5.2; Bundesregierung (2017), II. Introduction

As shown the provision of maritime security encompasses the breadth of government with the navy being involved to varying degrees across the board. However, its role is limited by the constitutional separation of domestic and international security, and shared or divided law-enforcement responsibilities among federal and regional levels. There is no ‘maritime security law’, no unified national coastguard service,³⁵ and no authorisation for the navy to enforce domestic or international regulations – unless with a mandate within temporarily and regionally confined deployments.³⁶ As the increase in civilian law-enforcement high-seas capabilities and their joint exercises – also with the navy – show, Germany is according comprehensive maritime security an increasingly important place in national security.³⁷



Fig. 22, (left), Bamberg, federal police, one of three of 86.2 m-long, 1,980t vessels (source: Bundespolizei)

Fig. 23 (bottom, left) multi-purpose vessel, shipping and waterways authorities (source: WSV)

Fig. 24 (bottom, right), ocean-going Seeadler, 72.4m-long, 1,774t fisheries protection vessel of the federal agency for agriculture (source: BLE)



³⁵ Germany has a mix of different agencies performing coast guard functions; see Jenisch (2017)

³⁶ See Sax (2018), pp. 387-8

³⁷ See Bundesamt fuer Landwirtschaft und Ernaehrung, BLE) (2022); Bundespolizei (2019); Wiegold (2020a); Marinekommando (2021), pp. 40-1

Fig. 25, Dramatis Personae				
Chancellor	Minister of Foreign Affairs	Minister of Defence	Generalinspekteur (Chairman of the Joint Chiefs of Staff)	Inspekteur Marine (Chief of the Navy)
Helmut Kohl (CDU) 1 st Oct. 1982 - 27 th Oct. 1998	Hans-Dietrich Genscher (FDP) 4th Oct. 1982 - 18th May 1992	Gerhard Stoltenberg (CDU) 21 st Apr. 1989 - 31 st Mar 1992	Admiral Dieter Wellershoff (navy) 1 st Oct. 1986 – 30 th Sep. 1991	Vizeadmiral Hans-Joachim Mann 1 st Oct. 1986 – 1 st Oct. 1991
			General Klaus Naumann (army) 1 st Oct. 1991 – 8 th Feb. 1996	Vizeadmiral Hein-Peter Weyher 1 st Oct. 1991 – 1 st Apr. 1995
	Klaus Kinkel (FDP) 18 th May 1992- 27 th Oct 1998	Volker Rühle (CDU) 1 st Apr. 1992 - 26. Oct. 1998	General Helmut Bagger (army) 8 th Feb. 1996 – 31 st Mar. 1999	Vizeadmiral Hans-Rudolf Boehmer 1 st Apr. 1995 – 1 st Oct. 1998
			General Hans-Peter von Kirchbach (army) 1 st Apr. 1999 – 30 th Jun. 2000	Vizeadmiral Hans Lüssow 1 st Oct. 1998 – 27 th Feb. 2003
Gerhard Schröder (SPD) 27 th Oct. 1998 - 22 nd Nov. 2005	Joschka Fischer (Grüne) 27 th Oct. 1998 – 22nd Nov. 2005	Rudolf Scharping (SPD) 27 th Oct. 1998 - 19 th Jul. 2002	General Harald Kujat (airforce) 1 st Jul. 2000 – 30 th Jun. 2002	Vizeadmiral Lutz Feldt 27 th Feb. 2003 – 27 th Apr. 2006
			General Wolfgang Schneiderhan (army) 1 st Jul. 2002 – 26 th Nov. 2009	
		Peter Struck (SPD) 19 th Jul. 2002 – 22 nd Nov. 2005	General Volker Wieker (army) 21 st Jan. 2010 – 18 th Apr. 2018	Vizeadmiral Axel Schimpf 28 th Apr. 2010 – 28 th Oct. 2014
Angela Merkel (CDU) 22 nd Nov. 2005 - 8 th Dec. 2021	Frank-Walter Steinmeier (SPD) 22 nd Nov. 2005 – 28 th Oct. 2009	Franz-Josef Jung (CDU) 22 nd Nov. 2005 – 28 th Oct. 2009	General Eberhard Zorn (army) since 19 th April 2018	Vizeadmiral Andreas Krause 28 th Oct. 2014 – 24 th Mar. 2021
	Guido Westerwelle (FDP) 28 th Oct. 2009 – 17 th Dec. 2013	Karl-Theodor zu Guttenberg (CSU) 28 th Oct. 2009 – 3 rd Mar 2011		Vizeadmiral Kay-Achim Schönbach 24 th Mar 2021 – 22 nd Jan. 2022
	Frank-Walter Steinmeier (SPD) 17 th Dec. 2013 – 27 th Jan. 2017	Ursula von der Leyen (CDU) 17 th Dec. 2013 – 17 th Jul. 2019		Thomas de Maizièere (CDU) 3 rd Mar. 2011 – 17 th Dec. 2013
				Sigmar Gabriel (SPD) 27 th Jan. 2017 – 14 th Mar. 2018
	Heiko Maas (SPD) 14 th Mar. 2018 – 8 th Dec. 2021	Annegret Kramp-Karrenbauer (CDU) 17 th Jul. 2019- 8 th Dec. 2021		

III. 2 The Policy and Strategy Level

Germany's domestic politics matter when it comes to naval deployments. In addition to the formal processes behind policy-making and deployment, the inevitable crossing of party boundaries at the nexus between foreign policy and defence easily makes them politicised issues. As the history of missions since 1990 demonstrates, the ministry of foreign affairs, *Auswärtiges Amt* (AA), has a critical role in many ways – if only by veto. This is due to the ministry's lead on diplomatic matters within the cabinet, but perhaps even more so, because the minister of foreign affairs has always been from the party that is the junior partner and coalition governments have dominated German politics for the past 50 years.³⁸ No chancellor, despite the nominal authority to determine foreign policy, is likely to risk antagonizing the minister of foreign affairs as a leader of the junior coalition partner in government.³⁹ All German chancellors have so far been unwilling to use their authority over security and defence policy, but rather have resorted to achieving compromise with coalition leaders.⁴⁰

Using the armed forces abroad is not just a decision of the Chancellor, it is not even a decision of the government alone. The employment of the armed forces is not only *a subject of joint-decision-making* in cabinet, but also requires a parliamentary vote. In a first step employing military forces with its inherent risks and responsibilities for lives of service-members, it is likely to be *contentious among individual ministers*. Additionally, it involves the *responsibilities of more than one ministry*. Thus such decisions are handled by cabinet-vote.⁴¹ Once cabinet has agreed on a deployment, it passes the motion to the *Bundestag* for consent. Based on the prevalent interpretation of the *Grundgesetz*, Germany's constitution, and federal law, a parliamentary majority has to mandate missions of the Bundeswehr.⁴²

³⁸ See the party allegiances of past and present ministers, *Auswärtiges Amt* (2020); *BMVg* (2020)

³⁹ See Siwert-Probst (1998), p. 14; and discussion below

⁴⁰ See Ruehl (1998), pp. 94-5, for the era up until the late 1990s; and also Struck's first-hand account for the Schröder government in the early 2000s, Struck (2010), p. 60

⁴¹ *Bundesregierung* (1951), §15 (1)

⁴² *Bundesverfassungsgericht* (1994); *Bundesrepublik Deutschland* (2005)

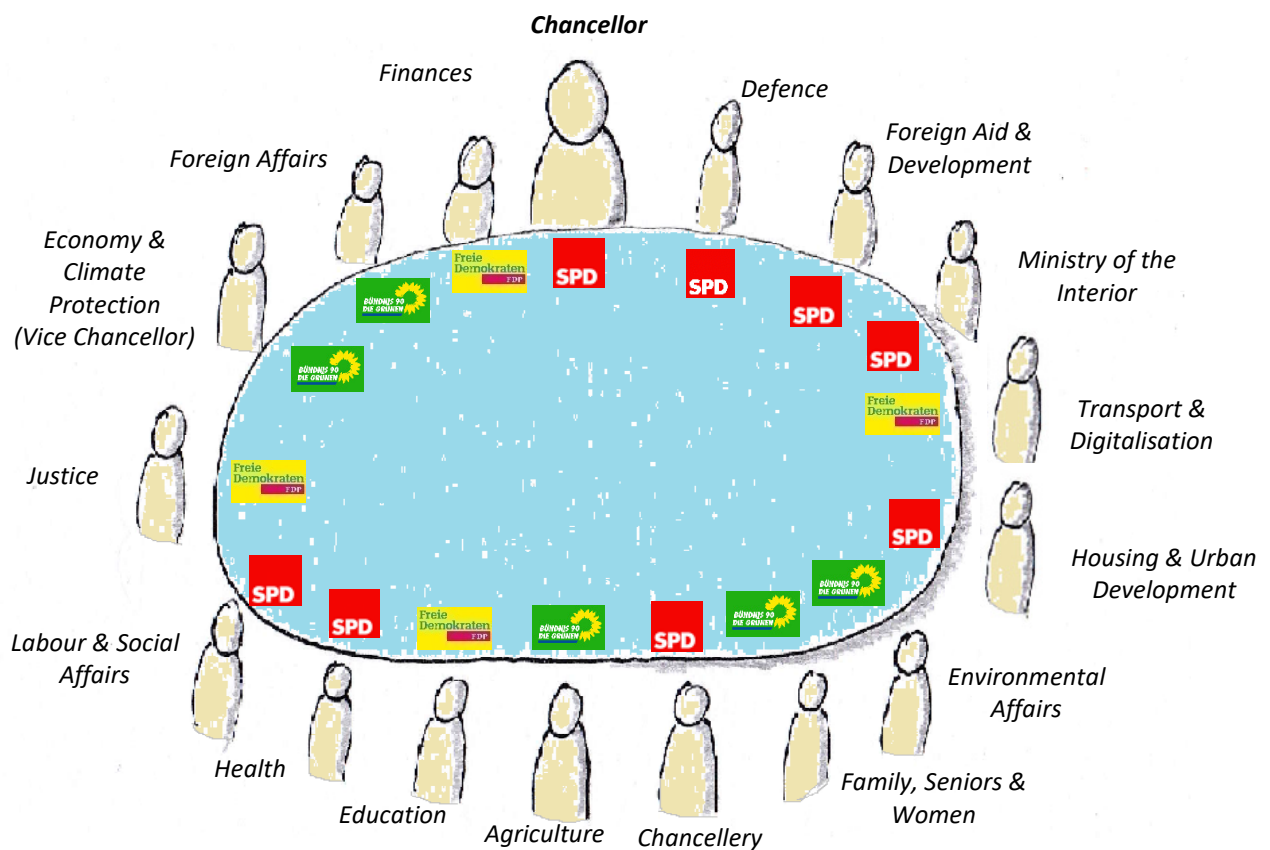


Fig. 26, The German Cabinet, chancellor and sixteen ministers, including their affiliation to one of the parties in the governing coalition (number of ministries and allocation of responsibilities of the 2021 Scholz coalition government/graphic: author; data: Bundesregierung)⁴³

The key ministries immediately concerned with the use of the navy in foreign policy constitute the so-called *Bundessicherheitsrat*, the national security council of Germany. It is considered the most important non-permanent cabinet sub-committee, assembled in the Chancellery and composed of a fixed membership with others in attendance as required.⁴⁴ The permanent members are the chancellor, vice chancellor, ministers of defence, foreign affairs, finances, interior, justice, foreign aid, economy and the chancellery.⁴⁵ The *Generalinspekteur* of the Bundeswehr, as the principle military advisor of the government, is also a regular member albeit without a voting right. This council is not institutionally as powerful as its US counterpart as it does not possess decision-making powers.⁴⁶ All the matters are still subject to cabinet-level decisions. In it, there is no explicit hierarchy of the ministries, but defence always holds

⁴³ See Bundesregierung (2021b)

⁴⁴ Robert A.P. Glawe (2011), p. 23

⁴⁵ See Behme (2008)

⁴⁶ Robert A.P. Glawe (2011), p. 23, Ruehl (1998), p. 95

the role of deputy chair, in case chancellor and vice-chancellor are not present.⁴⁷ The size of annual budget and number of personnel gives a further indicator for institutional and political weight of the ministries most closely tied to naval deployments. Defence leads by far with over €45 billion (2020) and roughly 184,000 (military) plus 81,317 (civilians) in personnel (Nov. 2020).⁴⁸ Followed by foreign affairs (€6.3 billion /12,116 staff; 2020)⁴⁹ and foreign aid (€12.43 billion /1,200 staff; 2020).⁵⁰

In addition to mandatory joint-cabinet authorisation, the federal system requires a parliamentary majority for decisions concerning the use of the armed forces abroad and within international framework. Under the landmark constitutional court's ruling in 1994,⁵¹ and its further translation into federal law in 2005,⁵² the Federal Republic's constitutional right to accession to alliances and international organisations (like NATO, the EU or UN), is deemed to entail the right to join not only in their mutual self-defence, but also to deploy the Bundeswehr within their framework – including peacekeeping and -enforcement efforts.⁵³ Even if within an international framework any armed deployment of the Bundeswehr (armed for any other purpose than self-defence) is conditional upon a parliamentary decision by majority vote, based on a motion presented by the government.⁵⁴

Accordingly, almost all but the most innocent and risk-free showing-the-flag-type naval deployments in support of German diplomacy are the result of consecutive decisions by the cabinet, the *Bundestag* and require an international mandate. Multilateralism is therefore an inbuilt feature of the use of force abroad beyond national self-defence.⁵⁵ The process for deployments has evolved since 1990. Until the court-ruling in 1994, a simple cabinet-level decision was deemed acceptable for military deployments. Examples for this are *Sharp Guard* (1992), a proposed, but not undertaken, 1964 NATO-deployment during the Cyprus crisis, or a similar undertaking to deployment a NATO force during the 1967 Six-Day War. The later was authorised but due to the rapid unfolding of the events never deployed.⁵⁶ Humanitarian

⁴⁷ See Behme (2008)

⁴⁸ On personnel, see Wiegold (2020b), on budget, see BMVg (2019)

⁴⁹ See Auswärtiges Amt (2020c), Auswärtiges Amt (2020b)

⁵⁰ See BMZ (2020a); BMZ (2020b)

⁵¹ Bundesverfassungsgericht (1994)

⁵² Bundesrepublik Deutschland (2005)

⁵³ Bundesverfassungsgericht (1994), 1.

⁵⁴ Bundesrepublik Deutschland (2005), §1, §2 (1), §3

⁵⁵ See Bundesrepublik Deutschland (2005)

⁵⁶ See Ruehl (1998), p. 95; the earlier incidents show that there is scope for research into Cold War German naval diplomacy. Still, this is referred to further exploration beyond this thesis.

assistance or training roles, as well as friendly port visits and innocent passages do not require a parliamentary mandate or a multi-lateral framework.

Below the chancellor, the minister of foreign affairs carries the greatest weight in determining foreign policy and naval deployments at a joint cabinet level. All interactions with foreign governments on foreign are only conducted with consent of the ministry of foreign affairs.⁵⁷ The minister traditionally carries the greatest political and public prestige, a chance to increase popularity and acquire a certain '*presidential aura*', while the office is an almost natural '*pole position*' for succession to and competition for chancellorship.⁵⁸ This is further enhanced by the fact that, as mentioned, for the past over fifty years the post has been held by the junior coalition partner.⁵⁹ The minister's influence upon their parliamentary faction, often as party-leaders, is crucial. Therefore, the foreign minister's influence in German foreign policy – and the domestic debate on it – is key.

The *Bundesministerium der Verteidigung* (BMVg), ministry of defence, and its minister have a supportive and complementary role, not one of leadership. On the one hand, the ministry's overarching mission is to provide capable, deployable and interoperable armed forces,⁶⁰ *delivering the military tool-set to support Germany's foreign policy*, not determining how they are used. On the other, the constitutional principles of ministerial responsibility, and the role as commander-in-chief of the Bundeswehr,⁶¹ clearly give the minister the authority to be involved both in (defence) diplomacy abroad (in routine fashion at NATO and EU-level) and in formulating policy (as demonstrated by the defence ministry's lead in issuing the defence white-papers). The degree of independence, in which the authority of the defence minister is exercised and interpreted, is variable. In the early 1990s R uhe for example, was notorious for taking the lead on key matters such as NATO eastward expansion, or the Bundeswehr's out-of-area operations, thereby side-lining his foreign ministry colleague.⁶² As the roles of both defence ministry and minister are limited by and overlap with the authority of the AA, this not only calls for close cooperation,⁶³ it also invites the potential of institutional as well as personal conflict. As Peter Struck (defence minister 2002 – 2005) formulated it:

⁵⁷ Bundesregierung (1951), §11 2)

⁵⁸ Schulte von Drach (2018)

⁵⁹ Auswartiges Amt (2020)

⁶⁰ As concisely stated in the introduction to the federal defence budget. BMVg (2019)

⁶¹ Grundgesetz (1949), Art. 65, Art. 65 a

⁶² See Perger (1993)

⁶³ Positive examples of which are mutual consultations in the formulation of strategic documents like the *Weißbuch* or *Leitlinien*

*Every time I passed the gallery (of previous) ministers, I knew that I was lucky with every day I survived in this office, in which always and everywhere in this largest enterprise of the federal government, a little bomb could blow up, a scandal be unearthed or the mistake of a subordinate emerge, for which the master of the house would have to assume responsibility, without ever having been personally involved with the matter.*⁶⁴

In contrast to the prestigious AA, the BMVg has a mixed record concerning the career progression of its ministers. It was a key station in Helmut Schmidt's (SPD) career,⁶⁵ and recently served as an unlikely springboard for Ursula von der Leyen (CDU).⁶⁶ However, the risks as described by Struck, combined with public sensitivity to any institutional or personal missteps have led to its reputation as being a politically risky post. While Schmidt is likely Germany's most respected defence minister,⁶⁷ and Rühle (CDU) and Struck (SPD) were respected and influential, three of the nine ministers since 1990 resigned on or in connection with the job – and a further one almost had to resign.⁶⁸ Scharping (SPD) was removed from office and zu Guttenberg (CSU) resigned, both for personal failings. Jung (CDU) resigned just 30 days after an evasive shift to another ministry over the 'Kundus-Affair'.⁶⁹ A similar cabinet reshuffle saved a fourth minister, de Maizière (CDU), just four years later. In 2013, he barely escaped resigning over a procurement issue, the 'Euro Hawk Affair'.⁷⁰ Transferring to the interior ministry, he handed over to von der Leyen (CDU).⁷¹

While this large ministry in conjunction with the role of peacetime Bundeswehr Commander-in-Chief comes with personal power and influence, its risks are also considerable.⁷² While the minister may benefit from credibility of the Bundeswehr, he or she also has a portfolio that entails military deployments abroad, which, though not in principle rejected by the population,⁷³ are liable to become politically and personally very challenging when the use of force is concerned.⁷⁴ Once in post, the minister assumes responsibility with

⁶⁴ Struck (2010), pp. 118-9

⁶⁵ See BMVg (2020)

⁶⁶ See Boffey (2019)

⁶⁷ See Struck's reverence for his predecessor, Struck (2010), p. 79

⁶⁸ See their brief CVs on the ministry's webpage. BMVg (2020)

⁶⁹ See WELT (2009b)

⁷⁰ de Maizière clung to his post till the last moment, but to no avail, Focus (2013), Merkur.de (2013)

⁷¹ See Bewarder et al. (2013)

⁷² Grundgesetz (1949), Art. 65 a

⁷³ See Steinbrecher et al. (2019), pp. 5-6

⁷⁴ See Jung's case quoted also above, Gebauer (2010)

regard to service-members losing their life or health on missions, as Struck made clear.⁷⁵ This grave responsibility makes personal mistakes which cast doubt on a minister's character especially dangerous.⁷⁶ Indeed, the difficulty to reconcile responsibility for troops in combat with his private mistakes (plagiarism in his doctoral thesis) – and the public attention to this – were given by zu Guttenberg as reasons for his resignation in 2011.⁷⁷

The BMZ, responsible for international development and foreign aid, is important but easily overlooked in German foreign policy and grand strategy. While smaller in size, its budget is larger than that of the AA and its international networks are considerable.⁷⁸ The BMZ maintains bilateral development and cooperative partnerships with 60 different countries.⁷⁹ Furthermore, providing funds and knowledge in supporting development work in post-conflict, failing and failed states, it is an important element in Germany's comprehensive approach to crisis-prevention and response.⁸⁰ Its minister furthermore carries a vote in the cabinet and is clearly concerned with his or her opinion, whenever the cabinet decides by majority vote on all deployments abroad of the Bundeswehr.

Indicative of the strong role of cabinet – as opposed to dominance by the Chancellor, post-1945 Germany has never yet published a single unified national or grand strategic document. The three ministries mainly concerned with foreign policy issue their strategies separately. To be sure, the strategies are based on mutual consultations during their formulation,⁸¹ use cross-references to each other and display more and more of an overall coherence.⁸² Still, they are distinctly separate and carry their parent institution's handwriting and emphasis. As shown in the chart below, reading the key ministries' strategies together, assembles the pieces of the puzzle of national strategy. As expressed in the words of the Chancellor, the overarching aim of German foreign policy is sustainable peace and development as defined by the UN Agenda 2030.⁸³

⁷⁵ Struck (2010), p. 104

⁷⁶ See Clement's review of Scharping's years in office and the reasons for him having been fired by Schröder. Clement (2002)

⁷⁷ See his speech on the occasion, zu Guttenberg (2011)

⁷⁸ See numbers above.

⁷⁹ BMZ (2020c)

⁸⁰ Auswärtiges Amt (2017), p. 14

⁸¹ See Krause on the defence white-paper from 1994, Krause von (2013), p. 177

⁸² the defence white-paper was the earliest of the three, so it could not contain direct references, for its strategic priorities see, BMVg (2016), p. 47, for those of the foreign office (referencing the defence paper), see Auswärtiges Amt (2017), pp. 45-47, and those of foreign aid, see BMZ (2017), p. 28

⁸³ The Scholz government has not yet issued any new strategic documents at the time of writing. The latest are still signed by Merkel, see Auswärtiges Amt (2017), p. 45

<p style="text-align: center;">The Aims of German Foreign Policy “Sustainable peace as expressed in the UN Agenda 2030” Angela Merkel (Chancellor, 2005-2021)</p>		
Defence	Foreign Affairs	Foreign Aid
<ul style="list-style-type: none"> ▪ ensuring comprehensive national security ▪ strengthening cohesion and integration of NATO and EU ▪ unobstructed use of lines of information, communication, supply, transport and trade, as well as resource and energy supply ▪ early detection, prevention and containment of crises and conflicts ▪ commitment to a rules-based international order 	<ul style="list-style-type: none"> ▪ following the vision of the UN Agenda 2030 of sustainable, positive peace; promoting and defending comprehensive security domestically and internationally ▪ universal human rights ▪ legitimate and capable political institutions ▪ solidarity and sustainable use of natural resources ▪ united EU upheld by shared values and strong institutions ▪ acknowledging Germany’s special historic responsibility in avoiding war and violence in international relations, while also preventing genocide and human rights violations 	<ul style="list-style-type: none"> ▪ one world without poverty and hunger ▪ combating climate change and respecting the ecological limits of our planet ▪ promoting development, reducing causes for migration, securing peace ▪ creating a more just global economy ▪ global partnerships for the UN Agenda 2030

Fig. 27, Merkel’s quote is from her foreword to the ‚Leitlinien‘ and general sources are Weißbuch 2016, Leitlinien der Bundesregierung: Krisen verhindern, Konflikte bewältigen, Frieden fördern, 15. Entwicklungspolitische Bericht der Bundesregierung.⁸⁴

⁸⁴ BMVg (2016), p. 47, Auswärtiges Amt (2017), pp. 45-7, BMZ (2017), p. 28

The Länder and the Navy

Political leaders in Germany are well aware that the federal government depends on the cooperation, consent or at least tacit acceptance on the part of the regional governments in *all* of its decisions.⁸⁵ While public health or education policies of shared or even primary responsibility of the sixteen regional governments, the *Bundesländer*, foreign policy and defence are conversely a federal responsibility.⁸⁶ Within the federal system, the *Bundesrat*, as the assembly of the representatives of the regional governments, is the ‘second house’ of Germany’s parliament. It ratifies laws passed by the *Bundestag*, which concern the *Länder*’s legislative authority and are not within the scope of exclusive federal jurisdiction.⁸⁷ But even in the latter cases, the *Bundesrat* can formally object, which in turn requires a renewed consideration of the law and either subsequent modification or a majority decision of the *Bundestag* to overrule the *Bundesrat*.⁸⁸ The process is not only time consuming, especially on contentious measures, but federal coalition governments with only slim majorities in the *Bundestag* can come under severe pressure if they lack support in the *Bundesrat*.

Furthermore, as the regional elections in the sixteen *Bundesländer* are not harmonised with the federal elections, they often serve as mid-term opportunities for voters to express discontent with national politics. In effect, unpopular government policies may gradually erode a chancellor’s support in the ‘second house’ and thereby produce a legislative blockade similar to a US president losing support in mid-term elections for Congress and Senate.⁸⁹ This was the reason for Schröder’s ultimately unsuccessful attempt to seek renewed public support in 2005 through deliberately provoked early federal elections in the third year of his second four-year term. After a succession of lost regional elections in the wake of his controversial domestic social and labour reforms, Schröder had deemed both his support in the *Bundestag* as well as the *Bundesrat* as too unreliable to continue his government.⁹⁰

Foreign policy is nominally exclusively under federal purview, but the *Länder* can exert influence – including in relation to the navy. While in European affairs and those issues that concern the *Länder* in their implementation, their role is more pronounced, their power in the

⁸⁵ See Merkel on this in the context of the COVID-19 pandemic, NDR (2021); and generally, Grundgesetz (1949), Art. 23, 78

⁸⁶ Grundgesetz (1949), Art. 23, 73, 74

⁸⁷ Grundgesetz (1949), Art. 77

⁸⁸ Grundgesetz (1949), Art. 77, Art. 78, Art. 77, Art. 78

⁸⁹ See Trainer (2018)

⁹⁰ See Bundestag (2021)

Bundesrat can at times translate into considerable wider political influence.⁹¹ Although the navy, as an element of national defence is as far removed from the regional governments' influence, its basing in Germany (as a regional economic factor), the domestic economic repercussions of naval procurement, as well as the export of naval armaments are given close attention by coastal state.⁹² The same applies to procurement for the navy. For example, the latest batch of five corvettes ordered on short notice in 2017, was at least as much influenced by the regional political desire to keep shipyards running, as it was by any strategic rationale put forth by the navy.⁹³

Countering international terrorism, general maritime affairs, shipping regulation, maritime safety and security, as well as the legal framework that defines the authority of *Bund* and *Länder* in the enforcement of existing laws, are explicit subjects of competing legislation.⁹⁴ Therefore, for example, while a deployment on a mandated mission does not require ratification by the *Bundesrat*,⁹⁵ any more permanent legislative resolution of the hitherto only mandate- and mission-based legal authority of the navy to act in 'policing' or constabulary roles would require the support of the *Bundesländer*.

In addition to exerting a degree of influence over foreign policy and housing the naval industrial base, the navy's recruits come from the *Länder*, their towns, cities, schools, their universities. That the navy recognises these interactions is evident for example from its ship naming convention – no more historic personalities, but names of cities or *Bundesländer* like *Bayern*, *Nordrhein-Westfalen* or *Brandenburg*.⁹⁶ Certainly, avoiding historic persons like *Rommel*, *Mölders* or *Lütjens*, names of former destroyers,⁹⁷ saves the navy the potential embarrassment of dubious details about the name-sake's political past later surfacing during the twenty-plus life-span of a warship. More importantly, dead generals or admirals do not typically attract much attention among young potential recruits. However, vessels named after towns, cities and *Länder*, including crews' visits to townhalls, schools, market-squares and

⁹¹ Grundgesetz (1949), Art. 23

⁹² See discussions in the Bundesrat on future basing concepts in the wake of reunification, see i.e. the discussions in the Bundesrat on the future basing concepts in the wake of reunification, i.e. Bundesrat (1990)

⁹³ See Hickmann (2016); Bruns (2020), p. 147

⁹⁴ Grundgesetz (1949), Art. 74 1), 21

⁹⁵ See see Bundesrepublik Deutschland (2005)

⁹⁶ All examples of current names of ships of the navy, see Bundeswehr (2021)

⁹⁷ US-built type 103 destroyers in service from 1969 until 2003, see Brake & Walle (2016), p. 56; p. 94

prestigious local events,⁹⁸ creates bonds that potentially attract recruits and elite support beyond the usual naval support-base close to the sea.

The Economic and Defence Industrial Element

Germany has for a long time relished its status as ‘*Exportweltmeister*’ – the world champion of exports.⁹⁹ Germany’s economic competitiveness and industrial power substantially depend on the ability to import raw materials and export goods via the sea. In 2019, two of Germany’s top three trade-partners, China and the USA, were overseas, while over 90% of the EU’s external and over 40% of internal trade passes via ships and ports.¹⁰⁰ Government, navy and representatives of the industry routinely underline the importance of the free and secure passage of goods for the economical and hence political stability of Germany.¹⁰¹ Accordingly, the ministry of the economy, *Bundesministerium für Wirtschaft und Klimaschutz* (BMWi) plays a further part in foreign policy’s maritime dimension.

The BMWi is responsible for the domestic economy and for international trade. In relation to comprehensive approaches to maritime crises, it is for example explicitly mentioned in the federal government’s strategy towards Gulf of Guinea piracy in 2013.¹⁰² Furthermore, it has a key role in supervising the defence industry, arms export and the certification of private military contractors (PMC) that deploy as armed guards on merchant ships under the German flag.¹⁰³ The BMWi leads the process of granting government permission for the commercial export of arms and defence equipment, including in cases that are part of capacity building programmes.¹⁰⁴ With respect to naval diplomacy, this has for example encompassed the permission of sales of equipment to Nigeria (radar) and Gambia (bullet-proof vests) in 2019, as part of the German capacity building partnership programme.¹⁰⁵

Since the early 1980s, with the availability of sophisticated German-built frigates in the fleet as ‘sales-platforms’, the navy supports the naval arms industry during presentations abroad. In coordination between the AA, BMVg, defence industry and the navy, voyage-plans for annual training task-groups of normally three surface vessels were conducted, aiming to

⁹⁸ A common practice in the fleet, as the author can attest to from his time aboard F211 *Köln*, 2010 - 2012

⁹⁹ See Merkel using the term, Merkel (2007)

¹⁰⁰ See Marinekommando (2020b), p. 156; p. 159; European Commission (2016), *introduction*

¹⁰¹ See Bundesregierung (2017), p. 4; BMVg (2016), p. 90, Heckler & Petretto (2021)

¹⁰² Bundesregierung (2013d), 7.]

¹⁰³ See Bundesministerium für Wirtschaft und Energie (2019), p. 14, p. 33, Topp (2015), p. 199

¹⁰⁴ See Bundesregierung (2019a), p. 6

¹⁰⁵ for arms exports to these countries in 2019, see Bundesregierung (2019b), pp. 6-7, for the provision of equipment as part of the capacity-building programme, see Bundesregierung (2019)

address audiences in important markets for German naval defence products, and deepen cooperation with the navy.¹⁰⁶ This practice was seen as mutually beneficial, as the navy well recognised the value of having a strong domestic defence-industrial base and a network of international partners using similar equipment.¹⁰⁷



Fig. 28, German-built South African corvette Amatola. Badge of exercise 'Good Hope III', 2008, between the German and South African navies, part of a longer voyage of three German warships with several African port-visits during which the German naval arms industry also showcased its latest products (image source: South African Navy; badge in possession of author)¹⁰⁸

A third of Germany's €4.5 billion total annual turn-over in shipbuilding (2021) comes from naval construction, and judging by an export quota of over 70% (2019), every Euro in tax-money spent on vessels for the navy, was tripled with international sales.¹⁰⁹ In addition to providing the navy with a domestic defence industrial base, this maintains roughly 200,000 jobs in the sector and entails economic follow-on effects.¹¹⁰ Exports are subject to government

¹⁰⁶ As confirmed by an anonymous interviewee in the defence industry. See Ports and Ships (2008); Wingrin (2015b)

¹⁰⁷ Interview Karsten Schneider, 8th February 2021; the author can testify to positive effects in relation to the South African Navy, which at the time in 2008 had recently acquired three German-built corvettes, see Ports and Ships (2008)

¹⁰⁸ See Ports and Ships (2008); Wingrin (2015)

¹⁰⁹ See Verband für Schiffbau und Meerestechnik (2021), p. 19, p. 20; Verband für Schiffbau und Meerestechnik (2019), p. 19

¹¹⁰ See Verband für Schiffbau und Meerestechnik (2021), p. 20

permission and benefit from its guarantees, safeguarding German enterprises from foreign debtors' defaulting on payments.¹¹¹ While complete data is hard to come by, between 2009 – 2012, 3% and 10% of all government guarantees granted for exports were given to armaments shipments, even though these make up less than two to four percent of total German trade.¹¹²

¹¹¹ See Bundesregierung (2013b), pp. 2-3

¹¹² See Bundesregierung (2013), p. 3; Krause, Joachim (2018a), p. 154

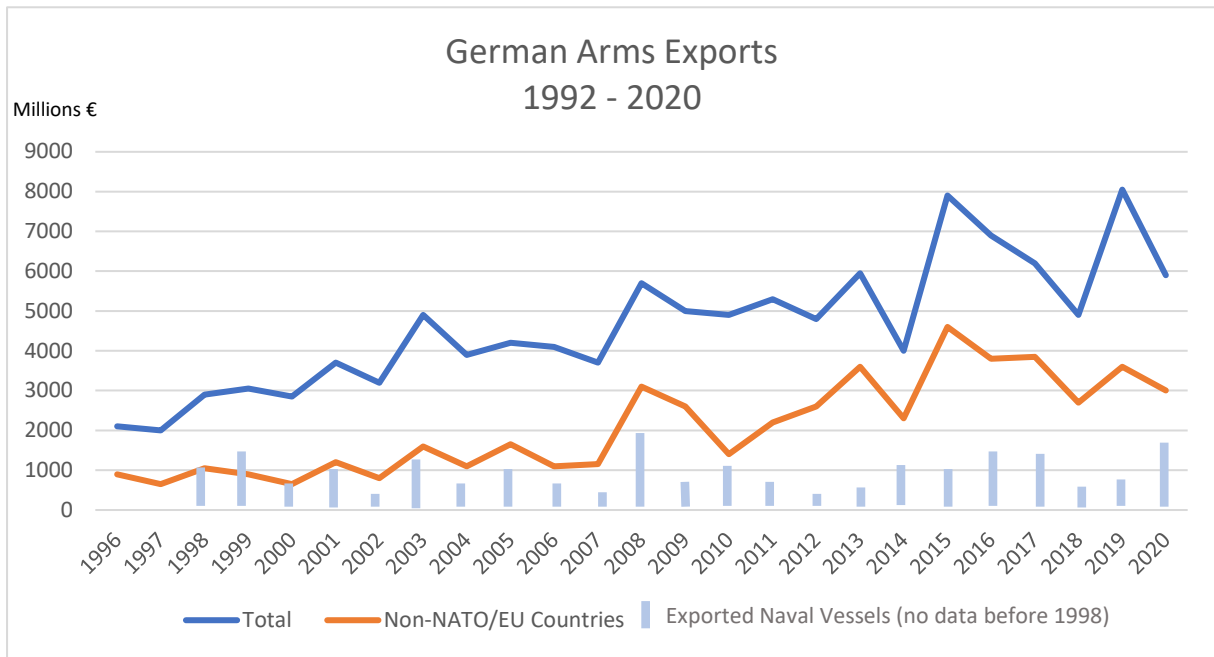


Fig. 29, German Arms Exports 1996 – 2020 (amount cleared for shipment by the government that year, not amount actually delivered; data: Rüstungsexportbericht der Bundesregierung 1999 – 2020; graphic: author)

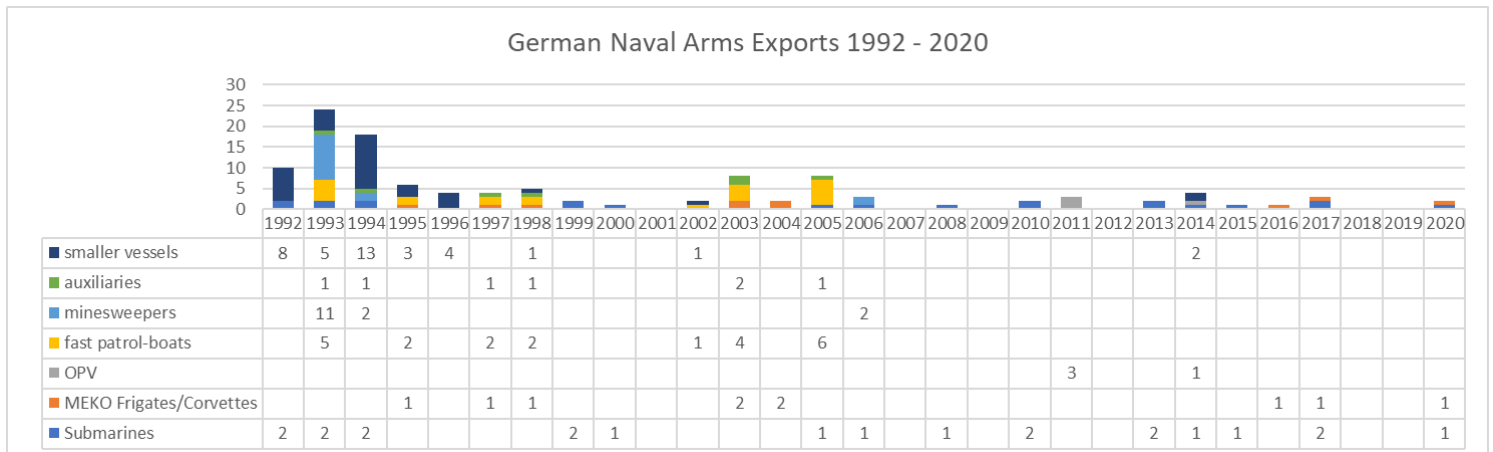


Fig. 30, German Naval Arms Exports 1992 – 2020 (data: UNROCA reports 1992 – 2020; graphic: author)

Schröder’s government made it a particular point of its annual report on arms exports, to emphasise that a significant proportion of shipments to so-called ‘third countries’, non-NATO or -EU countries, is naval armaments.¹¹³ As the data above shows, this claim, repeated in Krause’s academic assessment of German arms exports in 2018,¹¹⁴ needs to be put in

¹¹³ See Bundesregierung (2000), p. 15

¹¹⁴ Krause, Joachim (2018b), p. 3

perspective. Until 2010, it is convincing, after this, the composition is much more diverse and much less clearly maritime.¹¹⁵

It is also worth noting that throughout the period – and in continuation of German technological expertise dating back to the World Wars, submarines made up an important component of arms exports. In 1962, the *Nordseewerke* in Emden received the first post-1945 export contract for submarines (15 vessels for Norway) and ever since, international customers have bought German *U-Boote*.¹¹⁶ Despite the procurement of submarines by the German navy after 1990, the 212 A-class (six units commissioned between 2005 and 2016),¹¹⁷ this could not keep production economically viable for the *Nordseewerke*. In 2011, it ended submarine production in Emden after 72 years and switched to offshore wind-turbines.¹¹⁸ Thyssen-Krupp Marine Systems continues building submarines in Kiel. A new batch of six identical ‘*common design*’ German-Norwegian updated 212-class vessels is under construction (2 for Germany, 4 for Norway), in addition to a further recent €3 billion long-term contract for the three largest submarines ever built in Germany with the Israeli navy.¹¹⁹

Concerning Germany’s significant shipping economy, the ministry of transport, *Bundesministerium für Verkehr und digitale Infrastruktur* (BMVi), is the key player in regulation and represents Germany as a flag-state. Therefore, when it comes to shipping competence, its regulation and the responsibility for the German merchant shipping flag, this ministry has the lead.¹²⁰ Through the *Bundesamt für Seeschifffahrt und Hydrographie* (BSH), Germany’s maritime and shipping agency, it is the government’s maritime service provider, covering coastal- and flag-state obligations with regard to oceanographic research and data exchange, safety and security of navigation, as well as the issuing of nautical licenses and the certification of domestic nautical and maritime-related technical training according to international standards.¹²¹

The BMVi is also the official representative in international shipping fora and conferences on the law of the sea.¹²² Accordingly, through its domestic and international networks, as well as through its position in international maritime affairs, it provides valuable

¹¹⁵ See Bundesregierung (2020a), p. 27

¹¹⁶ See Neumann & Ruckert (1997), pp. 58-60

¹¹⁷ Bundeswehr (2022n)

¹¹⁸ See WELT (2011b)

¹¹⁹ See BMVg (2021a), pp. 89-90, NDR (2022)

¹²⁰ See Bundesministerium für Verkehr und digitale Infrastruktur (2021)

¹²¹ See Bundesministerium für Verkehr und digitale Infrastruktur (2020a)

¹²² See Bundesministerium für Verkehr und digitale Infrastruktur (2020b)

inputs at cabinet level. Concurrently, it supports maritime security by advocating for regulations internationally, while implementing them domestically. Furthermore, it can support abroad with sharing its competence in training and regulation as part of maritime capacity-building and development efforts.

The Legal Framework

Germany's constitution, the *Grundgesetz* and how it is interpreted by the *Bundesverfassungsgericht*, the constitutional court, is central to how the navy can be used. As will be discussed, the very first Bundeswehr deployments abroad faced legal scrutiny. In 1992, the deployment of a warship to the NATO-led UN-embargo operation in the Adriatic finally led to the resolution of the 'out-of-area'-debate by the judges of the *Bundesverfassungsgericht*. The successive court rulings in 1993 and 1994 not only directly affected the situation for the navy in the Adriatic – with more leeway to operate within an expanded mandate,¹²³ they also laid the foundation for the current parliamentary process of using the Bundeswehr as part of Germany's foreign policy.¹²⁴ Through the expansion of the Bundeswehr's employment, Germany, via NATO, was also introduced to the concept of ROEs – and equally the idea of 'national caveats' in them. This process began with *Südflanke* in the Persian Gulf in 1991 and the WEU/NATO operation in the Adriatic in 1992 (later *Sharp Guard*). The publication of the unprecedented '*Ständige Einsatzregeln Marine*'¹²⁵ (standing ROEs of the navy) in 2016, marks a further evolutionary step. Neither the airforce nor army have similar rules. These standing ROEs signify an acknowledgement that contrary to the other services, the navy is much more likely to encounter situations during routine transit and presence in international waters that may require a use of force beyond self-defence.

That legal adaptations take time and often depended on outside events, is further highlighted by the legal maritime dimension of Germany's 9/11 reaction. Firstly, this encompassed the substantial deployment of warships to the Horn of Africa to counter international terrorism – a task constitutionally not assigned to the military. Secondly, alongside a new law for air policing, it involved the preparation of a *Seesicherheitsgesetz* (maritime security law) to handle terrorist threats with military means in Germany's territorial

¹²³ Interview Karsten Schneider, 8th February 2021

¹²⁴ See the final ruling of three over two years, *Bundesverfassungsgericht* (1994), and the subsequent federal law on the parliamentary prerogative in military deployments abroad, *Bundesrepublik Deutschland* (2005)

¹²⁵ *Deutsche Marine* (2018)

waters.¹²⁶ As the *Bundesverfassungsgericht* declared the *Luftsicherheitsgesetz* for the airforce invalid, on the grounds of illegitimately permitting the killing of civilians aboard airliners used as ‘flying bombs’ in 9/11-style terrorist attacks, the *Seesicherheitsgesetz* was never even forwarded to be voted into law. Accordingly, the navy’s legal framework to act against a potential seaborne terrorist threat in proximity to Germany – or against any other criminal threat at sea – remains patchy.

UNCLOS, the foundation of international ocean governance has been ratified by Germany and thereby made effective within the framework of domestic law.¹²⁷ This in itself is not specific enough so as to directly constitute a legal foundation for enforcement powers of the navy. Rather than directly empowering warships for enforcement, Sax sees UNCLOS as empowering and calling upon signatory states to establish their jurisdiction and enable their vessels to act against threats such as piracy.¹²⁸ SUA and its 2005 protocol are also ratified by Germany.¹²⁹ With a comprehensive perspective on maritime crime, they form the cornerstone of modern maritime security law.¹³⁰ Nevertheless, as they call upon and require states to *amend* their domestic legal frameworks in order to be able to address maritime crime cooperatively,¹³¹ they do not *replace* them as a foundation for enforcement.

For Germany to contribute to ocean governance and maritime security with its navy, a number of specific political and legal conditions need to be met. There is no general domestic legal authorisation for the navy to act against criminal challenges to good order at sea.¹³² Beyond self-defence or the defence others during an ongoing attack, law enforcement action, such as pursuing, interdicting or arresting suspects is not permitted.¹³³ Apart from intervening in emergencies, only within the scope of a national political mandate, authorised by parliament and conducted within a multilateral framework based on collective defence can the navy be empowered to carry out constabulary roles.

¹²⁶ See the reply of the federal government on its intentions to develop a new legal framework for the use of the navy in fighting terrorism in, see the reply of the federal government on its intentions to develop a new legal framework for the use of the navy in fighting terrorism in, Bundesregierung (2005c)

¹²⁷ Bundesrepublik Deutschland (1994)

¹²⁸ See Sax (2018), pp. 284-89

¹²⁹ See IMO (2022a)

¹³⁰ See Haines (2021), p. 13

¹³¹ See SUA (1988); SUA (2005), Art. 5, 6, 7

¹³² See Sax (2018), pp. 387-8

¹³³ See Deutsche Marine (2018), 2 (201)

III. 3 The Navy

[P]oliticians will call on the military for advice and recommendations. In this, politicians must expect, that this advice respects a key principle of future German policy, in brief, the staunch renunciation of any kind of power politics, as well as new priorities in the federal budget, that ... take into account the changed security situation.

Vice Admiral “Jimmy” Mann, Chief of the German Navy, 1990¹³⁴

Politicians have recognised the value and relevance of the German Navy. After all we, the smallest of the services, provide more than 20% of all the service-members on deployment. I am therefore optimistic that in the long run we will be provided with the financial funds we need to successfully renew our navy in the coming years.

Vice Admiral Kay-Achim Schönbach, Chief of the Navy, 2021¹³⁵

Two chiefs of the navy, thirty-odd years apart, mark the change and challenges the navy has faced since the end of the Cold War. At the outset Admiral Mann prepared the navy for an expeditionary role in peacekeeping and crisis-response in a ‘*world in upheaval*’.¹³⁶ Admiral Schönbach, taking over the navy seven years after Russia had annexed Crimea and as China more and more openly challenged the Western-led status quo, made regaining lost proficiency in fighting strength, the ability to succeed in combat with great-power competitors his mission.¹³⁷ Demonstrating its utility to policymakers throughout the era had apparently worked well for the navy – measured in term of deployments and even a significantly reduced relative decline as compared to army and airforce.

Owing to limited resources, reduced defence expenditure, difficult procurement processes, readiness of forces (grounded helicopters, submarines unfit for deployment, postponed deliveries of new vessels) the navy has seen mounting problems over the last decades.¹³⁸ By December 2021, its latest batch of four frigates, Type-125 *Baden-Württemberg*, a total delivery delay of 70 months and cost overruns totalling €1.1 billion, compared to the €2.6 billion allocated for the project by parliament in 2007.¹³⁹

¹³⁴ Mann (1990), p. 2

¹³⁵ Schönbach, Kai-Achim (2021), p. 23

¹³⁶ As by the title of General Naumann’s contemporary book, Naumann (1994); Deutsche Marine (1991), pp. 3-4

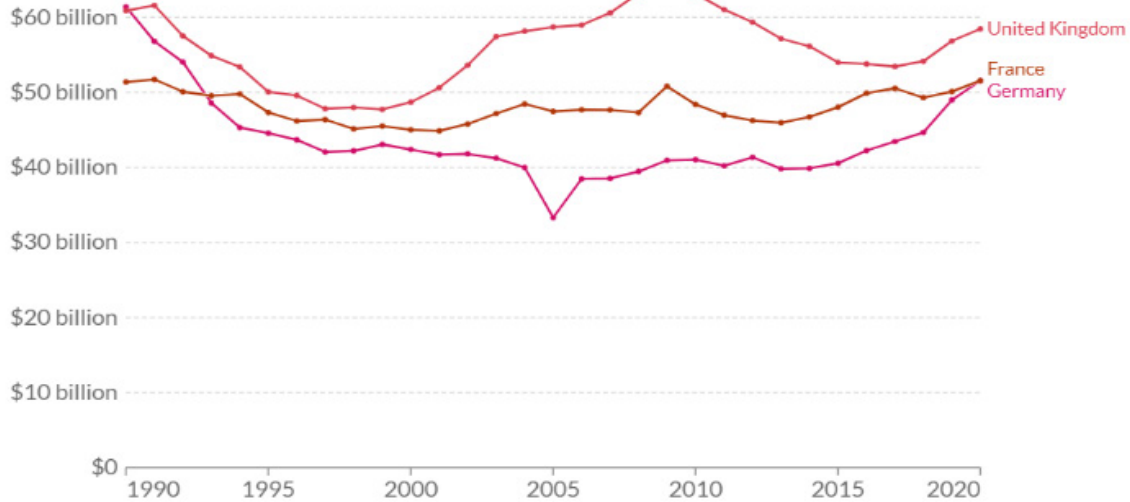
¹³⁷ Schönbach (2021), p. 8, p. 11, p. 15

¹³⁸ See Schönbach (2021), pp. 10-1; Wingrin (2015a); Kramper (2017)

¹³⁹ BMVg (2021), pp. 17-19

Military expenditure, 1990 to 2020

Military expenditure is measured in constant 2019 US\$. This data aims to include all spending on current military forces and activities.



Source: SIPRI Military Expenditure Database, Stockholm International Peace Research Institute (SIPRI)
OurWorldInData.org/military-spending • CC BY

Fig. 31, Military expenditure of Germany, France, UK compared from 1990 until 2020 (Source: Our World in Data)¹⁴⁰

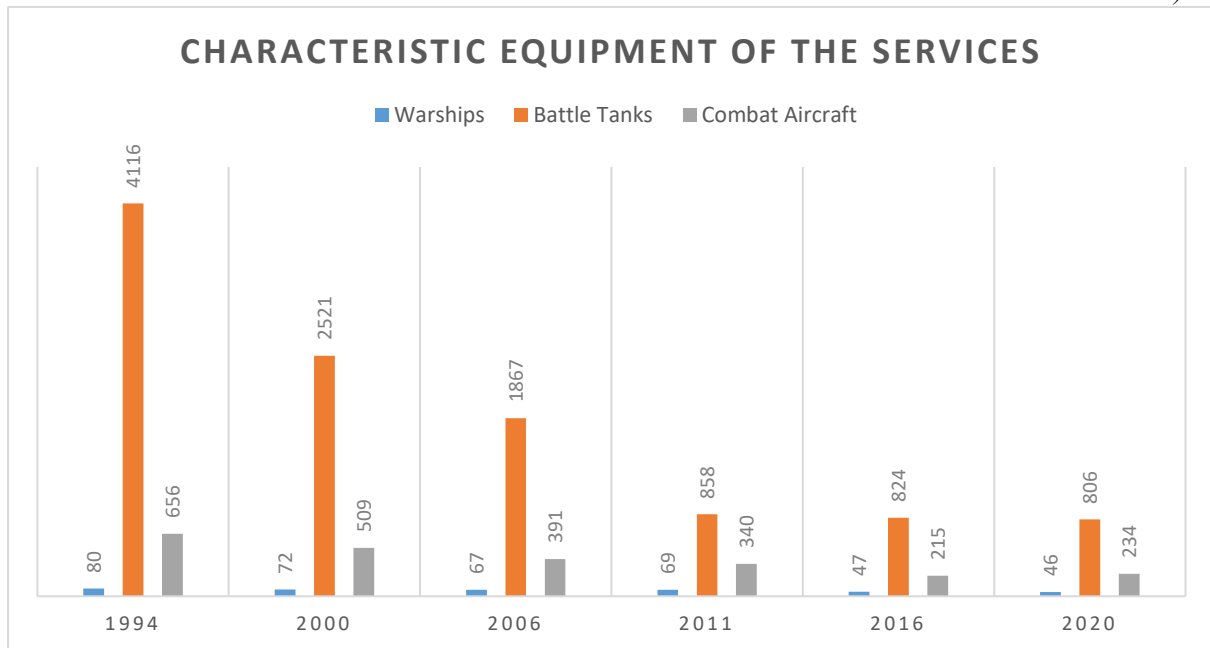


Fig. 32, Change in numbers of characteristic equipment of the three services compared over time (data: UNROCA; graphic: author)

¹⁴⁰ Roser et al. (2021)

The table shows that judging by reduction in characteristic equipment of the three services, army, airforce and navy, the latter suffered least from overall budget-cuts since 1990. To be sure, the data above is coarse. It does not take into account differences in capabilities of old and new weapon systems, and it also leaves open whether an army's strength is still accurately measured by counting its tanks.¹⁴¹ Furthermore, 'battle tanks' in the UNROCA statistic also include older *Leopard 1* models in support roles or storage. In December 2021, only 183 of the total 289 *Leopard 2*, were combat ready.¹⁴² Likewise, until June 2006, 'combat aircraft' contained a number of naval jets.¹⁴³ After giving up naval jet aviation, apart from the navy's 8 *P3C Orion* MPAs (2020), all 'combat aircraft' are airforce jets.¹⁴⁴ The fleet size – while not differentiating between larger or smaller vessels, reflects the navy's true count of 'flag poles'. Despite some ambiguity with numbers, the trend is clear: the army has no more than a fifth of its 1994 tanks, the airforce lost almost two thirds of its combat aircraft, while the navy still has more than half of its vessels. This relative increase in significance between the three services is also reflected by the increase of its share in personnel. In 1990, the navy mustered 6.7%,¹⁴⁵ in 2022, over 15% of the combined tri-service force-strength.¹⁴⁶ As stated by Admiral Schönbach, the navy, as the smallest service, also provides 20% of the Bundeswehr's personnel on deployments in 2021 (i.e. 27% in 2015).¹⁴⁷

The Forces and their Mission

At the height of the Cold War, Chancellor Brandt's 1970 *Weißbuch* defined the navy's mission exclusively within a NATO-context and narrow national defence. Its role focussed on defending allied coasts from Warsaw Pact navies and denying them access to the North Sea.¹⁴⁸ The mid-Cold-War-navy encompassed 35,800 personnel out of a Bundeswehr total of 455,000 (7,8%). This comprised 4,263 officers, 13,733 petty-officers, 18,411 ranks (army: 15,626 | 72,870 | 238,178), while 26% of the navy's personnel came from conscription (Bundeswehr overall 50.5%).¹⁴⁹

¹⁴¹ A question beyond the scope of this thesis.

¹⁴² Bundeswehr (2021a), p. 7

¹⁴³ 25 Tornados in 2005, see Flottenkommando (2005), 11-4, 11-5

¹⁴⁴ See UNROCA (2020)

¹⁴⁵ 25,000, BMVg (1994), p. 97

¹⁴⁶ February 2022: navy, 16,196; army: 62,766; airforce: 27,381; total Bundeswehr: 183,758 (remaining number serves i.e. in joint-support service, cyber-forces, medical branch or the ministry. These serve in army, airforce or navy uniform and are made up largely in proportion to the 'traditional' services' sizes), Bundeswehr (2022)

¹⁴⁷ See Marinekommando (2016), p. 190

¹⁴⁸ BMVg (1970), p. 18 I., Art. 22; p. 39, III., Art. 64

¹⁴⁹ BMVg (1970), p. 89

The German Navy in 1970

11 Destroyers	18 Riverine Minehunters
6 Frigates	24 Landing Craft
40 Fast Patrol Boats	1 Training Vessel <i>Deutschland</i>
11 Submarines	1 Sail-Training Vessel <i>Gorch Fock</i>
30 Fast Minehunters	40 Tenders, Supply Vessels, Transport
24 Coastal Minehunters	20 Surveillance Aircraft (Bréguet Atlantic)
103 Jet Fighter Aircraft-(F104)	40 Airplanes for liaison purposes (various types)
23 Helicopter S-58 (SAR)	5 "Flying Boats" (Albatros, SAR)

Fig. 33, (data: Weißbuch 1970, graphic: author)¹⁵⁰

Post-Cold War changes impacted the navy's mission and force-structure. By 1992, international crisis response and peacekeeping entered official strategy and the mission of the Bundeswehr.¹⁵¹ This grew in importance, effectively displacing national defence and deterrence in priority by the early 2000s.¹⁵² It took until Russia's annexation of Crimea in 2014, before Germany re-prioritised warfighting skills, while at the same time not dropping international responsibilities.¹⁵³ In parallel to the navy's contribution to overall national strategy, the sea, maritime security and ocean governance gained in importance in Germany throughout the period.¹⁵⁴ This added a growing layer of responsibilities to the navy that fall under the purview of providing good order at sea in pursuit of a comprehensive view of maritime security.

¹⁵⁰ BMVg (1970), p. 140

¹⁵¹ See BMVg (1992), 8 [2]

¹⁵² See BMVg (2003), defence minister Struck's introduction

¹⁵³ See BMVg (2016), pp. 31-2

¹⁵⁴ See Bundesregierung (2008); Bundesregierung (2017)

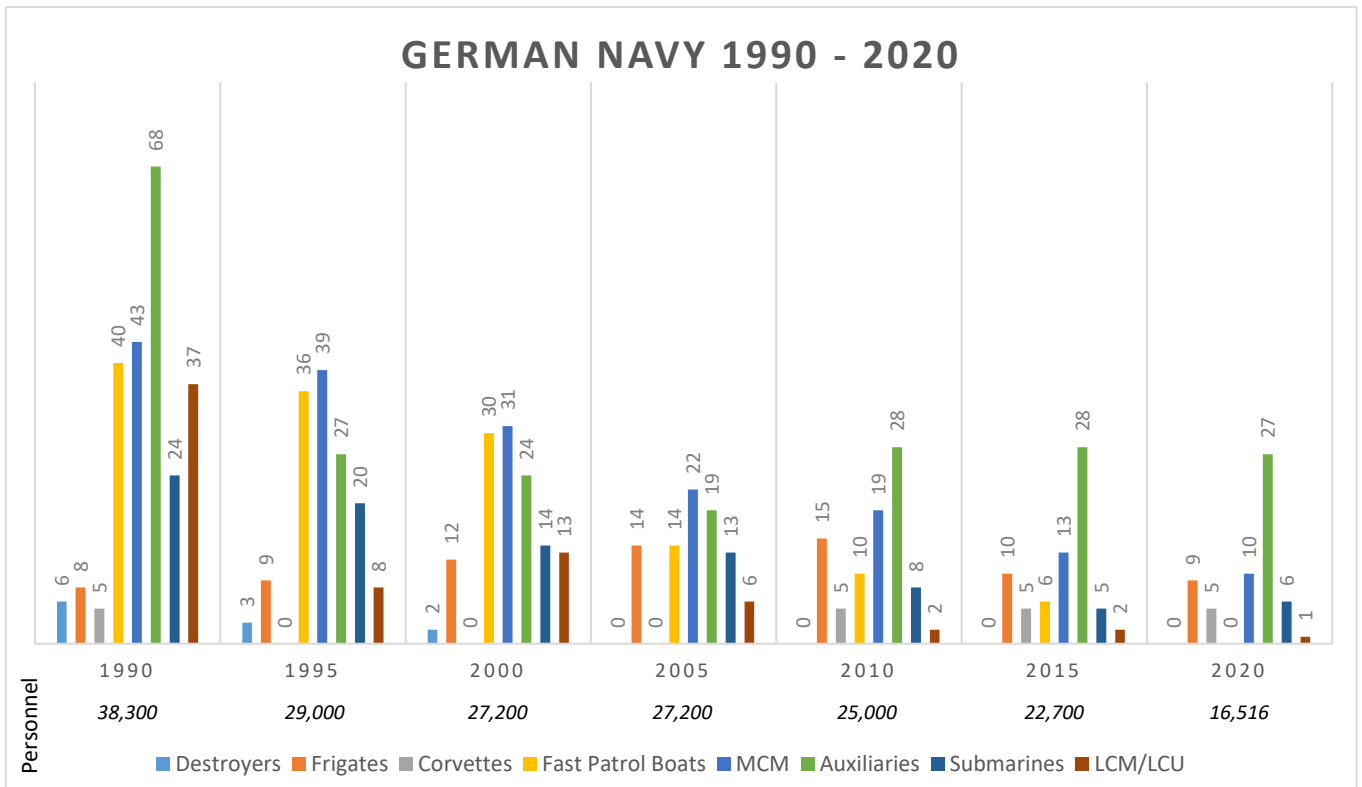


Fig. 34, Changing force of the German navy, 1990 – 2020 (data: Jane's Fighting Ships; graphic: author)

While it is obvious from the above that the navy numerically shrank after 1990, it also changed in structure and capabilities. Destroyers disappeared only by name, as the three 1960s American-built *Lütjens*-class destroyers were replaced and exceeded in capabilities by three Type-124 *Sachsen*-class air-defence frigates in the early 2000s.¹⁵⁵ These needed only a crew of 232 instead of 337, embarked two helicopters and were bigger than the old destroyers, displacing 5,800t rather than 4,500t.¹⁵⁶ Fast patrol boats, once a specialty of the navy and key to its Cold War role in the Baltic Sea, were substantially reduced and finally decommissioned in 2016. Displacing between 265t (1970s *Tiger* class, crew 30) and 391t (1980s *Gepard*-class, crew 34), they came to be finally replaced by a new generation of corvettes, the 1,800t *Braunschweig*-class (crew 61) in the late 2000s.¹⁵⁷ Four Type-123 frigates (crew 214, 4,900t, mid-1990s) and three large globally deployable military-crewed combat supply vessels of the *Berlin*-class (crew 161/167, 20,200/20,900t, 2000/2001/2013) joined the fleet.¹⁵⁸ The latest Type-125 frigates, while delayed in delivery, effectively replace eight 1980s Type-122 frigates

¹⁵⁵ Bundeswehr (2022e)

¹⁵⁶ On the *Lütjens*-class see Sharpe (1990), p. 221

¹⁵⁷ Sharpe (1990), p. 225; Bundeswehr (2022h)

¹⁵⁸ Bundeswehr (2021c); Bundeswehr (2021b)

of 3,800t with four of 7,200t, while at the same time only needing a crew of 126 instead of 225.¹⁵⁹

As substantial change in the displacement of individual vessels came with greater seaworthiness, endurance and capabilities, the navy has gained utility for long-range missions since 1990. Equally, while its personnel shrank from 38,300 to 16,516 during the same period, ships are also able to achieve more with less crew as compared to thirty years ago. This trend continues with the four and potentially six type-126 frigates, contracts signed and at the planning stage.¹⁶⁰ Designated as *frigates*, they are to displace 10,000t – more than a US *Ticonderoga*-class *cruiser*, operate with a crew of 114 and focus on high-end warfighting capabilities across the board of anti-air, anti-surface, anti-submarine and shore-targeting.¹⁶¹

After the discontinuation of conscription in 2011, the navy – more so than the wider Bundeswehr – struggled with recruiting.¹⁶² The 1970s figures above show that conscripts never made up a high proportion of the naval crews. Still, they were essential. Before 2011, over 40% of volunteers in the Bundeswehr were conscripts who signed on.¹⁶³ By 2012, the navy had a shortage of 22% in petty officers and up to 44% of enlisted ranks in technical specialisations.¹⁶⁴ These vacancies and the need to shift personnel among ships to fill gaps, also led to the early decommissioning of the Type 122 frigates in 2012 and following years to free up crews for other units.¹⁶⁵ In 2021, 16,400 active personnel served in the navy. The total number of personnel in naval uniform within the Bundeswehr was 24,436, of whom 3,468 were women (14.2%), 5,524 officers (22.6%), 1,220 officer candidates (5%), 12,840 petty officers (52.5%) and 4,879 enlisted men (19.9%). It is noteworthy that the already existing high level of specialisation and qualification in the 1970s navy became even more pronounced. Commanding more than 19,000 more personnel than the 2021-navy, the Cold War navy had 1,200 officers *less* and only 1,000 petty officers more.¹⁶⁶ By comparison, the Imperial German Navy the world's second ranking navy at the outbreak of the First World War in 1914, commanded roughly 80,000 men with 6,795 officers.¹⁶⁷

¹⁵⁹ Sharpe (1990), p. 223; Bundeswehr (2022d)

¹⁶⁰ January 2022

¹⁶¹ Bundeswehr (2022b); BMVg (2021), pp. 96-7

¹⁶² See Bundeswehr (2022)

¹⁶³ BMVg (2006), p. 144

¹⁶⁴ See Bundestag (2012), p. 16

¹⁶⁵ See Bundestag (2012), p. 16; Presse- und Informationszentrum Marine (2011)

¹⁶⁶ BMVg (1970), p. 89

¹⁶⁷ See Herwig (2014), p. 187

Running cost and budget of the navy, as distinct from the overall defence budget are hard to determine – and given the much greater degree of interoperability of systems and of diversified and shared areas of responsibility, it is questionable how much budgetary figures by themselves would help in assessing the navy’s situation. The overall defence budget, as shown in Fig. 31, has shrunk between 1990 and 2005, but has slowly risen since. At the same time, the navy suffered far less under the peace-dividend than army or airforce, while its capabilities – despite reduced vessel-numbers – have actually increased since 1990. Certainly, the navy has had at times severe problems with the serviceability of its available ships, but once maintenance, as well as procurement delays are remedied – in themselves symptoms of the budgetary constraints of the past decades – the navy today has a less numerous but more capable and globally deployable fleet at its disposal than it did thirty years ago.

III. 4 Evolving German Strategy and the Navy

As the effect of Admiral Mann’s 1991 plans for the future fleet in 2005 illustrates (see Fig. 35),¹⁶⁸ the navy had substantial influence on its foreign policy utility.¹⁶⁹ It has a large stake in shaping the *means* – how politically assigned budget translates into a force of ships and aircraft, the crews, their training and equipment. The navy also influences the *ways* in which it is being deployed in terms of formulating drafts of mandates for political decisionmakers in addition to being consulted in determining their practical application in ROEs.¹⁷⁰ This active role of the navy is further embodied in the Bundeswehr’s style of operational command – with a comparatively large degree of autonomy for on-scene decision-making.¹⁷¹ While its budget and the political aims of its mission and deployments are probably the areas of least naval influence, professional expertise – in the best of circumstances – has a part in advising on what is realistically possible as compared to what is ideally desirable, highlighting opportunities and risks, as well as preparing contingency plans.

¹⁶⁸ Deutsche Marine (1991)

¹⁶⁹ On navies in general, see Till (2020), p. 24; on Germany, see Mann (1990) , p. 2

¹⁷⁰ See Hayes (1989), summary, v

¹⁷¹ See Schönbach (2021), pp. 20-2

Fig. 35, Comparing the Navy's 1991 plans for the 2005-Fleet with Reality¹⁷²

Unit type	2005 Fleet (planned 1991)	2005 Fleet (real)	Difference/ within low/upper end of planned amount
Frigates	16-20	14	-2
Patrol Vessels	20-30	18	-2
Minesweepers	20-30	22	<i>low</i>
Submarines	10-14	11	<i>low</i>
Auxiliaries	15-17	24	+7
Helicopters	38-42	43	+1
<i>Tornado</i> Jets	60-65	25	-35
MPAs	12-14	12	<i>low</i>

The plan's devised by Admiral Mann's small informal circle of senior naval officers from 1991 were remarkably close to the fleet in existence after fourteen years.¹⁷³ Still, some striking downward differences between plan and reality also underscore that defence-budget reductions went ever further than anticipated. Throughout the 1990s, budgets were annually cut further than previously announced, making long-term financial planning for the Bundeswehr very difficult.¹⁷⁴ As much as Admiral Mann had been criticised by many fellow officers for too readily giving up 40-60% of the Cold War strength, the navy's plans were obviously farsighted at the end of the Cold War.¹⁷⁵ By emphasising its utility for the anticipated new foreign policy, the navy may have itself contributed in no small share to how well it weathered the peace-dividend as compared to army and airforce.

Among the services, the navy was first to translate the anticipated post-Cold War shift in German foreign policy into a future force structure and concept of operations.¹⁷⁶ This was despite the fact that over 35 years of its history, from 1955 until 1990, the navy's political utility was relatively one-dimensional. It never had to 'do' anything but deterrence. Nonetheless, from the outset, it was an instrument of policy. It was acquired – like the entire Bundeswehr – as a 'ticket' to enter the Western alliance, while it trained to fight, to send a political message to the Soviet Union.¹⁷⁷

¹⁷² Deutsche Marine (1991), p.14; Flottenkommando (2005), 11-5

¹⁷³ Ostermann (2018)

¹⁷⁴ Interviews Klaus Naumann, 9th August 2019; Axel Schimpf, 17th June 2019

¹⁷⁵ Deutsche Marine (1991), p. 14; see Ostermann (2018)

¹⁷⁶ Interview Klaus Naumann, 9th August 2019

¹⁷⁷ See Krause von (2013), p. 43

Crisis-response or the provision of good order at sea, missions principal allies expected of their navies, were never part the Cold-War naval remit. While its peacetime role never extended much beyond exercising warfare-skills with its NATO partners, it also contributed to cooperation, reassurance and alliance cohesion during the Cold War. War-time plans also encompassed the protection of allied shipping and therefore it maintained a link with Germany's merchant shipping community, especially through its network of reserve officers among it.¹⁷⁸

For the navy, the post-Cold War shift in foreign policy towards a more active role of the military brought with it substantial problems, but also a strategic opportunities. On the one hand, with the former Eastern-Bloc threat removed from the Baltic and North Sea, a political reluctance to commit to expeditionary military commitments would have meant only very limited immediate utility for the navy in foreign policy. On the other, as will be discussed in the course of this thesis, 'out-of-area-missions', essentially meant doing jobs the navy had never done before, with equipment, structures and training not intended or necessarily fit for it either. Already pointed out by Mahan as a condition facilitating '*unity of aim directed upon the sea*', a lack of enemies along Germany's land-borders had the potential to free up intellectual as well as material resources to invest towards a global, much more maritime role.¹⁷⁹

Shrewd opponents of the use of armed forces abroad were especially wary of the navy and its value for conducting and enabling expeditionary operations. Hans Eichel, the finance minister who suggested disbanding the navy altogether in the late 1990s, attributed Helmut Schmidt with having argued along these lines when advising to keep naval capabilities limited after the Cold War.¹⁸⁰ As a further indicator of this awareness, a 2012-study of the left-wing Rosa-Luxemburg-Stiftung which rejected the legitimacy and utility of the Bundeswehr's deployments, also mentions the word '*Marine*' (navy; 47 times), almost twice as often as '*Heer*' (army; 25 times) and more than three times more frequently than the word '*Luftwaffe*' (airforce; 14 times).¹⁸¹

Against this backdrop, the navy struggled to formulate its own strategy over the past thirty years. There have at least been three attempts for published strategies under the tutelage

¹⁷⁸ See BMVg (1985), pp. 213-5

¹⁷⁹ Mahan quoted by Gray, Gray (1994), p. 40; for an example of this effect on 17th century Dutch seapower, see Lambert (2018), pp. 196-8

¹⁸⁰ As related by Eichel, interview Hans Eichel, 3rd December 2020

¹⁸¹ Brehm et al. (2012)

of successive Chiefs of the Navy. Admiral Mann's ZVM from 1991,¹⁸² Admiral Nolting's aborted update in 2005,¹⁸³ which partially found its way into the 2006 defence white-paper, and Admiral Krause's latest 2015-attempt which also got subsumed into the 2016 white-paper.¹⁸⁴ In these, and other positions Chiefs of the Navy have taken, a strategic naval self-image emerges. On the one hand it is very much in line with what one would expect from a NATO navy in the post-Cold War era. On the other hand, it also shows some German peculiarities: Mann's emphasis on peacekeeping and crisis-response paired with acknowledging fiscal constraints and the political reluctance to resort to coercive power politics,¹⁸⁵ Nolting's building on demonstrated utility in deployments to embed the most comprehensive acknowledgement of the navy's value in any government strategy yet in the *Weißbuch 2006*,¹⁸⁶ Krause's directness in stating German 'maritime interests' in addition to pinpointing them to the Indian Ocean – a region as 'out-of-area' as it could have possibly been just fifteen years earlier, and – most recently – Schönbach's emphasis on re-prioritising warfighting skills in the light of geopolitical rivalry with Russia and China.¹⁸⁷

From 1990 onwards, as Germany's citizens and politicians struggled with the use of force in a more active international role, the navy was also torn between different internal mindsets. These mindsets might even tentatively be connected with specific specialisations in the navy. While, for example, the fast patrol boats, mine-hunters and submarines were more likely to remain closer to familiar waters in the Baltic Sea, exercising traditional military scenarios, larger vessels such as destroyers (until 2003), frigates and supply-vessels were more likely to see the novel type of crisis-response deployments in the Mediterranean and further afield after the Cold War. Still, as early as 1991, mine-hunters were sent to the Persian Gulf in the wake of the Gulf War, while submarines were soon to be found in the Mediterranean to support missions with their reconnaissance capabilities and fast patrol boats were seen at the Horn of Africa, the Gibraltar Strait and the Eastern Mediterranean.¹⁸⁸ Therefore, under the overall policy of having to cover crisis response as much as more traditional national

¹⁸² Deutsche Marine (1991)

¹⁸³ Interview Karsten Schneider, 8th February 2021

¹⁸⁴ Bruns (2020), pp. 129-30

¹⁸⁵ Deutsche Marine (1991)

¹⁸⁶ BMVg (2006), pp. 131-3

¹⁸⁷ Krause (2016); Schönbach (2021)

¹⁸⁸ See Brake & Walle (2016), pp. 94-5

defence,¹⁸⁹ warfighting and constabulary roles, the navy has continuously struggled to situate itself within a spectrum of sorts between at least four different poles.

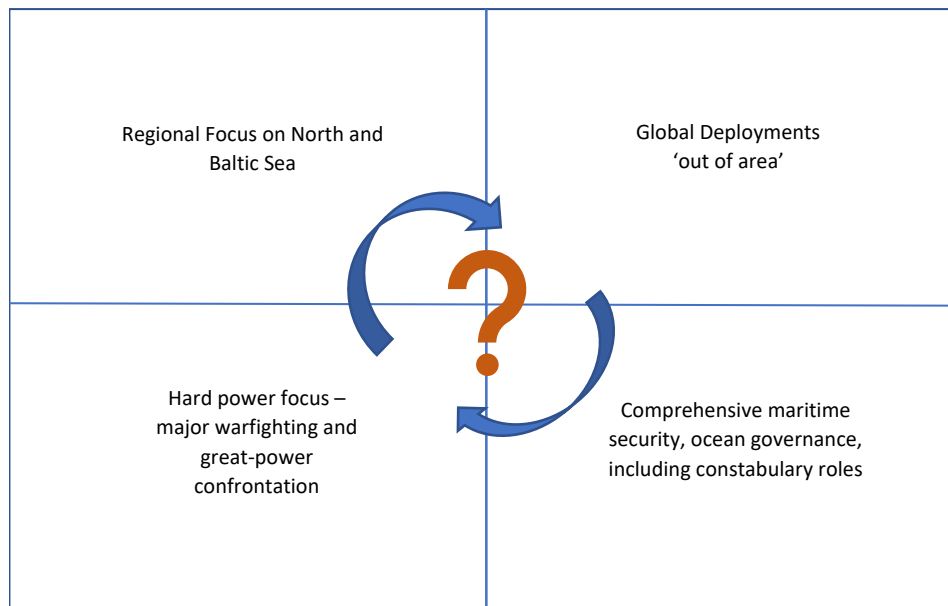


Fig. 36, *Spectrum of thought on the navy's role in Germany* (author)

In coping with its new role, the navy faced its own internal structural challenges. In addition to having to meet new missions with old Cold-War-equipment, a new mind-set was needed within and outside of the military. Not only was the navy's one more '*creaking* (Western naval) *acquisition system*' struggling to meet the new challenges,¹⁹⁰ it also rapidly lost the capability to do so in an efficient way as the Bundeswehr shrank. Acquisition and maintenance was both centralised and out-sourced, a combination which far removed responsibility for equipment from those that planned operations or were tasked to carry them out.¹⁹¹ This process likely both adversely affected the military's own capability for holistic strategic thinking as well as in turn required this capability's comprehensive diffusion in a much broader group of decision-makers and – preferably – the general population.¹⁹²

Part of this dilemma is a typical small-navy problem: the smaller a navy gets, the greater the difficulties it faces in terms of mustering the necessary intellectual 'firepower'. This applies internally as well as in its capability to influence the domestic political debate on its underlying

¹⁸⁹ VPR 1992, onwards, BMVg (1992), 8. 1), 2)

¹⁹⁰ Till (2020), p. 19

¹⁹¹ See Bartels & Glatz (2020), p. 3, p. 8

¹⁹² See Bartels & Glatz (2020), p. 4

strategy – including its size. While this correlation might at all times lead to a vicious cycle of lost capabilities to act and think strategically, countries with small navies may even be more prone to ‘sea blindness’ than other countries.¹⁹³ Concerning Germany, this is by no means a new phenomenon. Starting from a point of virtually non-existent national maritime awareness before 1848,¹⁹⁴ naval officers from Tirpitz (*Kaiserliche Marine*) via Raeder (*Reichs- and Kriegsmarine*) to Ruge and the other founders of the post-war German Navy, had to struggle more or less successfully for the attention of their political masters.¹⁹⁵ Their capability to do so depended on their own experience as much as that which had been accumulated in theories and institutional history they could draw on.¹⁹⁶ Small(er) size, curtailed networks to other navies and their experiences, lack of own experience afloat, during exercises or on deployments, reduces a navy’s attractiveness as an employer and capability for strategic thought.¹⁹⁷ All this reduces its power to influence the domestic political debate.

What Rüge called a ‘*Revolution im Denken*’ (revolution of the minds),¹⁹⁸ with regard to the new Federal Republic’s global role and so-called ‘out-of-area’-deployments, had immediate relevance for the strategic role of the navy. In line with a traditional land-centred strategic perspective,¹⁹⁹ the first post-Cold War VPR still outsourced the protection of maritime global interests to seapower-allies.²⁰⁰ Until well into the 1990s, the relevant elites predominantly saw one of Germany’s major contributions to NATO-defence in providing a strong army- and land-centred military deterrent in Europe.²⁰¹ This, in continuation of Germany’s Cold-War strategic self-image, was supposed to enable its allies to focus on global challenges. This position came increasingly under fire from allies that did not want to bear the brunt of the international peacekeeping burden alone.

As pressing as the challenge to adapt to a new way of thinking was for all involved, including politicians and service-members in the army and airforce, the navy was furthest in accepting global responsibility as the logical consequence of global interests and trans-national

¹⁹³ Nielsen (2020)

¹⁹⁴ Salewski (1999), p. 204

¹⁹⁵ See Rahn (1999), p. 77

¹⁹⁶ Salewski quotes Tirpitz’ experience aboard one of the few distant expeditions of his time, the Prussian ‘Japan Squadron’, Salewski (1999), p. 210; and Rahn mentioned Raeder’s experience during the war, as well as his studies in the naval archives in the inter-war years, Rahn (1999), p. 70

¹⁹⁷ See the Royal Dutch Navy’s recent ‘warning cry’, Bredick (2021)

¹⁹⁸ Rüge (1996)

¹⁹⁹ Feldt et al. (2013)

²⁰⁰ BMVg (1992), Art. 8 (3)

²⁰¹ Rüge (1996)

challenges in the post-Cold War era.²⁰² After all, while the airforce had severe trouble coming to terms with ‘out-of-area’ responsibilities in the 1990s, with resignations and refusals to carry out orders in the case of a mere precautionary deployment to Turkey during the 1991 Gulf War (in case Saddam’s forces might have attacked the NATO ally),²⁰³ the navy gave a display of smartly carrying out its duty in the Mediterranean in the first stage,²⁰⁴ and with the successful mine-clearing operations in the Persian Gulf after the war.²⁰⁵ Admiral Braun, commander of the fleet in 1991, expressed his anger at the ‘out-of-area’ debate, claiming that NATO had never defined an exclusive area for its operations, and that experienced sea powers like the USA, Britain or France would never have committed such a grave mistake.²⁰⁶ Given a more widespread awareness within the navy about the global nature of vital maritime interests, this is not surprising. From this perspective, the navy’s greatest challenge lay – and likely still remains – in convincing its political masters of the utility of seapower, including securing the funding it needs.

Until 1990, from a German point of view, preparing for great-power confrontation and not global power projection or the provision of good order at sea was seen as the primary mission of Western seapower.²⁰⁷ The Cold War navy’s almost exclusive political function was deterrence grounded in major warfighting capabilities to counter Soviet imperialism at sea.²⁰⁸ This was affected little by its history. After all, the reason why the still-revered Prince Adalbert – his ‘*Marine-Befehl No. 1*’ (naval order) on naval discipline is still being circulated among officers, while his bust and statue are among the few to have remained in the contemporary German naval academy – built up the Prussian navy beyond mere coastal protection in the 1850s, was to demonstrate sovereignty in seeking revenge for past offenses by pirates off the North African coast.²⁰⁹ Similarly, the *Kaiserliche Marine* was central to constructing the overseas empire, which mainly involved carrying out constabulary missions. It conducted counter-piracy missions in Asia and counter-slavery ones off East Africa.²¹⁰ While ‘showing the flag’ in a benign way in friendly port-visits even further afield has always been a routine

²⁰² See Deutsche Marine (1991), pp. 3-4

²⁰³ Krause von (2013), p. 237

²⁰⁴ Schneider describes the ‘surprised impression’, the disciplined sailors gave the then-minister of defence Stoltenberg upon his visit of the squadron in the Mediterranean, just after he had been to the airforce’s detachment in Turkey. Interview Karsten Schneider, 8th February 2021

²⁰⁵ Braun (2013), p. 397; Toyka (2017), p. 182

²⁰⁶ Braun (2013), p. 398

²⁰⁷ See Ruge (1962), p. 16

²⁰⁸ Wegener, E. (1972), p. 127

²⁰⁹ See Felkel (2014), p. 332

²¹⁰ See Roehr (1963), pp. 46-7; p. 57-8

affair, the Cold War navy's exclusive focus was on great-power competition and preparing for major war at sea, with no love lost or much thought expended for the constabulary part of naval duties.

In engaging with and contributing to post-Cold War German foreign policy, the navy could draw on its critical reflection of previous German navies and the interconnectedness with the international debate on sea power.²¹¹ The founding fathers of today's navy had grown up in the *Kaiserliche Marine* which had been the second-ranking navy in the world, with a significant role in foreign policy at the time.²¹² While breaking with imperialist and national socialist past, earlier German navies' broader outlook and related debate on the strategic value of naval forces still offered important inspiration on navies beyond warfighting and deterrence.²¹³ Drawing on his own experience of three previous navies, Admiral Ruge made sure that the post-1945 navy embedded in NATO was to be an ocean-going navy with a global perspective and not just a coastal-defence force.²¹⁴

The complete integration in NATO, training and exercising together, also meant that Germany constantly partook in the experience of its more comprehensively employed colleagues from the US, French and UK navies.²¹⁵ Furthermore, naval officers and experts have been in constant exchange and engagement with their allied colleagues and their discussions,²¹⁶ and contemporary German naval intellectuals' takes on the relationship between naval strategy, grand strategy and the role of the navy in foreign policy do not differ substantially from English- or French-speaking authors.²¹⁷ Accordingly, as expressed in its latest published self-image, the '*Kompass Marine*', the navy embraces a very comprehensive view of maritime security and the need for ocean governance, alongside an emphasis on high-intensity warfighting capabilities at the side of its NATO and EU partners.²¹⁸

²¹¹ See the vita and works of its first Chief of the Navy, Ruge (1955); Ruge (1962); Ruge (1968); Ruge (1979)

²¹² See the Imperial Navy's counter-slavery operations off East Africa in the late 19th century, Ruge (1979), p. 14

²¹³ See Salewski (2005), p. 16; BMVg (1970), III.

²¹⁴ See Ruge (1955), p. 68; Schulze-Wegener & Walle (2005), pp. 30-1

²¹⁵ i.e. through FOST, interview Gottfried Hoch, 24th April 2019; Interview Jens Schaadt, 2nd September 2019; see Benke (1995), pp. 658-9

²¹⁶ As is apparent by relevant publications in German and with German authors in them, i.e. Bruns & Papadopoulos (2020); Duppler (1999); Jopp (2014); Krause, Joachim & Bruns, Sebastian (2016); Mahnke (1974)

²¹⁷ For such a contemporary German view, see Duppler (1999), p. 17, for an Anglo-Saxon one, see Murphy, Martin N. (2020), p. 84, for a French point of view, see Coutau-Bégarie (2007), p. 67-8

²¹⁸ See Marinekommando (2020)

IV. Phase 1: First Steps in International Crisis-Response

IV. 1 Introduction

Despite their lasting significance, little attention has been paid by scholars to the navy's missions in the first decade after 1990. *Südflanke* (1991), *Sharp Guard* (1992-1996) and *Southern Cross* (1994) had lasting consequences for the navy's role in foreign policy, led to substantial changes in the perception of its utility and influenced its practical value. Several authors have dealt with German foreign policy in the 1990s – including identifying 'out-of-area'-deployments of the Bundeswehr as one of its key novelties,¹ but have not considered the navy. Other works covered the 'utility of force', 'new wars', peacekeeping or i.e. specific UN missions of the 1990s,² but also have not addressed the significance of seapower and navies. With only few notable exceptions,³ existing literature on foreign policy neglects the unique value, navies can have in a globalised age that existentially depends on maritime trade and has to address fragile statehood and multiple violent crises on a global scale. In an increasingly interconnected world, crisis in any state or region may have direct consequences on German and European security— regardless how distant it may seem.⁴ The requirement for global reach, combined with limited resources and risk aversion established a unique utility to naval force for creating '*a conceptual space for diplomacy, economic incentives, political pressure and other measures to create a desired political outcome of stability, and if possible democracy.*'⁵ While some operational accounts exist of the German navy's missions,⁶ there has been no wider assessment or attempt to link them into national strategy and foreign policy.

While the navy had never been at the centre of attention during the Cold War, its value for reunified Germany's new foreign policy was soon recognised by its political masters. Within only four years the navy had transformed beyond recognition and its tasks and geographical employment had evolved substantially. As Germany shifted from a continental and regional, to a more maritime and global role, so did the navy. The process of increased recognition of the navy's utility for Germany's post-Cold War foreign policy can be inferred

¹ See Eberwein & Kaiser (1998a), introduction; Bierling (2014), pp. 29-34; Thoß (1995), introduction); Krause von (2013), p. 167

² See Smith (2006); Kaldor (2012); Münkler (2002); on Somalia, see Hirsch, John L. & Oakley, Robert B. (1995)

³ See Wirtz & Larsen (2009); Grove, Eric & Graham, Alastair (2014)

⁴ Münkler (2002), p. 227

⁵ Smith (2006), p. 270

⁶ See Chiari & Pahl (2010); Hess et al. (2005); Rahn (2005)

from the Kohl government's strategic documents. The 1985 *Weißbuch* exclusively focusses the navy on the North and Baltic Sea,⁷ while the VPR 1992 describe Germany as a continental power whose global interests would have to be secured by its sea power allies.⁸ The *Weißbuch* 1994 then outlined the navy's unique value for Germany's by-now geographically unrestricted commitment to protecting her interests and contributing to international military crisis-response and peacekeeping.⁹

The navy's initially difficult position is illustrated by the fact that when Chancellor Kohl agreed the Bundeswehr's post-Cold War strength with the Soviet Union he forgot about the navy.¹⁰ Rather than the 395,000 force level that had been agreed upon behind the scenes Kohl returned with a figure of 370,000 – omitting the navy's 25,000 personnel. With the Chancellor brushing aside any treaty revisions it was left to the military to sort out the issue. Instead of being added to the 370,000, the navy's personnel had to be generated out of numbers originally planned for the army and airforce.¹¹ However, the move from entirely forgetting about the navy to relying on it for international crisis-response missions, would only be a small step for the government. As will be discussed, just over a year after the Berlin Wall fell minehunters were disarming lethal remnants of the war in the Persian Gulf. Only two years later, German naval officers were boarding cargo ships in the Adriatic, to uphold a UN weapons embargo, while just another year later a rapidly assembled task force of four ships headed well 'out-of-area' from their familiar waters to evacuate over a thousand German peacekeepers from Somalia. Transitioning from preparing for operations in the North and Baltic Seas as part of deterring a major war¹² to crisis response in a so-called 'world in upheaval',¹³ the navy swiftly had to change its mindset, repurpose its equipment, operational procedures and learn many new skills it had never even thought it needed since its inception in 1958.

Reunified Germany possessed the world's third largest economy behind the US and Japan in the early 1990s and benefitted from the international order its allies sustained.¹⁴ When Iraq invaded Kuwait on 2nd August 1990 Germany found itself in an uncomfortable position. It naturally condemned the war, but Iraq also was an important trade-partner to the tune of DM

⁷ BMVg (1985), p. 216

⁸ BMVg (1992), Art. 8 3)

⁹ BMVg (1994), p. 43; pp. 120-1

¹⁰ See Schönbohm (1995), pp. 408-9

¹¹ According to Klaus Naumann, interview, 9th August 2019

¹² See Wegener (1972), p. 127

¹³ See the German title of *Generalinspekteur* Naumann's contemporary book, Naumann (1994)

¹⁴ Data World Bank and IMF, World Bank (2022a); IMF (2021)

2.5bn annually, roughly 0,4% of total German exports – exports which embarrassingly also may have included nuclear technology and missile components.¹⁵ In addition to being dependent on the stability of a functioning global economy, Germany’s economic power came with the expectancy and ambition to assume more international responsibility. Internationally and domestically it was felt that Germany was now too powerful and significant within the Western alliance to stand aside in international crisis response. Consequently the domestic challenges of reunification, reservations about constitutional limitations and pacifist sentiments collided with international calls for greater global involvement and military burden-sharing. When in 1990, the UN’s calls for help generated almost a million international troops to repel Saddam’s aggression,¹⁶ Germany saw massive domestic protests against the war.¹⁷ Concurrently, many politicians believed the *Grundgesetz* forbade using the Bundeswehr beyond defending NATO’s territory in Europe.¹⁸ A view that remained influential until the 1994 landmark constitutional court ruling which then paved the way for deployments beyond Germany’s and NATO’s self-defence.¹⁹ Clearly, the old paradigm of Cold-War Superpower confrontation no longer applied and Germany had lost its ‘frontline’ status that had helped to fend off demands for commitments further afield.²⁰

In several ways, the navy helped to minimise risks to German foreign policy – most of all by successfully evacuating the army’s peacekeepers from the failed UNOSOM II mission in 1994 from Somalia. Especially this mission influenced the way the Bundeswehr and the navy is employed to this day. The process of getting Germany used to out-of-area missions was neither smooth nor linear, as foreign minister Klaus Kinkel and his FDP demonstrated – the junior-partner in the ruling coalition joined legal constitutional complaints of the opposition (SPD). The move ultimately resulted in the 1994 constitutional court-ruling and the subsequently passed law on the parliamentary prerogative, which has since formed the legal foundation for deployments of the Bundeswehr.²¹

This chapter aims to close the gap in existing literature though examining the navy’s early missions in the 1990s. Beginning with the political context, it examines *Südflanke*, *Sharp*

¹⁵ See data on exports in 1991 and cabinet minutes from 9th August 1990, Bundesregierung (1990); and Hippler, Jochen (1991)

¹⁶ See Annan (2012), p. 34

¹⁷ Krause von (2013), p. 230

¹⁸ See Hippler (1988)

¹⁹ Bundesverfassungsgericht (1994); Hippler (1988)

²⁰ See Dalgaard-Nielsen (2006), p. 39

²¹ Bundesrepublik Deutschland (2005); Bundesverfassungsgericht (1994)

Guard and *Southern Cross*. It concludes with an evaluation that draws on the concepts laid out in Chapter II. *Southern Cross* was in several ways emblematic for the period. First, it took place in a part of the world which hitherto had clearly been ‘out-of-area’. Second, it united a traditional naval function – but novel to the German navy, a support role for troops ashore with characteristics of Germany’s new foreign policy approach. Third, the political processes involved was exemplary of the features that can be traced throughout other missions and related domestic debates: a) the use of the military in Germany’s foreign policy was hotly contested, b) justifications for it centred on interests, values and the responsibility of Germany, including historical guilt and indebtedness, c) a pronounced adversity concerning political risks, physical danger to service-members deployed, and their potential to inflict violence, d) it led to a practical demonstration of the utility of the navy in foreign policy.

IV. 2 Developing an Understanding of the Utility of the Navy

Maritime Vorneverteidigung im Nordflankenraum

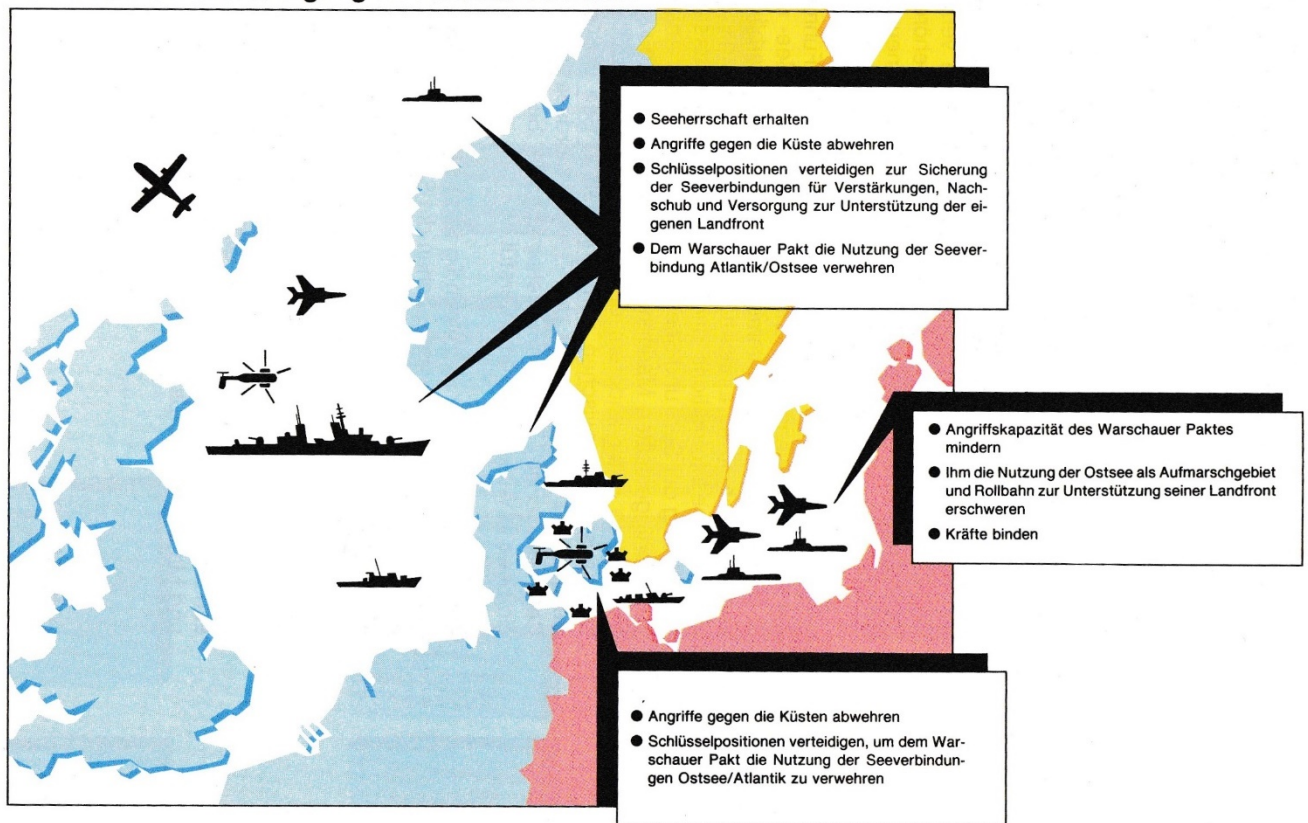


Fig. 37, the navy’s Cold War area of operations and mission²²

²² BMVg (1985), p. 217

Until 1990, the sole role of the navy was to support NATO in deterring and defending against a Warsaw Pact attack in the North and Baltic Sea. It would defend allied coasts, establish sea control in the North Sea with its frigates and destroyers, prevent the enemy's navy from breaking through from the Baltic by means of mine warfare, missile-carrying fast-patrol boats, the naval air-wing and submarines to harass enemy forces closer to their bases as part of NATO's forward defence strategy.²³ Germany did not enter the post-Cold War era as an outward-looking or maritime power. With its allies adopting a greater commitment in international crisis management and peacekeeping, as expressed both within NATO and the (W)EU, Germany increasingly felt the pressure to accept a more active military role.²⁴ Therefore, the Kohl government broke with the old cross-party consensus that deemed deployments of the Bundeswehr abroad unconstitutional.²⁵ What came to be called the '*Kohl doctrine*' however restricted the use of ground forces by ruling out Bundeswehr deployments in any country the *Wehrmacht* had occupied during the Second World War.²⁶ While this doctrine was eventually abandoned as a result of the Yugoslav wars it in all likelihood assisted the development of the navy's important contribution to Kohl's increase of the use of the military in foreign policy.²⁷

While army and airforce would in due course play their part the navy – with a deployment of minesweepers to the Persian Gulf from March until October 1991 – signalled the change in the role of military force in foreign policy. As Kohl put it Germany no longer wanted to stand idly by while others bore the consequences of addressing crises and atrocities, upholding the values it cared about.²⁸ Reunification, the collapse of the Soviet Union and the end of the Cold War were soon overshadowed by Saddam Hussein's invasion of Kuwait in August 1990, as well as brutal civil wars in the Balkans (June 1991, in stages onwards until June 1999), Somalia (January 1991 onwards) and Rwanda (April 1994 – July 1994).²⁹ Against this backdrop, Germany focussed on two overarching priorities, reunification and deepening European integration.³⁰ While the former could have acted against costly or politically divisive

²³ See BMVg (1985), pp. 216-7

²⁴ A shift expressed in contemporary documents, see Dalgaard-Nielsen (2006); NATO (1991); WEU (1992), p. 40

²⁵ See Brehm et al. (2012), p. 54; Bundesverfassungsgericht (1993a)

²⁶ See Kohl's speech in the Bundestag outlining it, Bundestag (1991b)

²⁷ See Krause von (2013), pp. 204-5

²⁸ Kohl (1992)

²⁹ See Calvocoressi (2009) on Gulf War, pp. 390-401; ex-Yugoslavia/Balkans, pp. 266-286; Brons (2001) on Somalia, pp.212-14; pp. 218-81; on Rwanda, see Dallaire (2004), pp. 221-475; Prunier (2009)

³⁰ As expressed by Kohl in 1992, Kohl (1992)

military commitments, the latter might, for the sake of solidarity, have made them more likely. For peace and its prosperity Germany clearly depended on European integration. Unification consumed colossal resources and required broad political support. Disparities in the unified economies and standards of living were obvious and substantial.³¹ As a part of the process, the Bundeswehr not only struggled with budget-cuts, it also had to integrate elements of the East German NVA.³²

In the light of the required broad political support for his main project – reunification – Kohl had to take domestic political opposition to military deployments seriously. Oskar Lafontaine, a regional governor of the Saarland, outspoken anti-interventionist and influential vice-chairman of the opposition SPD,³³ is said to have leveraged his legislative influence concerning other issues, to privately put pressure on Kohl to abstain from military participation in the 1991 Gulf War.³⁴ Given the vote-distribution in the *Bundesrat* and the *Bundestag*, a total blockade would not have been possible by Lafontaine's SPD,³⁵ but in conjunction with an at least insecure support base for a military deployment among the population as well as within Kohl's own party and coalition partner FDP, such a threat would have carried weight.

Germany's new foreign policy not only left behind the old regional constraints, it also increasingly involved the military and acquired an important naval profile. Defence minister Volker Rühle (1992-1998) and his *Generalinspekteur* Klaus Naumann (1991-1996), pursued a strategy of gradually increasing the levels of military commitment and risk with every new mission.³⁶ However, while officially the first of these missions is counted to have been a contribution of medical units to the UN in Cambodia 1992,³⁷ the development actually began earlier, with Rühle's predecessor Gerhard Stoltenberg (1989-1992). In 1991, the German political diplomatic response to the Gulf War involved the naval mission *Südflanke*, craftily labelled non-military or *humanitarian*.³⁸ Already in 1987, the old cross-party consensus on refraining from using military force abroad began to give way with the navy's first ever NATO-deployment in the Mediterranean. Replacing other vessels there in a 'burden sharing'-deal, this

³¹ For an overview, see Bundeszentrale für politische Bildung (2015)

³² See Schönbohm (1995)

³³ *Zur Person Oskar Lafontaine*. 2021)

³⁴ As related by Karsten Schneider, interview, 8th February 2021

³⁵ Kohl had a majority in the Bundestag, but as the coming years showed, his backing in the Bundesrat dwindled, see *Bundesrat - Stimmen der Bundesländer mit der Regierungspartei CDU bzw. CSU* (2021)

³⁶ An allegation of the political left, which Naumann confirmed in his interview with the author, 9th August 2019. For the accusation, see Brehm et al. (2012), p. 54

³⁷ BMVg (2020b)

³⁸ Brehm et al. (2012), p. 54

freed allied assets for the protection of shipping during the ‘Tanker War’ in the Persian Gulf.³⁹ Including accusations of ‘*Kanonbootpolitik*’ by proxy,⁴⁰ the early navy deployments beyond what once was considered ‘in-area’, the North and Baltic Sea,⁴¹ incited what came to be called the ‘out-of-area’-debate of the post-Cold War era.

Clearly, both questions, the *whether* and *where*, concerning potential military deployments, were crucial factors affecting the utility of the navy. For while the response to the former question would affect the *Bundeswehr*’s role and funding generally, the latter would be crucial for the navy. Had the strategic vision focussed only on Europe and its immediate neighbourhood, Germany’s traditionally army dominated armed forces would not have had much use for naval capabilities – especially with no military threats to maritime security in home waters.⁴²

Depending on the outcome of the ‘out-of-area’-debate, the severity of the so-called ‘peace-dividend’ would affect the navy differently. The armed forces themselves had very little stake in the political and public debate that evolved around the issue, but it was nevertheless involved in presenting options, providing expert advice and relaying information through its international military diplomatic networks. The 1991 ZVM, as an ad-hoc naval strategy-publication by senior naval officers led by Admiral Mann, chief of the navy at the time of reunification, was such a conscious contribution to the political discussion,⁴³ complete with accompanying advice on how to position oneself in the debate to all naval officers.⁴⁴ This underlines that the navy was well aware of the challenges and chances the ‘out-of-area’-debate offered.

³⁹ See Hippler (1988)

⁴⁰ See statement of Mechttersheimer (Green Party), Bundestag (1987)

⁴¹ See Fig. 37

⁴² This dominance of the army is acknowledged by Schneiderhan, interview Wolfgang Schneiderhan, 21st December 2020; and also pointed out by Dalgaard-Nielsen (2006), p. 131

⁴³ Deutsche Marine (1991)

⁴⁴ A translation of the German title ‘Argumentationshilfe’, Mann (1990)

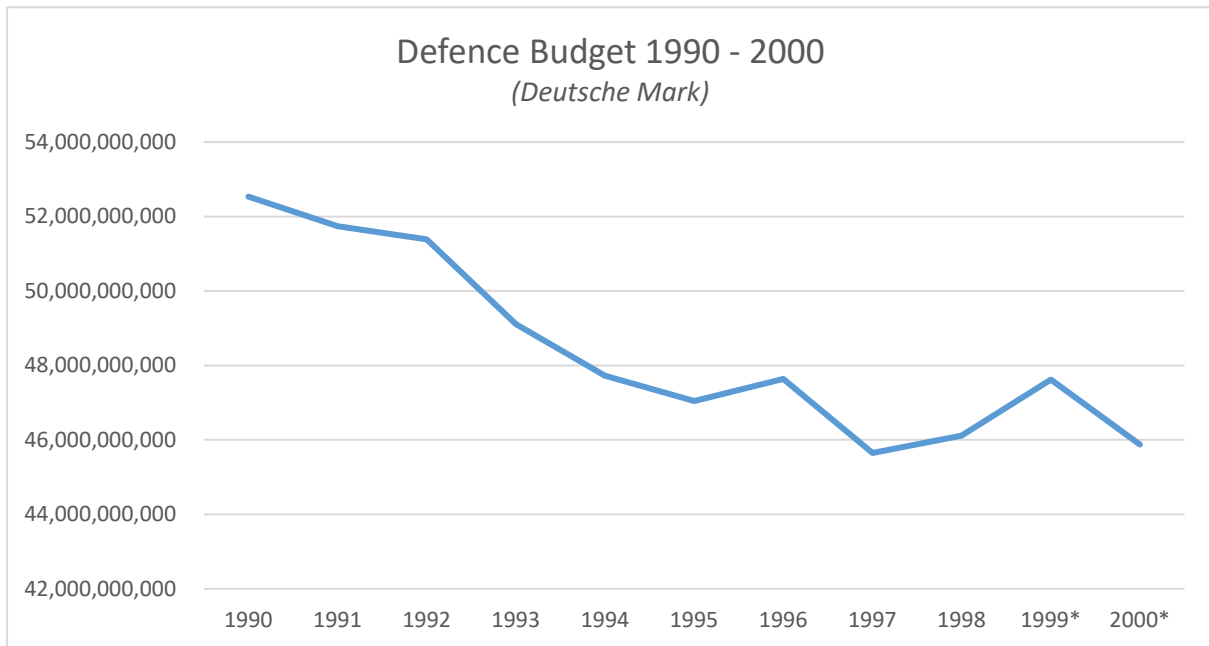


Fig. 38, Defence budget from 1990-2000⁴⁵

Facing ever-tightening defence-budgets, it was crucial for the navy to demonstrate its utility. But chances for this were not obvious, the break-up of Yugoslavia did not immediately bring to mind the navy, nor did peacekeeping in Somalia. Indeed, while the navy's utility was acknowledged in precise terms, the 1994 *Weißbuch* did not feature its missions prominently – contrary to those of the army.⁴⁶ This trend was to continue, as the airforce's participation in NATO's air campaign, operation *Allied Force* in the Kosovo War in 1999, and the army's sizeable deployments to peacekeeping forces tended to be seen as the major milestones.⁴⁷ This was particularly challenging to the navy, as deployments were also closely tied to extracurricular budgets.⁴⁸

At the turn of the millennium, with Helmut Kohl's government having lost the elections on 27th September 1998, and Gerhard Schröder having taken over,⁴⁹ the navy ran into its worst political-budgetary crisis in its still young history: with army and airforce dominating missions abroad, widespread scepticism about 'out-of-area'-deployments and no military threat in

⁴⁵ *numbers for 1999 and 2000 converted from € to DM; data, see: Bundesregierung (1991c), p. 21; Bundesregierung (1992a), 14., p. 1; Bundesregierung (1993); Bundesregierung (1995), p. 19; Bundesregierung (1997), pp. 19-21.; pp. 19-21 ; Bundesregierung (1999), pp. 35-7

⁴⁶ See BMVg (1994), pp. 72-5

⁴⁷ See Kriemann (2019), p. 81 ;and as a standard overview of the Bundeswehr missions, Chiari & Pahl (2010)

⁴⁸ See i.e. the army's mandate for Kosovo, Bundestag (1999)

⁴⁹ Bundeswahlleiter (1998)

German home waters, political support was hard to generate.⁵⁰ Additionally, alongside the entire *Bundeswehr*, the navy struggled with its self-image and mission: was it homeland defence or peacekeeping and power-projection, it was supposed to be doing?⁵¹ By realistic assessment of the strategic context, it had to do both.⁵² But was the navy equipped, trained and mentally ready to perform the latter task as much the former? The performance in the missions after 1990 went a long way of demonstrating this ability – but also revealed remaining room for improvement.

IV. 3 *Südflanke* and the Naval Response to the 1990 Iraq War

When the world called for action to counter Saddam Hussein's invasion of Kuwait, Germany did not fight but paid its way out – and surprisingly also sent the navy. Attempting to solve its domestic and foreign policy dilemma, Germany struck a deal with its international partners.⁵³ Acknowledging German constitutional legal difficulties and a strongly ingrained public sense of pacifism, the allies may even have been somewhat forgiving.⁵⁴ Still, abstaining from the fighting required \$11 billion in support of the Gulf War operation.⁵⁵ At the contemporary exchange-rate, this equalled roughly one third of Germany's defence budget and necessitated a tax-raise at a time when reunification was already placing a huge burden on federal coffers.⁵⁶ However, it also included five mine-hunters accompanied by two supply vessels that were sent to clear Iraqi mines in the Persian Gulf, once the fighting was over.⁵⁷ Due to massive public protests and a shaky constitutional foundation for military action, Kohl did not feel he could respond with forces to the UN's rallying call. While almost a million international troops had assembled by 16th January 1991 to confront Iraq under a UN mandate,⁵⁸ Germany avoided participation in the war '*by reaching into its wallet*'.⁵⁹ Despite the apparently well-intentioned offer of a way out, the government appeared to have been initially reluctant to concede a naval mine-hunting task-force, when the possibility had been raised by its American allies.⁶⁰

⁵⁰ Interview Hans Eichel, 03rd December 2020; interview Wolfgang Schneiderhan, 21st December 2020

⁵¹ Interview Axel Schimpf, 17th June 2019; interview Lutz Feldt, 13th August 2019

⁵² See Mann (1990) 7.

⁵³ See the reference in the official government bulletin, Bundesregierung (1991d)

⁵⁴ See Schmitt (2005)

⁵⁵ the New York Times gives the figure of \$11 billion., Kinzer (1991), and Heumann lists a total of 18 billion Deutsche Mark in various payments Heumann (2012), p. 288

⁵⁶ See Bundesbank (1998); speech of then-minister of finances, Theo Waigel, Bundestag (1991c)

⁵⁷ Schulze-Wegener & Walle (2005), p. 41

⁵⁸ See Annan (2012), p. 34

⁵⁹ Freedman & Karsh (1993), p. 120

⁶⁰ Heumann (2012), p. 288; Bundesregierung (1991)

Admiral Mann was the likely messenger for a subtle US hint at the advantages of a ‘proactive’ German offer of its mine-sweeping capabilities. Forging their coalition in the war against Iraq, the US were especially interested in visible voluntary allied contributions, while the navy’s mine-clearing skills were widely respected among its peers and needed in the Persian Gulf. Via Admiral Wellershoff, the only naval officer to have served as *Generalinspekteur* since the end of the Cold War, Admiral Mann advised the government to use a deployment of minesweepers to support its diplomatic efforts surrounding the Iraq war. After convincing the Chancellery and the BMVg, even Genscher in foreign affairs agreed.⁶¹ Although forward deployed to the Mediterranean in August 1990 alongside other vessels, the small mine-sweeping task-group was finally sent onwards to the Persian Gulf 11th March 1991 – once the war itself was over.⁶² The mission lasted until 13th September 1991, and for the first time, the navy decided to conduct a crew change on vessels remaining in theatre in mid-deployment.⁶³

A substantial part of Germany’s reaction to the Gulf crisis was naval – but only indirectly related to the fighting. In addition to the mine-hunters, roughly ten percent of the entire fleet was deployed in some supportive way or another in more remote connection with the operations in the Gulf. This mainly concerned supporting NATO’s presence in the Mediterranean.⁶⁴ Spearheading the military measures supporting Germany’s Gulf War diplomacy, the navy was part of an overall package involving the supply with ammunitions, spare-parts and logistical support of the Bundeswehr to the allies and a precautionary deployment of *Luftwaffe* jets to Turkey.⁶⁵ This further involved substantially subsidising the construction of two Israeli submarines in Germany with DM 880 million and paying DM 150 million for the delivery of US Patriot air-defence systems to Israel.⁶⁶ One the lesser known aspects of the war also involved ad-hoc air-defence exercises. Due to the global popularity of the French *Exocet* missiles the Iraqi military had access to this weapon – as did the German navy. Accordingly, the navy offered the US task-groups a welcome *en route* exercise opportunity. It tasked a detachment of its destroyers to fire salvos of disarmed MM38 ship-

⁶¹ See Jentzsch (2021a), p. 35

⁶² See timeline in Hess et al. (2005), p. 298

⁶³ Jentzsch (2021), pp. 34-41

⁶⁴ As stated by Braun (2013), p. 406

⁶⁵ See Bundesregierung (1991e); Bundesregierung (1991b)

⁶⁶ Bundesregierung (1991), p. 7

to-ship missiles at them in the Atlantic.⁶⁷ This helped fine-tune the US carrier strike-groups' defensive arrangements before entering the theatre of operations in the Gulf.⁶⁸

After the minesweeper deployment was agreed upon, the dual domestic-international diplomatic challenge it was meant to address is illustrated by its deliberately vague name: *Südflanke*⁶⁹ Calling the mission 'southern flank' in German, invited a corresponding connotation with NATO's 'northern flank', the North Sea and Baltic which the navy had been tasked with guarding throughout the Cold War. Furthermore, the mission was also set up specifically with a non-combat role and labelled 'humanitarian' to pre-empt domestic opposition against military 'out-of-area'-deployments.⁷⁰ At the same time, the deployment still had to be military and relevant enough to make German abstention from the fighting more palatable to its allies. Walking this domestic-international tightrope ultimately included sending five minesweepers after the war,⁷¹ instead of, for example, contributing destroyers or frigates during it.

Despite its humanitarian label, the mission did not come without risks to crews and vessels deployed.⁷² After all, while clearing mines in the Persian Gulf benefitted civilian shipping and uses of the sea, this mission in a post-conflict zone clearly was a military task.⁷³ Two American warships sustained substantial damage after striking Iraqi mines during *Desert Storm*,⁷⁴ the risk was very real and came in addition to claims that part of the task took place in Iraqi waters – without Iraqi consent.⁷⁵ The crews, a fourth of them made up of conscripts, were not asked whether they volunteered to participate.⁷⁶ Furthermore, apparently owing to the domestic political complications, the government failed to ever sign a status-of-forces agreement with the operations' host-country, Bahrain.⁷⁷ This left personnel deployed exposed to a risky foreign legal system during shore-visits. As discussed in the navy at the time, Dutch

⁶⁷ MM38 is the ship-based variant of the Exocet.

⁶⁸ As retold by Toyka, commanding officer of the 'Bayern', who participated in the effort, Toyka (2017) , pp. 173-4

⁶⁹ As the 'father' of the name admitted, Braun (2013), p. 402

⁷⁰ Bundesregierung (1991)

⁷¹ Bundesregierung (1991)

⁷² Krause von (2013), p. 242

⁷³ See also Braun's description of the mission, Braun (2013) , pp. 402-3

⁷⁴ Schneller (2007), p. 29

⁷⁵ As pointed out by von Krause Krause von (2013), p. 171

⁷⁶ See Schlueter (1991), pp. 154-5

⁷⁷ Braun (2013), pp. 408-9, p. 412

sailors in the coalition had paid this negligence on the part of their government with jail-sentences in Abu Dhabi.⁷⁸

Entirely based on a cabinet decision, the navy's mission was seen as constitutionally questionable by the opposition SPD in the Bundestag and contributed to the legal dispute on out-of-area deployments.⁷⁹ The CDU, in government, seized the opportunity to (unsuccessfully) propose amending the *Grundgesetz* to remove this ambiguity despite its claims that *Südflanke* was well within constitutional bounds.⁸⁰ Even without a direct vote on the deployment, the mission at least gained tacit parliamentary consent expressed in the abstention from referring the dispute to the constitutional court.

In many ways, Germany mirrored Japan's response to the Gulf War. While the US Navy possessed a very limited mine-sweeping capability, both Germany and Japan had state-of-the-art vessels with experienced crews due to ongoing post-World War minesweeping efforts in home waters.⁸¹ It is therefore not unlikely that, as in Germany's case, the US explicitly asked for the deployment.⁸² The minesweepers' deployment was further subject to a difficult domestic political and constitutional debate and only came as a belated appendix to financial compensation. Both Japan and Germany had previously paid their way out of calls for military contributions, but were apparently equally shocked by the sum the Gulf War-challenge required.⁸³

Südflanke hailed both continuity and change in German foreign policy. In lieu of direct participation in the war-effort, it had a humanitarian focus and was geared towards demonstrating support and solidarity. This at least partially balanced for some of the cost that otherwise would have been paid diplomatically, or financially, by Germany. This use of the navy in 1991 was at least partially in line with earlier deployments,⁸⁴ even as compensation ('*Kompensationsleistung*') within NATO.⁸⁵ Compared with the 1987 Mediterranean

⁷⁸ Braun (2013), p. 408

⁷⁹ See von Krause Krause von (2013), p. 171

⁸⁰ See the statement of Hornhues (CDU), Bundestag (1991a), p. 800

⁸¹ On the high quality of Japanese mine-warfare capabilities, see Patalano (2015), p. 85; Woolley (1996), p. 813

⁸² See Bundesregierung (1991)

⁸³ For Japan see, Woolley (1996), p. 812-3

⁸⁴ Speech by Manfred Wörner, then minister of defence, in German parliament, concerning the deployment of three German navy vessels to the Mediterranean, in 'exchange' for US, UK, French, Dutch and other warships protecting also German interests and merchant ships during the 'Tanker War' between Iran and Iraq from 1980-1988, Bundestag (1987)

⁸⁵ As further stated in government support by MP Ortwin Lowack (CDU) concerning the same deployment in 1987, Bundestag (1987), another Cold War examples is the contribution to a planned but never realised NATO naval force in the 1967 Six-Day-War, see Ruehl (1998), p. 95

deployment to fill the gaps left by NATO-partners that did the actual patrolling of the Persian Gulf during the Iran-Iraq ‘Tanker War’,⁸⁶ the ships in 1991 were not just ‘showing the flag’, but had an active military mission, moved closer to the scene of action and faced higher risks. Carefully tailoring the mission for palatability in parliament and the public, the government succeeded in avoiding a domestic political crisis and thereby incrementally built up support for a more active role of the military in foreign policy.⁸⁷

IV. 4 Sharp Guard: 1992 - 1996

Just a year after *Südflanke*, Germany further stepped up its commitment to what became the navy’s mission *Sharp Guard* – the Bundeswehr’s first deployment with a mandate to use force.⁸⁸ NATO had set up its operation *Maritime Monitor* in July 1992, which was subsequently given a more robust enforcement mandate and retitled *Maritime Guard*, alongside the WEU mission *Sharp Fence* from November 1992 onwards. Both missions were later unified as *Sharp Guard* in June 1993, drawing on NATO’s much greater experience in leading operations.⁸⁹ NATO also was the primary vector of the German deployment to the Adriatic, as the first deployment in July 1992 consisted of vessels of its Standing Naval Force Mediterranean (STANAVFORMED), including the destroyer *Bayern*.⁹⁰ Not taking part would have cast a negative light on Germany’s ‘*Bündnisfähigkeit*’- its commitment as an ally.⁹¹ With increased ambition at a European and UN level,⁹² the government would hardly have risked ignoring the WEU’s and NATO’s joint call for support of the UN-mandated weapons embargo in the context of the civil war in former Yugoslavia.⁹³

Sharp Guard was the first time, Bundeswehr-units deployed explicitly with their coercive capabilities in mind. While the label ‘humanitarian’ was an ‘*Etikettenschwindel*’ (applying a false label) for *Südflanke*,⁹⁴ mine-clearing and enforcing an embargo in the context of a civil war were still different in their quality with regard to the need to rely on the coercive potential of naval forces. Other Bundeswehr deployments, such as medical personnel in support of the UN-mission in Cambodia,⁹⁵ or contributions of transportation and surveillance aircraft

⁸⁶ Gambles (1989), p. 40, Hippler (1988)

⁸⁷ See Krause von (2013), p. 242, and confirmed by Naumann, interview, 9th August 2019

⁸⁸ See NATO (1996), Keßelring (2010a), pp. 54-5

⁸⁹ See Jentzsch (2021b), p. 8-9

⁹⁰ See Brake & Bruns (2021)

⁹¹ Kinkel (1992)

⁹² See Kinkel (1993)

⁹³ See SCRes 713 (1991)

⁹⁴ Jacobi in Jentzsch (2021), p. 38

⁹⁵ Hazdra (2010), p. 42

in so-called ‘non-military roles’,⁹⁶ had so far never been authorised to use force beyond self-defence. As announced 22nd July 1992 in parliament, this first ‘*Kampfeinsatz*’ (combat mission) of the Bundeswehr,⁹⁷ made up of warships and with crews in NATO’s AWACS aircraft, was not only a debut for the new post-Cold-War role of NATO and the WEU but especially for Germany.

Enforcing an embargo in an ongoing civil war invited domestic controversy. Indeed, according to the account of one envoy who worked on behalf of the WEU at the time, ‘*it took quite some convincing to get the Germans to contribute ships to the mission.*’⁹⁸ Ultimately, the government came to see this deployment as being in line with Germany’s constitution.⁹⁹ The SPD, as the main opposition party, contested this view and took the matter to the constitutional court.¹⁰⁰ While Germany’s allies probably had trouble understanding the point of the debate,¹⁰¹ the federal government made important concessions - the naval units began their mission only with a mandate to monitor and report on traffic, not to enforce the embargo,¹⁰² and it apparently even mattered that the navy was initially only involved with the oldest vessel of its fleet, the destroyer *Bayern*.¹⁰³

The UN with its Secretary General, Boutros Ghali, served as focal point of the argument. Kinkel, announcing *Sharp Guard* in parliament, referred to Germany’s UN membership and inhuman destructive past, to justify its obligation for solidarity with all humans who suffered under similar regimes.¹⁰⁴ Solidarity in this sense was to include military commitments in peacekeeping. As made clear by Chancellor Willy Brandt, who had led the Federal Republic into the UN in 1973, ‘*weltpolitische Mitverantwortung*’, a shared global responsibility, was to be part of Germany’s *raison d’état*.¹⁰⁵ In this tradition, the Kohl-government increased commitments to international military crisis-responses.¹⁰⁶ This understanding of increasing responsibility was clearly shared by international partners. Just as

⁹⁶ See Chiari (2010), p. 31

⁹⁷ As it was referred to in the 1993 so-called ‘AWACS’ constitutional court ruling on the deployment to Yugoslavia, Bundesverfassungsgericht (1993)

⁹⁸ Colin Cameron, Captain (RN, Ret.), working for the WEU parliamentary assembly at the time, as stated during a lecture at the university of Bonn, 08th January 2021

⁹⁹ Militärgeschichtliches Forschungsamt (2012)

¹⁰⁰ Militärgeschichtliches Forschungsamt (2012)

¹⁰¹ Militärgeschichtliches Forschungsamt (2012)

¹⁰² See Kinkel (1992)

¹⁰³ Militärgeschichtliches Forschungsamt (2012), Keßelring (2010), p. 54

¹⁰⁴ Kinkel (1992)

¹⁰⁵ Brandt (1973)

¹⁰⁶ See as an early voice i.e. Teltschik, as quoted by Hippler (1988), and for the position of the minister of defence of the post-Cold War government, see Rühle (2012)

the Bundestag was debating whether to support the government-position of sending warships to the Adriatic, Boutros Ghali was very outspoken during his three-day-visit to Bonn in January 1993:

*We need far-reaching participation of the Federal Republic in all peace-making endeavours on diplomatic, economic and military levels. ... complete participation ... in peace-keeping, peace-making and peace-enforcing measures.*¹⁰⁷

While *Sharp Guard* initially came with some self-limitations, the navy deployed in a military role with a mandate to use force. It was mainly intended for monitoring purposes, and the government employed the navy primarily for its presence and visibility. Presence on a scale in unit numbers and mission days comparable to its allies.¹⁰⁸ This was no mere token deployment, as over 6,000 boarding operations across the entire mission showed, including by German ships.¹⁰⁹ In this, the navy's visibility was explicitly cited as an essential advantage over the mere distant surveillance of airforce and satellites.¹¹⁰ Visibility, which was as consciously directed at the object of the mission, as it was at the international audience of Germany's allies.¹¹¹ But also visibility which the mission lacked in Germany itself, where the debate mainly centred on a potential direct involvement in the civil war in Yugoslavia.¹¹²

Despite the desire to minimize risks and making negative headlines either owing to personnel lost or foes killed, the navy suffered its first overseas casualty. One sailor lost his life in an accident during the deployment of a speed-boat for boarding operations.¹¹³ While accidents like this may happen during exercises in familiar waters just as much as during deployments, the stress level and character of the latter is liable to make them more likely – and certainly more widely publicised. It is telling, that the navy tried to downplay the death as an 'accident during exercises', when it happened during a boarding operation in pursuit of a UN mandate.¹¹⁴

¹⁰⁷ Boutros Ghali as quoted in parliament by Franz Möller (CDU), Bundestag (1993b)

¹⁰⁸ Ropers (2000), p. 102

¹⁰⁹ In one former officer's accounts, 49 boardings by *Lübeck* from Nov. 1994 till Feb. 1995 are recorded, personal documents in possession of author; interview Ralph Jacobsen, 8th October 2021, for total NATO number, see NATO (1996)

¹¹⁰ Kinkel (1992)

¹¹¹ Kinkel (1992)

¹¹² Ropers (2000), p. 102

¹¹³ Jentsch (2021), p. 6

¹¹⁴ Jentsch (2021), p. 13



Fig. 39, mission area Sharp Guard. Until the July 1994 ruling of the Bundesverfassungsgericht, German units had to act as 'gatekeepers to the Adriatic' for surveillance-only purposes at the entrance of the Otranto Strait in the South (Source: ZMSBw)¹¹⁵

The German assets, even well into *Sharp Guard*, had to be kept out of the 'hot' areas of the operational theatre and were not to be used for enforcing the mandate.¹¹⁶ While similar limitations of ROEs affected other allies, including the Americans at times, they embarrassed the crews deployed.¹¹⁷ As described by Commander Benke, commanding officer of *Lübeck* at the time of transition from surveillance-only to full participation, what had been utterly impossible until the constitutional court's ruling in July 1994, quickly became a routine

¹¹⁵ Benke (1995), p. 656

¹¹⁶ Interview Gottfried Hoch, 24th April 2019, Ropers (2000), p. 103

¹¹⁷ Benke (1995), p. 656; interview Karsten Schneider, 8th February 2021

procedure for German warships – deployment in the entire operational area and boarding vessels.¹¹⁸

Once constitutional clarification had been obtained, the navy quickly switched to an active role in boarding vessels, a role which showed its limitations but also ability to adapt. The warships deployed lacked several features helpful to peacekeeping and boarding operations. On the one hand, preparing specific equipment beforehand for tasks that still awaited legal clarification was seen as inappropriate. On the other, multi-national training at the UK's *Flag Officer Sea Training* (FOST), with partners that were less inhibited, had at least introduced the Germans to the procedures of boarding operations.¹¹⁹ Nonetheless, the warships initially lacked small and fast boats for boarding operations. When speedboats were provided later on, the new equipment and procedures were part of the causes behind the above-mentioned fatal accident in 1995.¹²⁰ Furthermore, between small arms and the 'big guns' or missiles, there were no self-defence armaments installed. Limitations in defence capability against smaller targets at close range were addressed by successively equipping the ships with vintage manually operated 20mm guns originally intended for air-defence on smaller naval vessels.¹²¹

¹¹⁸ Benke (1995), p.656;see the court-ruling, Bundesverfassungsgericht (1994)

¹¹⁹ Benke (1995), pp. 658-9

¹²⁰ Jentsch (2021), p. 13

¹²¹ See Fig. 42 below; or i.e. the *Brandenburg* when commissioned in 1994, Neumann & Ruckert (1997), p. 121



Fig. 40, Type 122 frigate Lübeck in Sharp Guard in Summer 1994, still with the old ship's cutter on her starboard side (Source:Waldemar Benke)

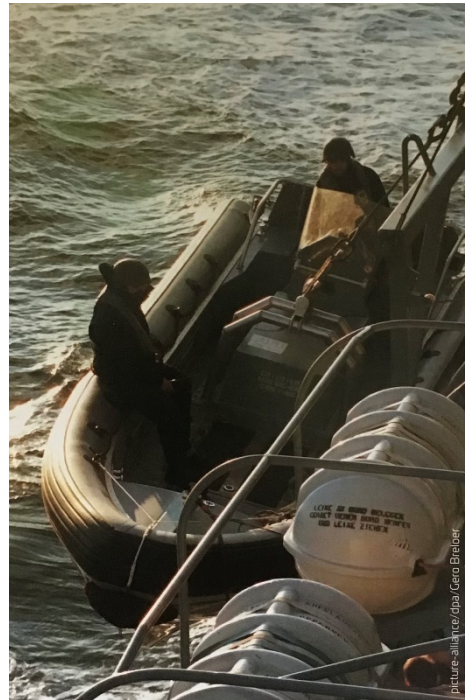


Fig. 41, newly fitted speedboat of frigate Karlsruhe in 1995, the one related to the fatal accident (Source: Gero Breloer, picture alliance)



Fig. 42, Type 122 frigate Emden, ending Sharp Guard on 21st July 1996, speedboat instead of cutter, 20mm gun just aft of the bridge-wing (Source: Ingo Wagner, picture alliance)

In the majority of cases early in *Sharp Guard*, boarding teams were deployed by the ship's cutters, ungainly and slow craft of limited seaworthiness. The boarding teams routinely arrived soaking wet on the ships they investigated, while these ships had to cooperate substantially in getting the cutters alongside – especially in higher sea-states. The alternative to this were transfers by helicopter and fast-roping onto the decks of freighters, an option chosen less often than the cutter. On top of this, the personal gear used by the boarding teams was unsuited, there were no proper holsters for the guns or torches, no personal containers for food or water. While these minor deficiencies were quickly addressed, tactical routines were not yet fully established for getting onto the vessels – neither by boat nor by helicopter.¹²²

The need to closely engage with civilian shipping, as well as the crimes of smuggling that went with it, was in its sum entirely new and struck a 'blind spot' for the German navy. However, to remedy this, it ingeniously drew on its existing Cold War *Naval Cooperation and Guidance for Shipping* (NCAGS) networks of merchant shipping reserve officers. After a one-day crash-course in combat pistol shooting and fast-roping by the navy's special forces, suitable candidates of experienced merchant navy officers and captains in the navy's reserve force were sent on board the warships in the Adriatic to lead the on-board investigation of suspicious vessels as so-called *Embargo Control and Liaison Officers* (ECLOs). Through screening ships' papers for suspicious indicators, comparing draft of vessels with alleged cargoes, talking to captains and guiding boarding teams to typical hiding spots for contraband on merchant ships, they possessed invaluable skills to assess the trustworthiness of contacts investigated. In this fashion, during just one such deployment of an ECLO, with the *Niedersachsen* from November 1994 to February 1995, 49 boardings were made, often in quick succession. Several suspicious vessels had then been re-routed to Brindisi, the operation's port where ships and cargoes were thoroughly searched. The noticeable success of the freshly developed unique German ECLO capability was noticed with great interest by the US Navy, but apparently for lack of a sufficient base of domestic civilian merchant mariners, not pursued further by the allies.¹²³

Sharp Guard also served to provide the navy with domestic political capital as the government received proof of its utility in foreign policy, parliament engaged with its deployment – to the point of eventually attaining juridical clarification about hitherto debated

¹²² Interview Ralph Jacobsen, 8th October 2021

¹²³ Interview Ralph Jacobsen, 8th October 2021

constitutional ambiguities,¹²⁴ and the public had quite likely been, as the opposition leader Engholm (SPD) accurately suspected, subtly eased into accepting a more active role of the Bundeswehr in Germany's foreign policy.¹²⁵

IV. 5 Southern Cross 1994: Getting Germany's Peacekeepers Home from Somalia

Germany had no significant links with Somalia in the early 1990s. Apart from an eccentric Prussian nobleman's small disastrous expedition up the Juba river in the colonial times of the 19th century,¹²⁶ and some minor development projects in the 1980s,¹²⁷ the countries had had scarcely any connections which should have incited immediate public or political interest in the latter's fate in the late 20th century. Indeed, the secretive way Chancellor Schmidt handled his dealings with the Somali government during the 'Landshut'-incident in 1977, preparing the successful hostage-liberation effort of a hijacked Lufthansa airplane by German police special-forces in Mogadishu, shows that federal governments had probably tried to steer well clear of this part of the world long contested by rival superpowers and run by a brutal dictator.¹²⁸ By 1992 however, the UN had drawn attention to the situation in the civil-war-torn country.¹²⁹ Beginning with the small UNOSOM monitoring mission, the UN reacted to the well televised humanitarian crisis which had followed the coup which ousted long-term dictator Siad Barre in 1991.¹³⁰ As armed gangs pillaged about a half to two thirds of the aid-shipments destined for the starving people in Somalia¹³¹ and the US decided on military support 'to get the food through.'¹³² Following calls of the UN to the international community,¹³³ a letter by the UN's Secretary General to the American President,¹³⁴ and domestic public opinion pushing for action, the US embarked on peacekeeping in Somalia.

Following in the wake of its American allies, the German cabinet decided to offer up to 1,500 troops. This offer encompassed 'humanitarian tasks' within UNOSOM, and was made

¹²⁴ Through the 1994 court-ruling, Bundesverfassungsgericht (1994)

¹²⁵ Militärgeschichtliches Forschungsamt (2012)

¹²⁶ For an account and summary judgment see Decken (2014), pp. 93-4

¹²⁷ See Kammerhoff (2000), p.134

¹²⁸ See Geyer (2017)

¹²⁹ SCRes 733 (1992)

¹³⁰ SCRes 751 (1992) Boutros-Ghali (2000), p. 73

¹³¹ Boutros-Ghali (2000), p. 75

¹³² Office of the President of the United States (1992)

¹³³ Boutros-Ghali (1992), 15

¹³⁴ Boutros-Ghali (2000), p. 76

to the UN on 17th December 1992,¹³⁵ and was later redirected towards UNOSOM II.¹³⁶ The reasons given by the ruling coalition in the subsequent parliamentary vote on the mission, the first in Germany's newly court-ordered process to 'out of area' peacekeeping,¹³⁷ were as follows: addressing the humanitarian crisis in Somalia; indebtedness for past received solidarity and responsibility towards the United Nations and NATO.¹³⁸

The mission was the first to follow the now formalised parliamentary process for using the military. Therefore, contrary to i.e. Prunier's opinion, this clearly could not have been a 'single-handed decision' of Chancellor Kohl.¹³⁹ The decision was made in cabinet, parliament and with a variety of outside influences. According to Kinkel, it was Boutros-Ghali's plea for help that made Germany join '30 other countries', in contributing to the peacekeeping effort.¹⁴⁰ The domestic public and political reaction to the media-coverage of the shocking humanitarian crisis also likely played a supporting role.¹⁴¹ While the ruling coalition denied in the parliamentary justification of the mission that it was merely following the whims of public opinion, it also referred to polls showing widespread public support for sending the Bundeswehr.¹⁴² Additionally, the government had voiced its ambition to make Germany a permanent member of the UN Security Council.¹⁴³ In the minds of policymakers, the pursuit of this aim required commitments to military peacekeeping.¹⁴⁴ Therefore, not only was UNOSOM II decided, even constitutional amendments were envisioned to facilitate participation in future peacekeeping efforts.

Deciding on the mission was one thing, getting the peacekeepers to Somalia quite another. Owing to its Cold War strategy, Germany possessed no strategic transport capabilities or long-range logistics. Indeed, as discussed in Chapter III, the Bundeswehr was never conceived as a self-sufficient military instrument of its state's foreign and security policy. Exclusively constructed for integration in NATO, it could only ever have become effective in concert with its allies.¹⁴⁵ However, UN peacekeeping in Somalia was not a NATO mission.

¹³⁵ Bundesregierung (1992b)

¹³⁶ As quoted by Bundesverfassungsgericht (1993b)

¹³⁷ The court issued a first ruling on 'out-of-area' deployments of the Bundeswehr on 23rd June 1993, the Bundestag voted on 2nd July in 1993 to support the cabinet order from April 1993, Bundestag (1993a)

¹³⁸ Speeches of Glos (CSU-CDU), Irmer (FDP) and foreign minister Kinkel (FDP), Bundestag (1993)

¹³⁹ Prunier (1997), p. 136

¹⁴⁰ Speech of Klaus Kinkel on 02.07.1993 in parliament, Bundestag (1993)

¹⁴¹ Prunier (1997), p. 136

¹⁴² Speech by Glos (CSU-CDU) on 02.07.1993 in parliament, Bundestag (1993)

¹⁴³ In the course of the 47. session, see Kinkel (1993)

¹⁴⁴ Kinkel (1993)

¹⁴⁵ See BMVg (1970), III.

Therefore, in many respects, Germany was in unfamiliar waters and had to learn to act much more self-reliantly. Solving the logistical challenge relied heavily on merchant vessels chartered for the purpose. While all the personnel was flown in, only a fraction of the equipment came to Somalia by airplane. The cargo ships needed were chartered by the UN at Germany's request, which invited its own set of problems. At the last moment a further ship had to be chartered under national authority due to gaps in the transport capability provided by the UN.¹⁴⁶ The vessels were accompanied by so-called 'supercargoes', called-up merchant service naval reserve officers that ensured the link between military operational command and civilian captains.¹⁴⁷ As valuable as this proved in preventing mismatches of ships and cargoes, the commander of the German peacekeepers admitted to frequent substantial difficulties due to a lack in suitable transport capabilities – difficulties that were only solved with support by other nations.¹⁴⁸

From 23rd August 1993 onwards, when the soldiers were fully deployed on the ground, it was clear that Germany wanted to avoid both own losses among its peacekeepers and their engagement in combat resulting in killing opponents. The mission was to remain exclusively humanitarian without a mandate to fight, except in self-defence.¹⁴⁹ The government and the opposition in parliament settled on deploying the Bundeswehr in a pacified, safe and secure part of Somalia.¹⁵⁰ The troops' mission was limited to providing logistics and support to Indian UN combat units, not geared towards actual fighting itself.¹⁵¹

Just a little over one month later, without German involvement, the '*Battle for Mogadishu*' in October 1993, plunged the entire UNOSOM II mission into crisis. American-led efforts to dislodge the warlords of Somalia, who increasingly saw the UN-presence as a '*threat to their privileged positions*',¹⁵² led to a series of escalations. The bungled up attempt to arrest Somali warlord Aideed in downtown Mogadishu on 3rd and 4th October 1993, led to three shot down 'Blackhawk' helicopters and eighteen dead US soldiers.¹⁵³ The fighting also cost between 800 to 1,000 lives and wounded between 3,000 and 4,000 among the fighters and civilian population in the city.¹⁵⁴ The images of dead US-soldiers dragged naked through the

¹⁴⁶ Kammerhoff (2000), pp. 123-4

¹⁴⁷ As one such former supercargo related, interview Ralph Jacobsen, 8th October 2021

¹⁴⁸ Kammerhoff (2000), p. 124

¹⁴⁹ As outlined by Kinkel on 2nd July 1993 in parliament, Bundestag (1993)

¹⁵⁰ Bundesregierung (1992)

¹⁵¹ Bundesregierung (1992)

¹⁵² Boutros-Ghali (2000), p. 74

¹⁵³ Bowden (1999), pp. 81, 88, 110

¹⁵⁴ Schneller (2007), p. 52

streets of Mogadishu by angry mobs, caused a shock not only in the American public.¹⁵⁵ The same media dynamics that helped in bringing about US and European intervention, now turned against it. Therefore, in full light of the consequences for Somalia and the mission, and despite initial assurances to the contrary,¹⁵⁶ America was pulling out.¹⁵⁷

In the immediate aftermath, UN operational command deployed the Indian combat brigade closer to Mogadishu – away from the Germans who were supposed to support them.¹⁵⁸ When the UN commander wanted the Germans to follow the Indian brigade, Rühle refused on the grounds of the risks involved.¹⁵⁹ In the opinion of Colonel Kammerhoff, the force commander, driven by concerns for their security, the soldiers were left without a mission in a country torn by civil war.¹⁶⁰ Bussing themselves with humanitarian aid in the immediate neighbourhood, the German detachment was reduced by roughly 400. Full evacuation was subsequently decided in the light of American withdrawal plans.

The resultant lack of impact of the German contribution became even more apparent, when compared with the geographically and numerically similar French deployment. Having felt reduced to mere spectators of an ‘*American show*’, France had apparently also picked a quiet part of Somalia as a comparatively ‘*safe watching point*’.¹⁶¹ In Prunier’s description of the two national approaches within the same UN-mission, Germany’s reluctance to commit to the risky realities of peacekeeping had adverse operational effects. French infantry soldiers patrolled on foot, organised localised disarmament of the population and showed a powerful presence throughout in their area of responsibility, ‘*at ease in their environment and ready to fight ... if need arose but friendly enough to be open to verbal contact*’.¹⁶² This formed a powerful deterrent, backing a French-sponsored system of local governance. French-run local committees involved tribal representatives, international aid groups and commanded a Somali militia responsible for keeping the peace.¹⁶³

While the French troops restored a form of normal life in an area that had been a ‘*battlefield for contending clan armies*’ just barely two years earlier,¹⁶⁴ the Germans stayed

¹⁵⁵ Bowden (1999), p. 304

¹⁵⁶ Office of the President of the United States (1993)

¹⁵⁷ Bowden (1999), p. 311

¹⁵⁸ Kammerhoff (2000), p. 123

¹⁵⁹ SPIEGEL (1993)

¹⁶⁰ Kammerhoff (2000), p. 123

¹⁶¹ Prunier (1997), p. 139

¹⁶² Prunier (1997), p. 140

¹⁶³ Prunier (1997), pp. 140-1

¹⁶⁴ Prunier (1997)

mostly in their camp.¹⁶⁵ Nothing illustrates the early German approach to peacekeeping better than an episode later related by Kammerhoff. In reaction to an ambush on Italian UN soldiers in a Somali town in their vicinity, the Germans built a road that afterwards enabled the UN troops to circumvent the village. Hemmed in by ROEs that served not much operational purpose beyond improvised local humanitarian aid,¹⁶⁶ the German peacekeepers asked the Italians to guard the road whenever they had to use it.¹⁶⁷ The contrast with the French, who specialised in stealthy night walks and dawn raids on foot, is stark.¹⁶⁸

When the US announced their withdrawal for March 1993, Germany found itself in a very difficult situation.¹⁶⁹ Under pressure to ‘*bring the boys home*’, the US government called upon the navy to evacuate the bulk of the US forces.¹⁷⁰ In the deteriorating security situation, with fighting escalating in Mogadishu, there was little attention left to coordinate the withdrawal with the Bundeswehr. Accordingly, the plans for getting the Bundeswehr detachment out of Somalia had to be carried out independently of US- or allied-support. As Hoch described, in the style of the stereotypical warrior-type army commander, Colonel Kammerhoff proposed a march through the desert to break through to Djibouti, along the lines of Lettow-Vorbek’s First World War ‘*Schutztruppen*’.¹⁷¹ The plan was quickly vetoed by the ministry of defence in Bonn as too risky.¹⁷² Instead, influenced by the US example, the navy was to evacuate the soldiers via the port of Mogadishu.¹⁷³

Accordingly, the navy rapidly had to prepare for a mission that it had never performed – evacuation of land forces from a hostile territory by sea.¹⁷⁴ There was no specialised vessel available for this task. In fact, in order to get all of the troops and their equipment *out* of Somalia, just as on the way *in*, the Bundeswehr again had to rely on chartered merchant ships. Only instead of flying the soldiers out, they were to be evacuated by naval warships.¹⁷⁵ From the complex security environment, to using warships designed for high-intensity war at sea in the North and Baltic Sea as transports in tropical waters, to harmonising communications and finding a suitable political mandate for the ships carrying the troops, there were a number of

¹⁶⁵ Kammerhoff (2000), p. 123, p. 133; Prunier (1997), p. 141

¹⁶⁶ Kammerhoff (2000), p. 123, p. 133, Interview Harald Ganns, 4th April 2019

¹⁶⁷ Kammerhoff (2000), p. 130

¹⁶⁸ Prunier (1997), p. 140

¹⁶⁹ By 25th March all US forces had evacuated Somalia, Schneller (2007), p. 53

¹⁷⁰ Schneller (2007), p. 53

¹⁷¹ Interview Gottfried Hoch, 24th April 2019

¹⁷² Interview Gottfried Hoch, 24th April 2019

¹⁷³ As the SPIEGEL also suspected at the time, SPIEGEL (1994a)

¹⁷⁴ See Hoch (2005), p. 685

¹⁷⁵ See Kammerhoff (2000), p. 121

unresolved questions that required creativity on the part of the political and military leadership, planners in staffs at home, and ultimately by commanders and personnel on the scene.¹⁷⁶ Under mounting pressure and security risk, this withdrawal was bound to exponentially increase the difficulties the Bundeswehr had already faced when getting its soldiers to Somalia in the first place.¹⁷⁷

Nevertheless, both the naval command, as well as the designated commander of the task-group, Gottfried Hoch, were very confident in their ability to succeed.¹⁷⁸ The SPIEGEL reported that the navy actively ‘lobbied’ to evacuate the force from Somalia.¹⁷⁹ In addition to holding a credible solution to a pressing problem, competing against other branches of service in the post-Cold-War era of painful defence-budget-cuts,¹⁸⁰ the navy also seized the chance to place itself in the centre of attention of decision-makers.¹⁸¹ In this, it could capitalise on the strategic initiatives of its late Cold-War leadership. Their concept of ‘*Einsatzgruppen*’ and ‘*Einsatzausbildungsverbände*’ provided the navy with the means to offer solutions to policymakers in the new era. Translated as ‘mission-’ or ‘task-groups’, they encompassed various vessels, earmarked, exercised and deployed together to address a broad variety of tasks, ranging from national defence against a peer competitor, to global crisis response with high endurance at sea.¹⁸²

Lacking any better framework for the task on short notice, and reluctant to shift the ships under the command of the UN force, the navy officially classified *Southern Cross* as an ‘exercise’,¹⁸³ a ‘shortcut’ that had been used for deployments abroad of the Bundeswehr in humanitarian aid or disaster relief in the past.¹⁸⁴ In this manner, the mission to evacuate the troops from Belet Weyne was given to the anti-submarine frigates *Köln* and *Karlsruhe*, as well as the supply vessel *Nienburg* and the tanker *Spessart*. All were not designed for transporting troops, but for North Atlantic, North Sea or Baltic operations. Still, these ships were versatile, the crews well trained and at the time readily deployable within a week.¹⁸⁵ *Köln* was taken out of *Sharp Guard* in the Adriatic (making it the closest unit to the intended destination);

¹⁷⁶ Interview Gottfried Hoch, 24th April 2019

¹⁷⁷ As described in a not exactly flattering account of the SPIEGEL, SPIEGEL (1994b)

¹⁷⁸ Interview Gottfried Hoch, 24th April 2019

¹⁷⁹ SPIEGEL (1994)

¹⁸⁰ See Fig. 38

¹⁸¹ Interview Gottfried Hoch, 24th April 2019

¹⁸² See Deutsche Marine (1991), C 3. g. , pp. 11-2

¹⁸³ Interview Gottfried Hoch, 24th April 2019

¹⁸⁴ i.e. for the 1960 relief efforts in the aftermath of an earthquake in Morocco, see Chiari (2010), pp. 30-1

¹⁸⁵ Hoch (2005), p. 677

Karlsruhe cut short a planned docking spell, while *Nienburg* and *Spessart* sailed from Wilhelmshaven to the Somali coast. With the ink still fresh on the operational orders they had typed within three days, the staff of six, including its commander, travelled to Italy to embark on *Köln*, to get underway to Mogadishu as soon as possible.¹⁸⁶

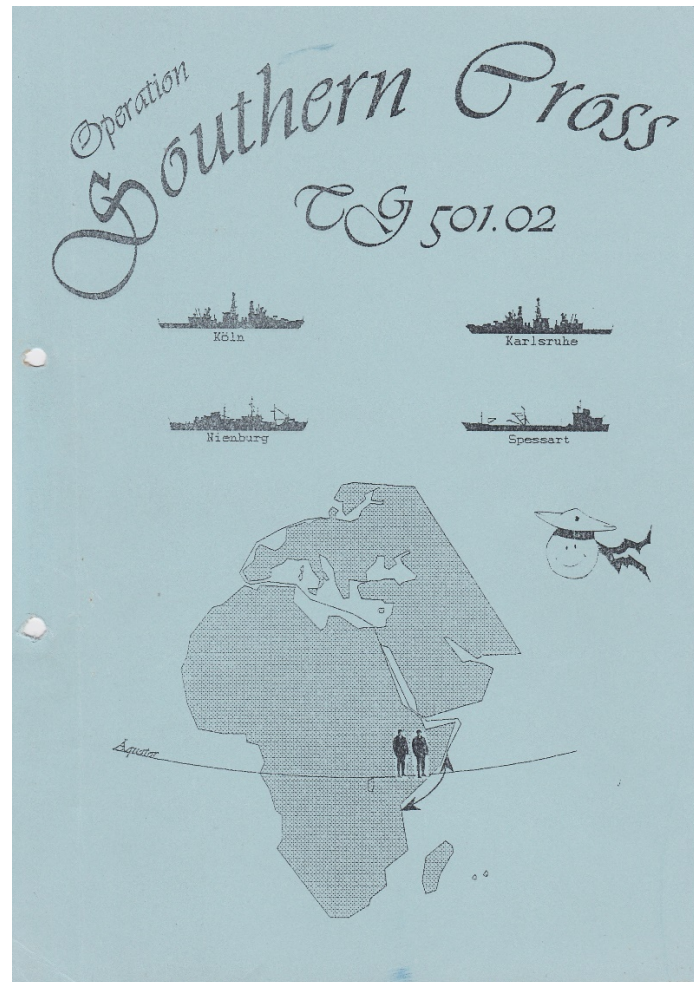


Fig. 43, Cover of the 'Southern Cross' original operational orders (courtesy Gottfried Hoch)

As time was running out to get the peacekeepers home on time before the American withdrawal, the task-group 501.02 – as it was called – was to be assembled only upon reaching the area of operations. This forewent in-passage preparation and exercising as a group, but the transit-time was still factored in as part of the preparation.¹⁸⁷ The orders explicitly called for its use to train the crews for self-defence with small arms by embarked navy combat divers.¹⁸⁸ Despite the tight schedule, there was time to prepare the *Nienburg* for taking on a larger number

¹⁸⁶ Interview Gottfried Hoch, 24th April 2019

¹⁸⁷ Interview Gottfried Hoch, 24th April 2019

¹⁸⁸ Interview Gottfried Hoch, 24th April 2019

of passengers for the evacuation. At last minute, some extra helmets and Kevlar-vests for the crews were procured as well, to give added protection as ships went into the harbour of Mogadishu. However, as Hoch recounted: ‘*We didn’t have nearly enough of these vests and helmets. So when I first set foot on the pier in Mogadishu, media covering our arrival, and was being greeted by Kammerhoff (the commander of the army’s detachment) in full battle-dress, helmet, vest and machine-pistol, I was wearing my regular uniform and white naval commander’s cap.*’¹⁸⁹



Fig. 44, Capt. Hoch with Col. Kammerhoff on the pier in Mogadishu, March 1994 (courtesy Gottfried Hoch)

The frigates were deemed capable of embarking around 100 soldiers, the *Nienburg* 200.¹⁹⁰ During the passage from Mogadishu to Mombasa (except for the last voyage, which went to Djibouti), from where the troops were flown out by the airforce, the soldiers routinely had to share a bunk with one of the crew-members – at least on the frigates, where space was scarce. The principle of a ‘*warm bunk*’ (shared by two in turns) was practiced in the all-pervasive

¹⁸⁹ Interview Gottfried Hoch, 24th April 2019

¹⁹⁰ Uhl (2019), p. 30

alternation between watchkeeping and rest.¹⁹¹ Nevertheless, as the operational orders stated clearly with regard to comfort: ‘*minimal navy standard was to be kept.*’¹⁹²

The soldiers’ equipment, including roughly 600 vehicles, was successively moved onto nine merchant ships chartered by the *Transportsdienststelle See*, the German equivalent of a sealift-command.¹⁹³ The task of stowing the equipment on these ships was performed by the soldiers themselves, in the case of the last turn and shipment, even under the stress of mortar fire reaching the harbour grounds in Mogadishu.¹⁹⁴ Typically, this task was performed the night before embarkation on one of the navy vessels. That night would then be spent in the quarters of the Malaysian UN detachment in Mogadishu, under ‘*horrible sanitary conditions*’.¹⁹⁵

Operating with NATO-standard, the barrier for joint cooperation off the Horn of Africa with present Italian and American warships was very low. Still, cooperation with the Americans was deemed as having left room for improvement, while French and Italian support was seen as excellent.¹⁹⁶ The Italian carrier, *Garibaldi* immediately offered to be a standby ‘spare deck’ for the German helicopters (an emergency back-up, which also increases reach, flexibility and safety of flight operations), whereas the US Navy did not reply to requests.¹⁹⁷ Indeed, from the big picture of the UN mission in Somalia, to the operational day-to-day affairs, Hoch had the impression that the ‘*US seemed to have entirely and exclusively focused on itself after “Black Hawk Down”*’.¹⁹⁸

The warships offered a full spectrum of ship-to-ship radio communication, for short-, medium- and long-range, including the tactical so-called *Link*-system between international NATO vessels in the area for the exchange of a shared operational picture.¹⁹⁹ However, on a national level, with the army’s peacekeepers in Somalia, all that worked at first, was communication via Germany. Later, fax via satellite was established, but only after a personal visit of Hoch by plane from Djibouti to Belet Weyne.²⁰⁰ The fax-method not only used expensive and scarce satellite communication resources, it also undercut the usual chain of command, thereby complicating cooperation. In an example of pragmatic creativity, after the

¹⁹¹ Uhl (2019), p. 30

¹⁹² Interview Gottfried Hoch, 24th April 2019

¹⁹³ Interview Gottfried Hoch, 24th April 2019

¹⁹⁴ Interview Gottfried Hoch, 24th April 2019

¹⁹⁵ Interview Gottfried Hoch, 24th April 2019

¹⁹⁶ Hoch (2005), p. 682

¹⁹⁷ Interview Gottfried Hoch, 24th April 2019

¹⁹⁸ Interview Gottfried Hoch, 24th April 2019

¹⁹⁹ Uhl (2019), p. 30

²⁰⁰ Interview Gottfried Hoch, 24th April 2019

first radio-equipped army-vehicles had been embarked for shipment to Germany, the navy vessels took their-short-range radios to set up ship-shore communication – at least for all unencrypted purposes.²⁰¹

Lacking any amphibious or joint Cold War practice to draw on, army and navy had to overcome misunderstandings caused by differences in wording and standard abbreviations in their first live encounter on a mission. The navy's 'ETA' for '*Estimated Time of Arrival*' was for example apparently unknown among the army in Belet Weyne.²⁰² The army also had access to hand-held GPS-systems, which the navy did not and could have used for its helicopters. At the same time, the navy's offer to provide stand-by MEDEVAC-capabilities with helicopters and the frigates' sophisticated ship's hospitals, was never understood properly by army doctors and refused – ships' hospitals simply had no place in army regulations.²⁰³

Despite the time pressure, the use of procedures and ships devised for entirely different purposes, the evacuation went according to plan. As Uhl, one of the participating naval officers on *Köln* proudly noted in his journal: '*a truly German operation*'.²⁰⁴ The embarkation of army personnel was the most vulnerable moment for the ships, moored alongside the pier in the harbour of Mogadishu and well within range of several weapons expected to be available to Somali warlords (anti-tank weapons, RPGs, 20mm-guns on 'technical'),²⁰⁵ so everything had to happen with utmost expediency. Uhl noted in one example that 105 soldiers plus an army film crew came aboard the frigate in just nine minutes.²⁰⁶ Indeed, slowly approaching the berth alongside for the ship, as well as taking a local pilot and disembarking him later, took 20 minutes each – more than four times the duration of the actual transfer of the troops.²⁰⁷

What already posed challenges in getting the soldiers in, threatened to turn into a nightmare, once they had to be gotten out quickly under deteriorating security conditions. The idea to send the Bundeswehr along with UNOSOM II, seems to have entirely rested on the assumption of US support – including with getting the 1,500 soldiers back out of Somalia, once the mission were to end.²⁰⁸ After all, Germany had always openly acknowledged its

²⁰¹ Uhl (2019), p. 31

²⁰² Interview Gottfried Hoch, 24th April 2019

²⁰³ Interview Gottfried Hoch, 24th April 2019

²⁰⁴ Uhl (2019), p. 30

²⁰⁵ Interview Gottfried Hoch, 24th April 2019

²⁰⁶ Uhl (2019), p. 30

²⁰⁷ Uhl (2019), p. 30

²⁰⁸ as claimed by Hoch ,interview Gottfried Hoch, 24th April 2019

dependence on the US and allied support for strategic leverage and reach.²⁰⁹ There apparently had been no own contingency planning for the case of having to evacuate the troops.²¹⁰

‘*Gott sei gedankt!*’ - thank god – exclaimed Colonel Kammerhoff once all of his troops had left Somalia safely.²¹¹ Lacking a prepared plan for evacuation and having to improvise constantly once it became inevitable, the peacekeepers’ commander had good reason to be thankful. *Southern Cross* had evacuated all remaining 1,290 soldiers of the German UNOSOM II-force from Somalia. The last detachment of 178 soldiers had to be flown out by the four helicopters embarked on the frigates. Due to mortar fire onto the pier in Mogadishu and the generally deteriorating security situation in the city, the frigates could not be risked to sail into the harbour.²¹² The helicopter crews were eager for the task and went very professionally about finding creative and expedient solutions to the requirements that went beyond peacetime procedures.²¹³ Most importantly, all peacekeepers were returned safely to Germany – including having been fully initiated by the navy’s ‘*crossing the line*’ ceremony at the equator.²¹⁴ However, the whole situation might have looked differently, had the last German soldiers not had the benefit of leaving under the protective presence of armoured US units in the proximity and an aircraft carrier off the coast.²¹⁵

IV. 6 Effects of the First Phase of post-Cold War Naval Missions on German Foreign Policy and the Navy

The experience of the early years of ‘out-of-area’-deployments, had several lasting effects on the navy and Germany. This concerned the strategic, political, operational, and tactical level, as well as training and procurement. In addition to the more tangible consequences, the effects on the public and cultural context are harder to quantify but likely significant. For if nothing else, opinion polls and public reactions have played a role in the early 1990s, as much as they do today.²¹⁶ At the same time, the expectations of allies and partners in Europe and within NATO have changed over the years since the Cold War, with Germany influencing these expectations as much as it was influenced by them in the evolution of its foreign policy.

²⁰⁹ BMVg (1992), 8 3)

²¹⁰ Something, which the SPIEGEL also uncovered and seized on in its overall damning criticism of the mission, SPIEGEL (1994)

²¹¹ Kammerhoff (2000), p. 121

²¹² Uhl (2019), p. 30

²¹³ Interview Gottfried Hoch, 24th April 2019

²¹⁴ Uhl (2019), p. 30

²¹⁵ Kammerhoff (2000), p. 121-5, p. 129

²¹⁶ Regrettably, systematic polling of public opinion with regard to missions only commenced much later.

Official Number of Bundeswehr Personnel in Missions Abroad	
1992	448
1993	4.500
1994	0
1995	1.104
1996	8.255
1997	6.780
1998	6.446
1999	19.784
2000	17.246

Fig. 45, Historic overall forces levels presented by the government to parliament in 2018 appear patchy – to say the least: Südflanke is not included in 1991, Sharp Guard and Southern Cross are also missing in 1994.²¹⁷

As the numbers show, the Bundeswehr was deployed abroad increasingly after 1990. Neither money nor the vanished old Cold-War front-state role could save Germany from allied expectations to sharing in their responsibilities and burdens. In this new era, from the outset, deploying the navy carried diplomatic value. *Südflanke* likely achieved some face-saving and reduced the bill presented by allies. Abstention from direct participation in the war was a costly move in an order of magnitude which could have bought a completely new fleet for the navy, as then-commander of the fleet, Admiral Braun gruntingly remarked.²¹⁸ Compared with the diplomatic success of Denmark, which sent a single corvette *during* the war,²¹⁹ instead of a few minesweepers *after* it, just a token participation in the coalition with a few naval vessels might have considerably improved the bargaining position and saved Germany a tax increase and money it needed for covering the cost of reunification.

Classifying *Südflanke* as ‘humanitarian’ served a political purpose at the time, but it also caused the German crews, who cleared over 100 of the mines and explosives of the coalition forces’ 1,239 total, to never receive the full recognition of their efforts.²²⁰ Without the official ‘*Einsatz*’ (mandated mission) status, *Südflanke* is still commonly missing in official

²¹⁷ Bundesregierung (2018c), p. 7

²¹⁸ Braun (2013), p. 425

²¹⁹ see Balsved (2003)

²²⁰ Jentzsch (2021), p. 41

statistics, did not merit a medal or counted towards operational experience in individual promotions. While some earlier missions, including *Sharp Guard*, have retroactively been awarded medal-status, *Südflanke* has not. Despite being mentioned on the Bundeswehr's homepage,²²¹ it is regularly not listed in official government records of missions.²²²

Resolving the 'out-of-area'-debate that had commenced with the navy's deployment to the Mediterranean in 1987, legal clarification was finally achieved through successive constitutional court rulings by July 1994.²²³ Before this, there had been long-standing political differences over the constitutional legality of using the Bundeswehr actively in foreign policy. The resultant lack of political and legal clarity and reliability had negatively affected international perception, operational value as well as the crews during their missions. Legal and political restrictions translated into very narrow ROEs that initially did not go beyond the use of force for extended self-defence. It was also apparently commonly accepted practice for the Germans to be placed out of harm's way and as far away from any potential shooting which might have to be done. The significance of the legal clarification is underscored by the one mission of this period that continued past the 1994 court-ruling, *Sharp Guard*, which subsequently shifted to a more robust approach and greater involvement of the German units.²²⁴

Politically controversial and contested, the tendency for communicative and political creativity in justifying military deployments continued after the constitutional court's decision. From the naming of early missions like *Südflanke*, to using the label 'humanitarian', via declaring *Southern Cross* a mere 'exercise', this continued in the way the navy communicated about the death of one of its sailors during *Sharp Guard*. The intention clearly was to obscure the military character of deployments in the public and political eye.

With regard to the authorisation of deployments, the initial practice of relying on a cabinet vote was extended to a parliamentary one by the constitutional court. While pre-1994 *Südflanke* and *Sharp Guard* had been cabinet decisions, *Southern Cross* evacuated peacekeepers that had a parliamentary mandate. However, facilitated by the latter's classification as an 'exercise' – it did not have an independent mandate by parliament. As the navy's crews were subsequently neither part of the UN-mission (the mandate of which was not extended to include the ships), nor deployed with their own, they were exempt from the

²²¹ Bundeswehr (2022f)

²²² See Bundesregierung (2013c); Bundesregierung (2018a); Bundesregierung (2018)

²²³ Bundesverfassungsgericht (1993); Bundesverfassungsgericht (1993); Bundesverfassungsgericht (1994)

²²⁴ Interview Uwe Althaus, 15th June 2020

mission-status, medals or danger-pay that their army-comrades received.²²⁵ Therefore, while parliamentary authorisation may have complicated matters politically by increasing the need and potential for a broad debate, it also gave operational planners and service members on the scene a much more solid operational foundation.

Additionally, the navy was not merely ‘instrument’ but also an actor in the domestic strategy-making process. It did not just ‘lobby’ for individual missions, it also actively participated in the domestic debate. Admiral Mann’s 1991 ZVM was a conscious contribution to the political discussion.²²⁶ Through mustering political support,²²⁷ it effectively shaped the navy for the decades since, with a major influence on its political utility. From realising state-of-the-art defence investment and procurement even despite budget-cuts,²²⁸ to conceptual ideas like the ‘*Einsatzgruppen*’,²²⁹ the vessels the ZVM made possible and ideas it promoted strongly affect the navy and its ability to carry out its missions even today.

In these early missions, the operational responsibility still lay with the fleet command in Germany.²³⁰ Due to both domestic as well as allied reservations, the Bundeswehr had consciously never been set up with a general staff or national command as this was associated with Prussian militarism and the capability to aggressively use military power independently.²³¹ Nor had it needed this, as the strategic level of leadership and joint operations of army, navy and airforce in wartime would have always been carried out on a NATO and not a purely national German level.²³² Accordingly, the post-Cold War BMVg had not yet acquired a national joint operational headquarters and the command centres of the services led the missions according to relative proportion of forces deployed.²³³ The need to address the lack of a unified joint mission command quickly became apparent as a result of *Southern Cross*.²³⁴

²²⁵ Interview Gottfried Hoch, 24th April 2019; see Bundesregierung (2013; Bundesregierung (2018); Bundesregierung (2018)

²²⁶ Deutsche Marine (1991), foreword Admiral Mann

²²⁷ General Naumann acknowledged the efforts but did not judge them to have been very successful with securing the funding the navy wanted, interview Klaus Naumann, 9th August 2019

²²⁸ Such as the frigates Type 123 *Brandenburg*-class, four ships commissioned from 1994-1996, as well as the combat supply vessels *Berlin*-class, three ships commissioned 2001, 2002, 2013. Bundeswehr (2021); Bundeswehr (2021)

²²⁹ See Deutsche Marine (1991), C 3. g. , pp. 11-2

²³⁰ Interview Gottfried Hoch, 24th April 2019

²³¹ Rautenberg (1982), p. 777

²³² As explained in the 1970 defence white-paper, BMVg (1970), Art. 63

²³³ Interview Gottfried Hoch, 24th April 2019; Interview Harald Kujat, 12th January 2021; Interview Wolfgang Schneiderhan, 21st December 2020

²³⁴ See Hoch (2005) , p. 677

Südflanke, even more than *Southern Cross*, showed the strains that long-distance operations, unfamiliar theatre of operations and tropical weather placed on the navy, crews and equipment. While the larger vessels in the latter mission had air-conditioning installed, the smaller units in the former had not. This not only stressed the crews, as two former commanders of the mission, Nolting and Jacobi pointed out, it also led to failures of equipment.²³⁵ Similarly, while frigates accompanied by supply vessels were considerably self-reliant, the navy had also learned to manage long-distance logistics by 1994.²³⁶ However, in 1991, the navy's logistics system struggled to supply the smaller units in the Persian Gulf. Instead of buying food of western standard locally for its over 500 sailors in Bahrain, shipments between 15 and 20 tons came every month from Germany – only to frequently arrive already spoiled.²³⁷

Command, control and communications was an important aspect of the lessons learned especially from *Southern Cross*. *Südflanke* had been purely naval and successfully led consistently by the *Flottenkommando* from Germany.²³⁸ *Southern Cross* needed to coordinate with the army and from a strategic and operational, down to the tactical level, obstacles had to be addressed creatively. The issue of no direct line of secure communication between the navy and the army, and the unorthodox ship-board-solution of using one of the first army lorry's radio equipment for a direct military ship-shore connection, stands out as a noteworthy example.²³⁹

Operationally, the '*Einsatzgruppe*' or '*Einsatzausbildungsverband*' (EAV) as a versatile mission and training task-group concept, had been confirmed in its effectiveness through *Southern Cross*. Furthermore, the long tradition of finding creative solutions with shipboard means for unforeseen challenges, the characteristic versatility of naval forces,²⁴⁰ also proved crucial for the evacuation of Germany's peacekeepers. The navy's emphasis on its advantages for deploying flexibly across long distances to far-away shores – on comparatively short notice, without the need to rely on third-party bases or cooperation – was demonstrated,²⁴¹ including the added benefit of not having to wait for the final outcome of the political debate and detailed mandate to get underway.

²³⁵ Their contributions in Jentzsch (2021), p. 35; p. 38

²³⁶ Hoch (2005), pp. 684-5

²³⁷ Jentzsch (2021), p. 39

²³⁸ Jacobi in Jentzsch (2021), p. 38

²³⁹ Uhl (2019), p. 30

²⁴⁰ See Speller (2019), pp. 27-8, p. 31

²⁴¹ For the navy's 'self-promotion' along these lines, see Deutsche Marine (1991), B 3 a., pp. 5-6

On the tactical level, *all missions* of the new post-Cold-War-era had been novel experiences for the navy. Apart from mine-sweeping – but not in a post-conflict zone, embargo enforcement or the evacuation of a substantial army detachment from a foreign country in the complex security environment of an ongoing civil war had never been carried out before or been the focus of exercises.²⁴² However, on a smaller scale, the type of improvising and creative self-sufficiency required of vessels, crews and task-forces, had been longstanding features of warships' combat readiness preparations and certification with FOST in the UK. In turn, the experiences from missions of Royal Navy or other navies participating in FOST, fed back into its curriculum and evaluations.²⁴³ Equally, the shared standards and high level of training in the fleet and with the allies allowed for confidence in cooperation even under difficult conditions.

In terms of future procurement, the need to be able to support and transport land-forces from and via the sea was clearly identified. Still, a conceptual response to this need was never translated into a new class of vessels for the navy. This concept of an amphibious assault or mission-support vessel came to be known as project *Arche Naumann*, 'Naumann's Arc' (colloquially named after *Generalinspekteur* Naumann, whose ambition for more active peacekeeping was associated with such a vessel), was never realised. Published studies in 1995 expected a cost of DM 500 million (€250 million) per vessel, which at the time seemed outrageous.²⁴⁴ Technically based on a roll-on/roll-off ship, it would have had an operative range of 7,500 nautical miles and the capability to carry roughly a battalion sized detachment of the army (700 soldiers including 270 light and armoured vehicles), eight helicopters and two generic landing-craft. In addition, this ship would have provided medical facilities with 70 beds and two operation theatres.²⁴⁵ Drawn from the experience of *Southern Cross* and comparable vessels of NATO-partners, such a ship would have given the Bundeswehr a considerable degree of self-sufficiency in global deployments.

²⁴² See Hoch (2005), p. 685

²⁴³ Interview Gottfried Hoch, 24th April 2019; Interview Jens Schaadt, 2nd September 2019; see Benke (1995), pp. 658-9

²⁴⁴ Militärgeschichtliches Forschungsamt (2012), p. 25

²⁴⁵ Militärgeschichtliches Forschungsamt (2012), p. 25

Fig. 46, Germany's <i>Südflanke</i> in Comparison ²⁴⁶ Total international force: 39 mine-hunters, 11 supply vessels, 17 helicopters ²⁴⁷					
Germany	USA	UK	Belgium	Netherlands	France
5 minehunters	2 minehunters	3 minehunters	3 minehunters	3 minehunters	4 minehunters
2 supply vessels	1 helicopter	1 supply vessel	1 supply vessel		1 supply vessel
3 helicopters					
2 MPA (oil-spill observation)					
1 specialised oil removal vessel					

Südflanke operated in two stages, first as a ‘*Kompensationsleistung*’ (compensation) in the Mediterranean from August 1990 until March 1991,²⁴⁸ then with a slightly different composition of vessels, deployed to the Persian Gulf from 11th March until 13th September 1991. It cleared 64 anchored contact mines, 29 ground mines and 8 bombs of the allied force’s 1,239 total.²⁴⁹ Closely coordinating on WEU and coalition levels, the Germans initially operated independent of a formal international command-structure alongside other nation’s mine-clearing vessels.²⁵⁰ From June 1991 onwards, the German commander also became the WEU’s on-scene coordinator of all mine-clearing efforts, organising and reporting on all member-state and allied efforts under UN SCR 686.²⁵¹ As the navy conducted a mid-mission crew-rotation after three months in the Gulf – the first time it ever did this – over 1,000 crew members served in *Südflanke* between March and September 1991.²⁵² The cost of the mission can no longer be traced reliably, because it was not classified as an ‘*Einsatz*’ and is not listed among the financial records of Bundeswehr missions presented to parliament.²⁵³

Sharp Guard, from 22nd November 1992 to 18th June 1996, challenged 74,332 ships and inspected 5,975 at sea. 1,416 were diverted and inspected in port.²⁵⁴ German warships also contributed to these boardings – although exact numbers are not available. Full participation in the mission came only after July 1994. The total cost of the mission over four years has been

²⁴⁶ Official German numbers, Bundesregierung (1991a), pp. 1-2; Bundesregierung (1991), p. 7

²⁴⁷ Leder (2000), p. 36

²⁴⁸ In the tradition of the response to the 1987 Persian Gulf crisis

²⁴⁹ Jentzsch (2021), pp. 34-41

²⁵⁰ Bundesregierung (1991), pp. 1-2

²⁵¹ Leder (2000), p. 34; SCRes, 686 (1991)

²⁵² Estimate based on numbers given by Jentzsch (2021), pp. 40-41; official records do not cover *Südflanke*, Bundesregierung (2018; Bundesregierung (2018b)

²⁵³ Bundesregierung (2013), p. 10; Bundesregierung (2018), p. 6

²⁵⁴ Only after 15th June 1993 was the mission called ‘*Sharp Guard*’; see NATO (1996); Ropers (2000), p. 101

tallied at roughly €145.3 million in today's prices, with the annual cost of the typical permanent presence of two destroyers/frigates, three MPAs and their related aggregated crew of roughly 570 ranged between roughly €20 million (1994) and €60 million (1995). Official records on personnel and medals are incomplete, despite the fact that Sharp Guard has been accorded 'Einsatz'-status and medals can be claimed retroactively by former participants.²⁵⁵

Southern Cross involved two frigates and two supply vessels for the evacuation of the German peacekeepers and came in addition to the nine merchant vessels chartered by the *Transportdienststelle See* for the army's equipment and vehicles.²⁵⁶ Between 27th January and 24th April 1994, they successfully evacuated almost 1,300 soldiers, in addition to civilian cargo vessels transporting their over 600 vehicles and 330 containers of equipment under dangerous security conditions.²⁵⁷ Lacking amphibious capabilities, the ships relied on the use of available port infrastructure in Mogadishu and operated under the protective cover of US and UN forces. The roughly 550 crew-members of the four vessels were led under national command from the *Flottenkommando* in Germany but faced complications in communicating and coordinating on the scene with the roughly army's peacekeepers led by the army.²⁵⁸ Total numbers of Bundeswehr personnel involved in UNOSOM across its duration is estimated at 4,500 – including the 550 of the evacuating naval force and crews of the airforce in earlier stages.²⁵⁹ The cost of *Southern Cross* can no longer be accurately be determined, as it was not classified as an 'Einsatz', and is not listed among the financial records of Bundeswehr missions presented to parliament.²⁶⁰

Overall, the navy's missions during the Kohl years set the stage for its role in foreign policy in the new millennium. The use of the military in Germany's foreign policy was hotly contested and – until the 1994 constitutional court ruling – also considered unconstitutional by many in the domestic political arena. Still, public and political attitude towards using the military in *some way* in foreign policy was evolving, malleable and shifted towards greater preparedness to accept the use of force in cases where this can be justified in terms of the interests, values and responsibility of Germany – historical guilt and indebtedness included.

²⁵⁵ See a Tweet of a veteran of Sharp Guard, receiving his medal more than 20 years after the mission; May (2019); Bundeswehr (2019); and Bundesregierung (2018; Bundesregierung (2018); no figures included in the Bundestag's research service mention of the mission in its history of Bundeswehr deployments, Wissenschaftlicher Dienst (2011)

²⁵⁶ Number of merchant vessels, interview Gottfried Hoch, 24th April 2019

²⁵⁷ Numbers taken from Kammerhoff (2000), p. 126; p. 128

²⁵⁸ See Hoch (2005), p. 682

²⁵⁹ See Stockfisch (1995), p. 634

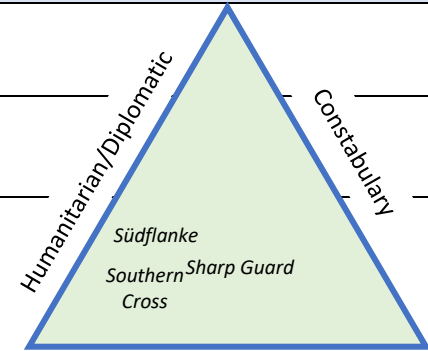
²⁶⁰ Bundesregierung (2013), p. 10; Bundesregierung (2018), p. 6

Despite commonalities with some allies, the Federal Republic appeared to have been more risk-averse than its peers (*Sharp Guard*, UNOSOM II). This applied to political risks, the physical danger to the service-members deployed, as well as their capability to inflict violence in pursuit of their mission. In this context, the navy had begun to demonstrate its utility to foreign policy. *Südflanke* helped save face, *Sharp Guard* helped Germany avoid boots on the ground, *Southern Cross* got them safely back home.

Ultimately, while the missions themselves may seem small or limited in scope, they were of substantial value for Germany, its navy and policy on the level of NATO and WEU. The early missions abroad had at least three significant effects for the navy in German foreign policy. Firstly, sobering up early hopes placed in ‘out-of-area’-missions, particularly at the side of the US and with ‘boots on the ground’; secondly, proving that a global role and ambition in peacekeeping needed a capable navy; thirdly, a naval deployment could at times make up for the need to use land- or air-forces to create a tangible foreign policy effect. The long-term consequences offered both risk and opportunity for the navy: a reluctance for deployments of the army might lead to a preference for naval crisis response in the future, while shying away from military ‘out-of-area’ commitments altogether would in turn render the global reach of the navy relatively useless for Germany.

Fig. 47, Analytical Map of Early Out-of-Area Deployments, 1990 - 2001

Reasons and Aims		Humanitarian concerns (all) Responsibility as member of the UN, (W)EU, NATO	Solidarity with allies Historical indebtedness/responsibility
Mission		Embargo enforcement (<i>Sharp Guard</i>) Evacuation of land forces (<i>Southern Cross</i>)	Minesweeping (<i>Südflanke</i>)
Characteristics of Deployments (<i>key points</i>)		<p>Germany 'nudged' by allies to use navy (<i>Südflanke</i>; <i>Sharp Guard</i>) / Followed example of US (<i>Southern Cross</i>)</p> <p>Defence-industry presentations: high priority</p> <p><i>Southern Cross</i> classified as 'exercise' in lieu of better label</p> <p>Training, final preparations & pol. mandate en route (<i>all</i>)</p> <p>No Status-of-forces agreement (<i>Südflanke</i>)</p> <p>Very restricted ROEs (<i>Südflanke</i>, <i>Sharp Guard</i>, UNOSOM II); 'standard ROEs' (no specific mandate, <i>Southern Cross</i>)</p> <p>Problems in comms army/navy (<i>Southern Cross</i>)</p> <p>Lacking appropriate equipment (i.e. Kevlar vests, <i>Southern Cross</i>; speedboats, short-range defence, <i>Sharp Guard</i>)</p>	<p>Improvising with Cold-War equipment (<i>all</i>)</p> <p>Extreme weather (heat), challenge to crews and equipment</p> <p>No unified national command authority</p> <p>Navy led mission for ships; army on scene & army medical service unable to acknowledge value of ship's hospitals (<i>Southern Cross</i>)</p> <p>German units placed out of harm's way (UNOSOM II, <i>Sharp Guard</i>, <i>Südflanke</i>)</p> <p>Close cooperation with and critical dependency on other nations' forces</p> <p>Alignment with a larger US intervention and presence, but keeping a certain distance on the ground (UNOSOM II)</p> <p>Use of chartered merchant vessels for transport of equipment (UNOSOM II)</p>
Influences on the Political Process (<i>non-exhaustive</i>)		<p>subject to interpretations of constitutional limitations (all)</p> <p>subject to historical considerations of guilt and responsibility (all)</p> <p>subject to considerations of allied need for support and solidarity (all)</p> <p>subject to considerations of European cohesion and integration (all)</p> <p>influence of the Bundeswehr's leadership and military diplomacy on government (all)</p> <p>influence of the navy on acquiring a mission through 'lobbying' (<i>Southern Cross</i>)</p> <p>cabinet decision (<i>Südflanke</i>, <i>Sharp Guard</i>), if need be, against the will of the smaller coalition partner (<i>Maritime Monitor</i> 1992)</p>	<p>influence of public opinion (UNOSOM II)</p> <p>influence of the US (<i>Südflanke</i>, UNOSOM II)</p> <p>influence of European allies (<i>Südflanke</i>, <i>Sharp Guard</i>)</p> <p>influence of United Nations (<i>Südflanke</i>, UNOSOM II), candidacy for seat in UNSC; ambition for a permanent seat at least since 1993</p> <p>influence of the opposition in parliament (all)</p> <p>influence of the constitutional court (all)</p> <p>key role of the chancellor (all)</p>



Target Audiences (overview)	
Coercive	Supportive
ex Yugoslavia /Serbia	USA
	(W)EU
	NATO
	UN
	Countries & people in the Balkans
	Kuwait, Abu Dhabi & Persian Gulf vicinity
	<i>Domestic public</i>

V. Phase 2: The War on Terror: Becoming An Expeditionary Force for Good Order at Sea

V. 1 Introduction

The German navy had never conceived it would one day have to face piracy or become a global force for good order at sea. In the only ever ‘war’ this navy exclusively configured for warfighting ever fought, the Global War on Terror, it did both. Until the late 1980s, even the Mediterranean was still considered ‘out-of-area’, while nothing but honing its warfighting skills for deterrence was the navy’s core mission.¹ When Al Qaeda’s terrorists struck America on 11th September 2001, the navy was soon deeply involved in places and roles it had never even remotely considered undertaking. Three days after the attacks, a German warship made headlines with a spontaneous demonstration of solidarity. The destroyer *Lütjens* rendered passing honours to an American warship, crew lining the railings, German and US flag flying on half-mast and displaying a self-made banner with the words, ‘*We stand by you*’.² Not much later, a substantial detachment of the navy was sent to the US-led *Operation Enduring Freedom* (OEF) to the Horn of Africa and to Operation Active Endeavour (OAE) in the Mediterranean. From the start, the navy made up the lion’s share of Germany’s military support of the War on Terror.³

¹ See Hippler (1988)

² See Hamburger Abendblatt (2001); Kirch (2019); Naval History and Heritage Command (2021)

³ See Bundesregierung (2001b), and following mandates



Fig. 48, German Navy destroyer Lütjens in passing salute to USS Winston Churchill on the day after the 9/11 attacks in 2001 (Source: U.S. Navy/Lt. Mike Elliot, USS Winston S. Churchill, public domain)

The fleet of fourteen units sent into OEF was the largest ever deployed by Germany beyond the North and Baltic Sea. Strikingly, despite Germany's army dominated Bundeswehr and traditional role of forming the backbone of NATO's *land*-based deterrent in Europe, only roughly 1,350 of the 3,900 deployed in countering terrorism wore army uniforms, while 1,800 the navy's.⁴ However, in addition to the dominance of the army in the defence establishment, Afghanistan's *International Security Assistance Force* (ISAF) came to capture headlines with higher force-levels, combat, casualties and scandals, while the navy's quiet mission was soon lost out of sight by the public.⁵

Relative obscurity may be the reason why a detailed analysis of Germany's largest overseas naval deployment is still missing. There are a few eyewitness accounts and publications of naval officers in professional journals and edited volumes.⁶ Rowland's lists

⁴ See Bundesregierung (2001c)

⁵ See the evaluation of media coverage for 2006, Bulmahn et al. (2008), p. 99

⁶ See Hoch (2003); Hoch (2005), Jungmann (2003), Löffler (2003)]

Germany's initial 2002 OEF contribution in his treatment of 21st century naval diplomacy, citing it as a means to gain prestige and demonstrate cooperation towards the US and its other allies.⁷ Still, this is the only specific mention – and merely a brief one in a list of several hundred other international cases. Germond's work on EU maritime strategy also discusses Germany's role but does not specifically cover OEF or the role it played for its gradual foreign policy impact.⁸ It is not surprising that in this context, the multi-dimensionality of the effects were not covered by treatments of maritime affairs, let alone the domestic debate, process, or long-term significance of the mission's operational details.

While literature on naval diplomacy, seapower or maritime security deals little with contemporary Germany it still offers guidance in understanding the significance of the navy's involvement in the War on Terror for the shifting role of seapower in German foreign policy. Given the spread between a supposed normalisation and a new kind of multilateralist, cosmopolitan value-based foreign policy, Germany's use of naval force in OEF between the years 2002 until 2010 is considered in the light of 'classical' as well as more modern theories on the use of navies as a tool of foreign policy. Only a very limited number of works exist that cover the War on Terror at sea from an international and predominantly Anglo-Saxon perspective,⁹ and there is even less in German.¹⁰ The role of the Bundeswehr in Afghanistan and Schröder's years in government, especially his abstention from the 2003 Iraq War, have received much greater attention.¹¹ Oppermann in his analysis of post-9/11 foreign policy seems to have forgotten about the navy entirely. Accordingly, this thesis feeds into the wider debate on the utility of navies in general and for Germany's global role in particular.

This chapter will draw on a number of so-far disconnected resources, parliamentary records and original interviews, to evaluate the significance of OEF for the navy and its role in foreign policy. The public records of the *Bundestag* and federal government form the backbone of the political analysis. Commentators' opinions range from hailing the participation in the War on Terror as a normalisation of the use of force in German foreign policy (Oppermann), to substantiating the country's persisting unique multilateralist, value-based '*new global role*'

⁷ Rowlands (2015), p. 216

⁸ Germond (2015), pp. 67-9

⁹ See the official historical account of the US fifth fleet's part in it, see Schneller (2007), as well as this account and chronological list of events, Bereiter (2019), *The U.S. Navy in Operation Enduring Freedom, 2001-2002*, US Naval History and Heritage Command, also on the implications on US Naval Strategy see, Bruns (2019), Heynes (2015), Weir (2013)

¹⁰ See Hess et al. (2005); Rahn (2005); Seidler (2014); Seidler (2015)

¹¹ See Harnisch et al. (2004); Harsch (2011); Karmann et al. (2016); Krause von (2013); Oppermann (2016)

(Steinmeier).¹² Still, only few accounts are available concerning the navy.¹³ Finally, as many of the sources are German, to avoid a single national or cultural view, international sources are consulted wherever possible.¹⁴

The two main components of this chapter are, first, the political background and debate surrounding the deployment, and secondly, the operational reality of an essentially constabulary mission that brought an entirely novel way of seeing its political utility to the navy. Therefore, in addition to the strategic, political level of the genesis and foreign-policy implications of OEF and OAE, the chapter covers especially the former's naval-strategic and operational level, down to the description of an exemplary tactical case – the navy's first encounter with piracy, reacting to the hijacking of the Greek freighter *Panagia Tinou*. Due to the operational realities, the use of military force in a context 'other than war', ROEs receive particular attention. Following the previously noted 1994 *Bundesverfassungsgericht* ruling, a process of greater harmonization between Germany's self-imposed restrictions and those of its allies set in.¹⁵ Judging by the 2002-case of the *Panagia Tinou*, the navy's early ad-hoc counter-piracy approach was closer to traditional sea power practice, i.e. as expressed in the US Navy's standing ROEs concerning piracy,¹⁶ than to what the later and still-evolving German domestic political debate on the navy's powers in constabulary roles might otherwise have suggested and called for.

V. 2 The Utility of the Navy to Germany in the War on Terror

In its response to Al Qaeda's attacks on America on 11th September 2001, Germany was determined to play a visible part at the side of its US ally in countering international terrorism. Following the attacks in New York and Washington, the threat of terrorism was considered significant and the need to support the American and European allies as strategically vital.¹⁷ Countering terrorism was even seen to have become Germany's predominant foreign policy-theme for at least a decade.¹⁸ In this, the greatest political, public, journalistic and academic

¹² Oppermann (2016); Steinmeier (2016)

¹³ See Hoch (2003); Hoch (2005); Jungmann (2003); Löffler (2003)

¹⁴ See, on the US, Australian, UK and Canadian navies, Weir (2013), or a French view of the US-German-French Iraq-War differences, Bozo (2016)

¹⁵ See *Bundesverfassungsgericht* (1994); as also confirmed by Karsten Schneider, interview 8th February 2021, and Uwe Althaus, interview 15th June 2020

¹⁶ See the case of the *Panagia Tinou* below and the US forces' Standing ROEs at the time Thomas & Duncan (1999), 3.5.3.2, p. 226, and in the current 2005 version, see Chairman of the Joint Chiefs of Staff (2005), Enclosure A, 4. d]

¹⁷ See Bundesregierung (2001); Bundesregierung (2003a),

¹⁸ See Kramp-Karrenbauer (2021); Oppermann (2016), p. 121

attention was drawn to the wars fought on land in Afghanistan and Iraq,¹⁹ while Germany's most substantial direct military contribution to the War on Terror took place at sea.²⁰

Having pledged unconditional solidarity to the US after the 9/11-attacks,²¹ Germany joined the American-led intervention in Afghanistan and sent a substantial naval force to the Horn of Africa.²² Despite early misgivings about the direction and the military character of the American response, the Schröder government committed to sending the Bundeswehr.²³ Notwithstanding the will to live up to its responsibility and demonstrate its alliance solidarity and not just pay up or stand idly by while others did the dirty work, as Struck, leader of the SPD's parliamentary faction expressed it in the *Bundestag*,²⁴ it was clear that there were limits as to where and how Germany would get directly involved. Therefore, Schröder had to carefully manoeuvre between alliance solidarity and dependency on the electorate's votes.²⁵ In this, judging by its prominent role in the composition of the force, the navy possessed a specific utility the army and airforce did not.

The force mandated on 16th November 2001 was deliberately composed as to allow Schröder to marry unconditional solidarity with the US with traditional German public and political reservations about the use of the military.²⁶ It is noteworthy that the largest single share of the initial 9/11 response was naval.²⁷ Indicative of the recognition of its specific diplomatic utility – including its domestic dimension, the navy, which made up less than 10% of the Bundeswehr's strength in 2002,²⁸ provided almost half of the total troop-number dedicated to Germany's War on Terror response. Beyond this, the force package also included NBC specialists, medics, special forces, air transport and support capabilities and was deliberately designed to allow for flexible alterations later on, as either domestic or alliance pressures would have to be negotiated as the mission evolved.

¹⁹ See Bozo (2016); Crefeld (2008); Freedman (2008); Mazarr (2019)

²⁰ The CTF 150, the original OEF task-force is still operating off the Horn of Africa – albeit without German participation since 2010, see US Naval Forces Central Command (2020)

²¹ See Chancellor Schröder's speech on the day after the attacks, in *Bundestag* (2001c)

²² Oppermann (2016), p. 123

²³ Fischer (2011), p. 11, Schröder (2006), p. 61

²⁴ Speech by Peter Struck, *Bundestag* (2001b)

²⁵ Freuding (2010), p. 242

²⁶ Freuding (2010), pp. 241-2

²⁷ See Bundesregierung (2001)

²⁸ 26,000 navy of 270,000 total; *Bundestag* (2011), p. 56

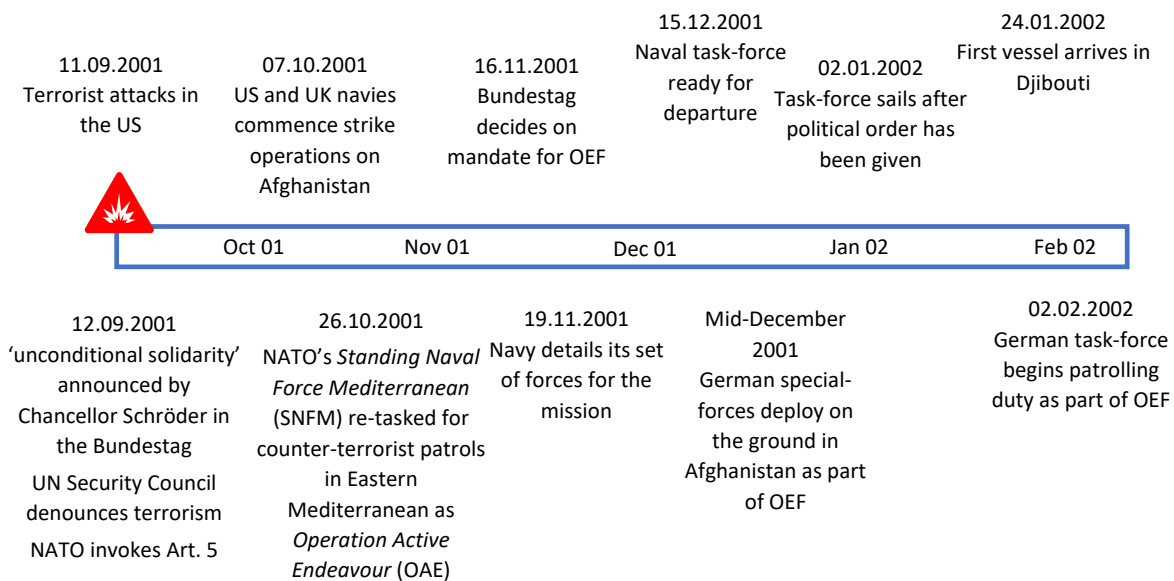


Fig. 49, Timeline of events for the commencement of the OEF deployment (author)²⁹

With respect to Afghanistan, Schröder agreed to join in the invasion on the ground, while early on, he was determined to stay out of Iraq.³⁰ Whether related discussions in the White House after 9/11 had reached Berlin,³¹ or suspicions about old scores of the Bush administration to be settled with Iraq were behind this it appears plausible that already in the early decisions relating to Afghanistan and OEF at sea, Schröder's government was preparing the ground to avoid being sucked into a much more risky and politically costly war against Saddam Hussein.³² In this climate of wanting to demonstrate solidarity, genuinely acting against terrorism and at the same time avoiding many of the political risks associated with the use of the military abroad for the domestic German audience, the navy was a very suitable alternative – or augmentation.

In consequence, almost nonchalantly and seemingly straight from an experienced sea power's playbook, Germany sent warships for visible presence and to provide good order at sea as navies always have. Not much thought was given to the challenges that might be faced by the navy contributing to a comprehensive approach against terrorism in an area far away from familiar waters. In the haste to get underway no detailed operational orders addressing terrorism or ROEs had been determined.³³ Therefore, based on collective self-defence against

²⁹ See Hoch (2005), pp. 687-9; Schneller (2007), pp. 81-2; Szandar et al. (2007)

³⁰ Schröder (2006), p. 85

³¹ See Mazarr (2019), p. 8

³² As suggested by Hoch, interview Gottfried Hoch, 2nd July 2019

³³ Interview Gottfried Hoch, 2nd July 2019

international terrorism, without a domestic legal mandate for policing duties or established related doctrinal procedures, OEF drew the fleet into providing comprehensive maritime security in waters teeming with maritime crime and violence.³⁴

Operationally, the maritime component of OEF was targeted at the suspicion that Al Qaeda might use the sea route between Pakistan and Sudan – a key support base in the network’s past – to smuggle weapons and personnel.³⁵ Furthermore, the general instability off the Horn of Africa, namely in Sudan, Eritrea, Yemen and Somalia was viewed as dangerously conducive to terrorist activity and creating further support bases for international action against the West. To tackle both challenges,³⁶ the traffic of personnel and weapons, and also sustainably increase good order at sea in the Horn of Africa region, a US-led coalition-fleet was to be deployed to patrol the Western Indian Ocean, the Gulf of Aden and the Red Sea and North Arab Sea.

Given the continental self-image and Cold War strategic role of Germany, relying so strongly on the navy after 9/11 may seem surprising. It was helped by several explicable factors – some rooted in the specific utility of navies, some in the context. The US requested warships, once Germany had pledged solidarity.³⁷ However, the requests formally made were subject to prior negotiations on the highest level of the Chancellor.³⁸ As such, firstly, the decision probably involved advice and lobbying on the part of the navy with regard to its unique advantages. Secondly, the example of the allied sea powers set an example to follow. Thirdly, Germany could draw on its experience with naval, army and airforce missions in the 1990s.

A further conducive aspect difficult to assess was the influence of Chancellor Schröder’s familiarity with maritime affairs. Having previously served as *Ministerpräsident* (regional governor) of Niedersachsen, a coastal state in northern Germany, Chancellor Schröder knew the significance of the sea for the economy and the opportunities it offered. This knowledge and the willingness to act on it for the benefit of Germany’s prosperity, is expressed in his opening remarks for the first *Nationale Maritime Konferenz* (national maritime conference), a public-private cross-sectoral network initiated by him in Emden in 2000.³⁹ His state had significant naval and commercial shipbuilders in Emden and Papenburg, as well as

³⁴ See Bundesregierung (2001)

³⁵ Seidler (2014), p. 381, p. 386

³⁶ Hoch (2003), p. 10

³⁷ See Bundesregierung (2002c), p. 8

³⁸ Interview Thomas Kempf, 13th September 2019; interview Lutz Feldt, 13th August 2019

³⁹ Bundesministerium fuer Wirtschaft (2000)

the navy's largest base in Wilhelmshaven. As a SPD politician, Schröder inevitably had a close relationship with the traditionally strong labour unions of the shipbuilding sector – an industry that in the less heavily industrialised North formed something of the 'gold standard' of labour politics in the region.⁴⁰ While the effect of Schröder's maritime pedigree on the OEF and OAE deployment is hard to pinpoint, Hans Eichel, his former minister of finances related that he brought his previous networks with the maritime industry to the Chancellery and was responsible for a number of policies leading to Germany's shipping boom.⁴¹ Between the beginning and the end of Schröder's tenure in office, the merchant fleet more than tripled in tonnage and Germany moved to rank three of the world's shipping nations.⁴²

For the military response to 9/11, Schröder conducted the final negotiations himself and he clearly had a choice about which forces to send and where.⁴³ While details have not been disclosed, according to Kempf, then head of the planning and strategy department (*Stabsabteilungsleiter 3*) in the BMVg in Bonn, the French and German armed forces were well aware through military diplomacy channels, that the US was expecting visible and substantial military contributions from its allies to the War on Terror – but was as yet open to their nature and regional deployment.⁴⁴ Before Germany decided the details, the USA and UK had already notified the UN of OEF (7th October) and NATO had announced OAE (12th November).⁴⁵ The allied lead clearly pointed out the way ahead for Germany, but it was not predetermined that it had to be naval. Nonetheless, warships would be required. As Caldwell noted, '*coalition navies understood that (the War on Terror) ... required ... a wider sea control screen ... along the Iranian coast and south to the Horn of Africa.*'⁴⁶ While Kempf acknowledged that between France and Germany it would be difficult to pinpoint the origin that sparked the proposition, he was certain that sending a substantial contribution of the navy to the Horn of Africa, was at least in part a German idea.⁴⁷ More precisely, an idea from within the German Navy, or naval channels of military diplomacy in the ministry of defence.

⁴⁰ He i.e. went to address workers in shipyards, see Metall (2005); on the union's influence on naval exports, see Stuwe (2005), p. 210

⁴¹ Interview Hans Eichel, 3rd December 2020

⁴² UNCTAD (1999), p. 30; UNCTAD (2007) p. 33

⁴³ Interview Harald Kujat, 12th January 2021

⁴⁴ Interview Thomas Kempf, 13th September 2019

⁴⁵ See Bundesregierung (2002), pp.2-3

⁴⁶ Caldwell (2013), p. 219

⁴⁷ Interview Thomas Kempf, 13th September 2019

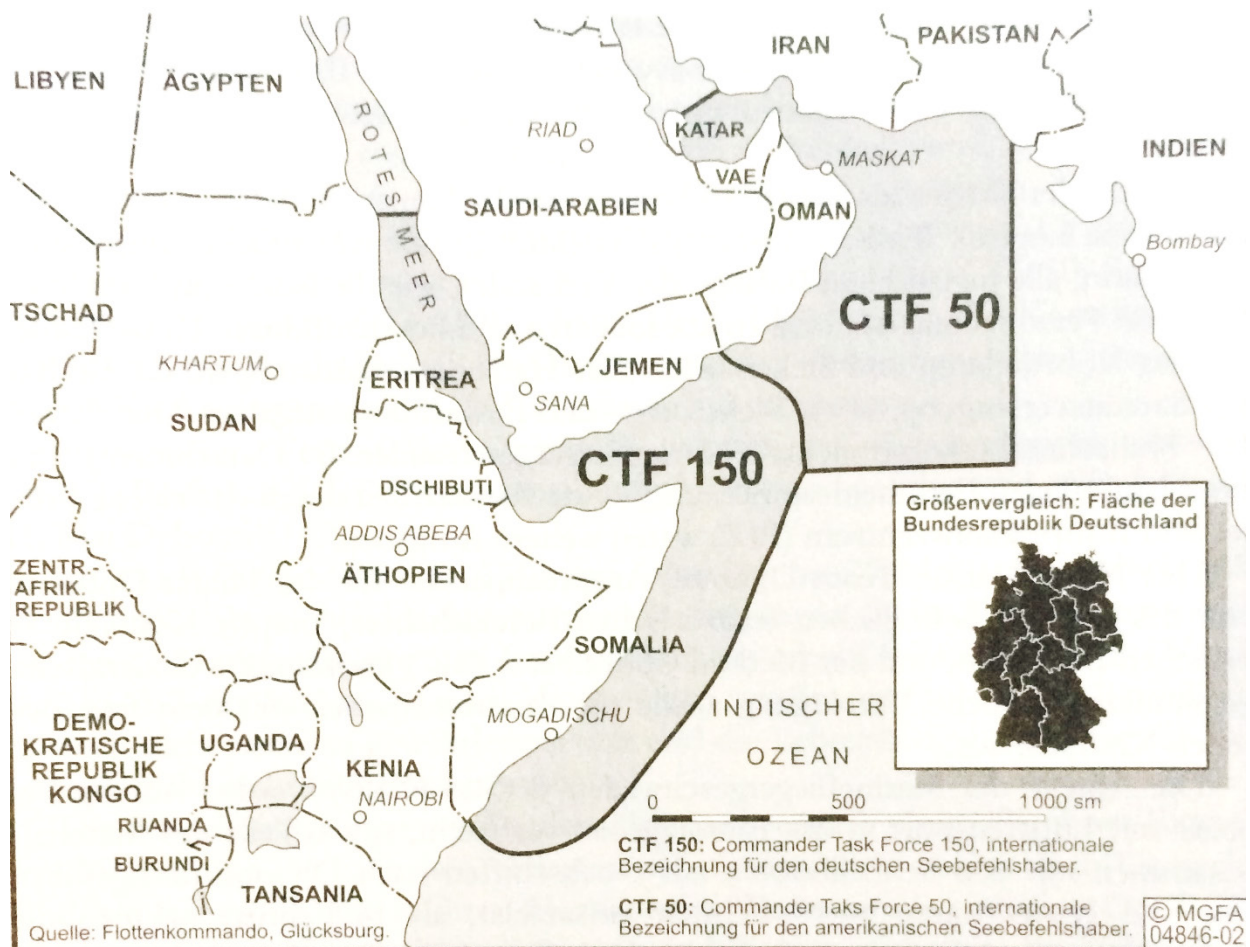


Fig. 50, Map of the OEF mission area with German Navy as part of CTF 150 (MGFA)⁴⁸

Set up by the US Navy to extend the reach of the coalition task-force operating in the North Arab Sea, the Combined Task-Force 150 (CTF 150) became the operational home of the German navy. It covered the southernmost reach of the area of operations, the Horn of Africa, the Red Sea, Gulf of Aden, Somali Basin, Arab Sea, Gulf of Oman and Strait of Hormuz.⁴⁹ In this task-force, Germany deployed alongside allies from the UK, France, Italy, Spain, Canada and Australia.⁵⁰ Subsequent to its establishment by US Naval Forces Central Command (NAVCENT),⁵¹ the German Admiral Hoch was the first non-US-flag-officer to command CTF 150, resulting in the responsibility for a third of the total area of operations of OEF. He saw this as a visible recognition of Germany's substantial, professional and effective contribution.⁵²

⁴⁸ Hoch (2005), p. 689

⁴⁹ Bereiter (2019), pp. 17-8

⁵⁰ Bereiter (2019), p. 18

⁵¹ Bereiter (2019), p. 17

⁵² Interview Gottfried Hoch, 2nd July 2019

Politically, it may also have been attractive to base OEF in Djibouti. On the French side, it may have helped the proposal that it in effect drew Germany into supporting its long-term overseas base there for years to come.⁵³ Germany, in turn valued the port's relative security, suitable infrastructure and strategic location.⁵⁴ In negotiating a necessary *status of forces agreement* (SOF) with the host-country, the navy could also build on existing ties through a small army technical cooperation team in place for years. This team's excellent reputation made laying the diplomatic groundwork for OEF much easier.⁵⁵ At the same time, the humanitarian situation in the country would place any expenses and investments to be made in a favourable light for years to come.⁵⁶ Eventually, in addition to living up to its NATO commitment to the US, building a foothold in the strategically important region and deepening defence cooperation with France, Germany's principal European ally, made sense – especially if it could be had at an acceptable risk.

It must have helped the case of the navy that the early 1990s had already seen some successful naval deployments and witnessed troublesome ones of the army and airforce. The navy delivered effect at less risk and cost than army or airforce. The army's UNOSOM II in 1993/94 had produced little tangible operational value and left a lingering wariness of entangling ground forces abroad, depending on allies for security and without a safe way out. At the same time, NATO's air-campaign under participation of the *Luftwaffe* in Kosovo 1999 had come with civilian casualties, negative diplomatic ramifications and some very troublesome questions concerning the legality of the intervention.⁵⁷

There is a further reason which may have played a part on the US side, to specifically facilitate the acceptance of German warships into OEF, they entailed less difficulties for US operations than land-forces. As Lambeth indicates, after what the Bundeswehr had displayed in terms of restricted ROEs and limited fighting value in its missions in the 1990s, the Bush administration may have been reluctant at first, to let it and other 'meddlesome' European allies in on land operations.⁵⁸ By the nature of the tasks and the area of deployment, German warships at the Horn of Africa posed little risk to the Americans of critically affecting the conduct of operations in Afghanistan – or elsewhere. Allied warships could largely look after themselves,

⁵³ The presence in Djibouti continued until April 2021 and involved long-term leases of facilities in the French compound, see EU NAVFOR (2021)

⁵⁴ See Bundesregierung (2002), p. 9

⁵⁵ Interview Lutz Feldt, 13th August 2019

⁵⁶ See FDP (2009)

⁵⁷ See Habermas, Juergen (2000), pp. 55-6

⁵⁸ Lambeth (2005), pp. 116-7

were easily integrated into larger forces on a scalable level of intensity and could just as easily be sent away again or kept at a distance from the core of one's operations.⁵⁹ After all, six years into OEF, the US Navy was just as convinced of its ability to control the sea as well as any interference of its allies: '*We will be able to impose local sea control wherever necessary, ideally in concert with friends and allies, but by ourselves if we must.*'⁶⁰

With a history of regular long-distance voyages and exercises, the navy had more international experience to draw on than the army, including the handling of logistics for maintenance and supplies. In OEF, this particularly paid off, as the initial task-force sailed under the command of Gottfried Hoch – the same admiral who had led operation *Southern Cross* and knew the region.⁶¹ The navy had also trained for decades with allies that drew on their rich experience of a much broader set of tasks and missions.⁶² However, it had never sustained forces for longer periods away from friendly ports or possessed any overseas bases. It therefore came to rely on the French outpost in Djibouti for its leap from a Cold War 'escort navy', to a post-Cold War 'expeditionary' one.⁶³

Despite the greater focus on the army in Afghanistan, the opposition in parliament did not entirely overlook the navy. It accused it of complicity in eroding international law and security in the War on Terror. OEF in total came to be associated with American practices of extrajudicial killings, torture and detention without due legal process, while its presence was portrayed as facilitating the Iraq War, Germany had ostensibly refused to support.⁶⁴ At the same time, the allied naval presence at the Horn of Africa was accused of exploiting 9/11 as a pretext to establish sea control in the strategically important regions in the Mediterranean, the Red Sea, the Arab Sea and Persian Gulf.⁶⁵

Mission, Mandate and ROEs

Pursuing collective self-defence, OEF's mission essentially required constabulary work to provide maritime security – or what navies used to call 'good order at sea'.⁶⁶ This required

⁵⁹ This may be the reason why it was the US Navy – not army or airforce – that came up with concepts like the '*1000-Ship-Navy*' and a '*Cooperative Strategy for 21st Century Seapower*'. See Rahman (2009), p. 40

⁶⁰ See US Government (2007), p. 13

⁶¹ According to himself, his past experience had played no part in the choice of the Navy, merely his position within the command structure of the navy; interviews with Gottfried Hoch, 24th April 2019 and 2nd July 2019

⁶² Especially through the Flag Officer Sea Training (FOST) in the UK, interview Gottfried Hoch, 2nd July 2019

⁶³ See Hillmann, Joerg (2005), p. 268

⁶⁴ See Bundesregierung (2006c), p. 8; pp. 10-1

⁶⁵ See Schaefer et al. (2009), I.

⁶⁶ See the mandates 2001 and following until 2009, the last one for OEF; 2015, the last one for OAE respectively; Bundesregierung (2001); Bundesregierung (2009b), on '*good order at sea*', see Till (2013), p. 25

building so-called Maritime Domain Awareness (MDA), surveillance and reconnaissance of patterns of life in strategically important waters. It also meant seeking out and confronting terrorists, protecting shipping from attacks, while addressing the conditions that facilitated the threat through a comprehensive approach to maritime security in the region. In order to fulfil the US-aim to ‘prevent the seaborne escape of Osama bin Laden and al-Qaeda leaders from southern Pakistan, disrupt or defeat other international terrorist groups, and deter states and non-state actors from supporting terrorism’,⁶⁷ targets beyond the terrorists themselves also shifted into focus: drug-smuggling and piracy were for example not just seen as contributing to conditions of lawlessness that facilitated terrorism, they were also suspected of financing Al Qaeda’s networks directly.⁶⁸ It was therefore essential to establish sea control comprehensively and monitor, intercept, board and search a broad range of suspicious vessels that were passing the area of concern.⁶⁹

Concerning mandate and classification as an *Einsatz* – an officially mandated mission of the Bundeswehr – there was theoretically little difference between OAE and OEF. At the outset of Germany’s participation in OEF, OAE was not explicitly mentioned in the mandates. In the first report the government issued on its War on Terror participation to parliament, it stated that OAE – described merely as a rebranding and redeployment of NATO standing naval forces in the (Eastern) Mediterranean – did neither need a separate mandate nor was part of the one issued for OEF from November 2001.⁷⁰ However, the 7th November 2001 parliamentary mandate for OEF explicitly included NATO’s treaty area within the regional boundaries for the powers granted.⁷¹ As Article 6 of the North Atlantic Treaty includes the Mediterranean,⁷² it seems highly contestable to exclude OAE from the obligations, powers and status accorded to OEF.

While in practice, no uses of force were required in OAE and boardings were compliant, any German warship deployed under OAE in the Mediterranean had claim to the same mandate as those deployed off the Horn of Africa. It took until the second annual renewal of the OEF mandate in 2003, that OAE was recognised in the text.⁷³ As OAE’s practical focus increasingly shifted towards establishing maritime domain awareness rather than addressing a tangible

⁶⁷ Bereiter (2019), p. 14

⁶⁸ See Hodgkinson et al. (2007), pp. 629-30; pp. 649-50

⁶⁹ Barlow (2013), pp. 177-180

⁷⁰ Bundesregierung (2002), p. 3

⁷¹ Bundesregierung (2001), p. 4

⁷² NATO (1949), Art. 6

⁷³ Bundesregierung (2003), p. 2

threat, its mandate was continued until 2016 separately even after OEF was quietly phased out in 2010.⁷⁴

Germany and the US differed in their interpretation of how to legally conduct counter-terrorism at sea. Especially the American practice of stopping, boarding and searching vessels flying a foreign flag on the high seas without flag-state consent was deemed highly controversial by most European allies.⁷⁵ Germany closely followed the Law of the Sea, which required consent of the flag-state *in peacetime* – apart from suspected cases of piracy, illegal broadcasting, slave-trade or a vessel without nationality.⁷⁶ The US Navy in turn worked on the premise that ‘*there is almost no specific guidance regarding the use of force while conducting a boarding in international law or customary international law.*’⁷⁷ This line of argumentation rested especially on two issues. First, in lieu of sometimes difficult to obtain flag-state-consent, the USA also recognised the authority of a ship’s master to invite a third-party’s warship to assist with countering terrorism aboard his or her vessel.⁷⁸ In practice, masters consented readily when faced with destroyers alongside and helicopters overhead.⁷⁹ Secondly, with the suspected threat being ‘great enough’, the US saw itself justified in basing interdictions of third-party-vessels without flag-state or master’s consent on the principle of national self-defence in accordance with the Art. 51 of the UN Charter.⁸⁰ While the former point still relates to consent and *peacetime-procedures*, the latter grants authority even to use force against opposition as commonly accepted in *wartime*.

Canada and France participated in the early phases of so-called Leadership Interdiction Operations (LIO),⁸¹ which saw the US Navy conduct non-compliant boarding and without flag-state consent.⁸² Details of nations’ vessels’ missions, as well as their ROEs are not yet disclosed, so the extent of variation between national ROEs can only be inferred. However, even the UK, hailed by US President Bush as a ‘staunch friend’, before mentioning any of the other allies in his address announcing the beginning of OEF,⁸³ delayed participation of the Royal Navy – despite being on the scene – because of ‘issues relating to the British rules of

⁷⁴ The primary utility of OAE as a maritime surveillance mission was preserved in the follow-up operation Sea Guardian, see Bundesregierung (2009); Bundesregierung (2015b); Bundesregierung (2016), p. 1

⁷⁵ Interview Uwe Althaus, 15th June 2020, Hodgkinson et al. (2007), pp. 587-8

⁷⁶ See Bundesregierung (2006d)p. 10; UNCLOS (1982), Art. 105, Art. 110, see also Guilfoyle (2009), p. 5, p. 23

⁷⁷ The US delegation to the SUA 2005 negotiations, as quoted by Guilfoyle (2009), p. 272

⁷⁸ See Hodgkinson et al. (2007), p. 584

⁷⁹ Hodgkinson et al. (2007), p. 626

⁸⁰ Hodgkinson et al. (2007), p. 640, p. 668; United Nations (1945), Art. 51

⁸¹ See Hodgkinson et al. (2007), p. 623

⁸² Hodgkinson et al. (2007), pp. 626-7

⁸³ Bush (2001)

engagement’ as Barlow speculated.⁸⁴ In the case of maritime interdiction operations (MIO) as part of the OEF mission, the German position was clear. There would be no interdiction without an explicit UN SCR, consent by the flag-state, an imminent threat, acting in self-defence or in defence of other units of the task force.⁸⁵ Accordingly, boarding and searching of suspicious vessels was not a frequent occurrence during the German mission.⁸⁶ Even though Althaus, who was closely involved in drafting the ROEs at the time, points to the lack of operational resources at the time – insufficient availability of special forces suited for the task.⁸⁷

From the start, the task force was prepared and equipped to address further levels of escalation, if orders or an expansion of the mandate had been given accordingly.⁸⁸ However, the practice of boarding and searching a merchant ship was far from a common German undertaking. Capabilities suitable for opposed boardings, let alone hostage liberation, were scarce.⁸⁹ Even for the assessment of vessels boarded and searched with consent, the navy lacked expertise in scrutinising the paperwork of ships and cargoes. Law-enforcement roles were not normally part of its mission. In this situation, as during *Sharp Guard*, the navy relied on its merchant service reserve-officers as ECLOs to advise military commanders and expertly conduct inspections of commercial vessels.⁹⁰

With its significant merchant fleet and shipping influence, it is noteworthy that Germany did not fully support the US induced counter-terrorist measures in the UN’s IMO. In the 1980s, when the context was different and its merchant fleet smaller, Germany had readily supported the IMO’s 1988 SUA-Convention addressing international terrorism and the proliferation of WMD – even before the USA.⁹¹ But when just after 9/11, on 20th November 2001, the US pushed for the adoption of new measures to prevent ships from facilitating or falling prey to terrorism in the IMO General Assembly,⁹² it received only limited support. To be sure, the ISPS Code, aimed at improving security of ships and ports through flag- and coastal-state regulation, was craftily included into SOLAS and could therefore avoid lengthy debates to enter into force quickly.⁹³ Germany, as a flag-state also readily complied with new

⁸⁴ Barlow (2013), p. 171

⁸⁵ See Bundesregierung (2006), p. 10

⁸⁶ See Bundesregierung (2006), p. 10-1

⁸⁷ Interview Uwe Althaus, 15th June 2020

⁸⁸ Interview Gottfried Hoch, 2nd July 2019

⁸⁹ Interview Gottfried Hoch, 2nd July 2019

⁹⁰ See Mohr’s later description of the practice in his recent account of NATO exercises, Mohr (2018)

⁹¹ IMO (2022a), p. 462, p. 464

⁹² IMO General Assembly (2002)

⁹³ 1st July 2004, IMO (2022a), p. 37

maritime security responsibilities, including US requests for re-routing and arrests, when ships under its flag were concerned.⁹⁴ The BSH as the national shipping authority received additional funds and expanded its mandate accordingly.⁹⁵ Having become a significant shipping nation by the year 2000, Germany did not so readily support the US' diplomatic push for greater third-party interdiction rights without flag-state consent. Germany subsequently withheld its support even for SUA 2005's only slight extension of third-party interdiction rights for almost 15 years.⁹⁶

In the negotiations for what came to be the SUA 2005 protocol, Germany was clearly not aligned with its allies' position. The fault-line in the diplomatic discussions ran between the traditional Western sea powers, led by the US, France and UK, eager to facilitate counter-terrorist intervention, and major flag-states as well as countries with significant merchant fleets that wanted to preserve freedom of navigation without infringement of the principle of flag-state sovereignty.⁹⁷ Instead of signing the protocol with the US (17th February 2006), France (14th February 2006) and Britain (23rd January 2007) early on, Germany (29th January 2016) signed even later than the major flag-states Marshall Islands (09th May 2008) and Panama (24th February 2011).⁹⁸ By 2000, the German merchant fleet, at 1.943 vessels, outranked that of the USA (1.428) and was almost twice as large as the ones of France (280) and the UK (859) combined.⁹⁹

Negotiations for amending SUA not only dragged out considerably over 90 sessions between April 2002 and April 2005 and the desired powers for third-party intervention had by then been substantially watered down. Flag-states that wished to consent to interdiction were encouraged to deposit this authorisation voluntarily.¹⁰⁰ The limited esteem the US preserved for SUA and the impotence of this provision is illustrated by the fact that US Congress only ratified the treaty in 2016 and that until now, not a single flag-state has deposited such an automatic consent to interdiction.¹⁰¹ By strengthening the flag-state principle throughout, SUA 2005 arguably even weakened the US' position on master's consent to boarding.¹⁰²

⁹⁴ See the case of the *BBC China* in October 2004, WELT (2004)

⁹⁵ See CDU-CSU (2004), p. 38

⁹⁶ It signed up in January 2016, IMO (2022a) p. 455

⁹⁷ See Beckman (2009), pp. 191-2

⁹⁸ Top 3 in 2020, Liberia is still missing as of January 2022; IMO (2022a), p. 455-6; UNCTAD (2021a), p. 45

⁹⁹ UNCTAD (2001), p. 28

¹⁰⁰ See Beckman (2009), pp. 191-2; SUA (2005), Art. 8 [d]

¹⁰¹ Interview Uwe Althaus, 15th June 2020; IMO (2022a), p. 455

¹⁰² Hodgkinson et al. (2007), p. 664

Despite reserving itself the right to resort to extraordinary measures in self-defence, the US, wherever possible, strove for flag-state consent. It used its diplomatic weight to conclude bilateral treaties with relevant flag-states to facilitate interdiction in cases of suspected trafficking of WMD. Furthermore the Proliferation Security Initiative (PSI), formed in 2002, played a key role as a forum to cooperate.¹⁰³ Accordingly, as Guilfoyle wrote in 2009, concerning WMD, ‘*numerous high-seas interdictions have been conducted since 11 September 2001 by PSI member-states, all with flag-state consent.*’¹⁰⁴

The political tight-rope walk in authorising the navy to act had produced less significant constraints than is often rumoured among German service members and their international comrades.¹⁰⁵ Althaus, the legal advisor to the navy’s first OEF task-group maintained firmly that ‘*Germany had no more far-reaching restrictions than the other allies. A practical caveat against “opposed boarding” (with military force against a resisting vessel) stemmed purely from a lack of available special-forces assets for the task-force at the time.*’¹⁰⁶ Apart from Canada and the US itself,¹⁰⁷ the German view on limitations to boarding with neither flag-state consent nor UN authorisation were consistent with NATO ROEs shared by most other allies, including the UK.¹⁰⁸

Drawing on a shared history of combined training, exercises and operations over decades, those in command on the scene found solutions to work with the limitations they had been given by their political masters.¹⁰⁹ As Commodore Robertson, the first Canadian group commander in OEF recalled:

Canada’s ROE gave us more latitude than any other navy except the U.S. Navy. Had the coalition been left with the lowest common denominator as our collective ROE, the coalition would have been restricted to military operations in Afghanistan and nothing beyond surveillance would have been possible at sea. Happily ... we all knew each others’ limitations and the commanders were able to allocate and employ forces with those limitations. ... What was vital to the operation was that countries shared their

¹⁰³ Guilfoyle (2009), p. 232

¹⁰⁴ Quoting a summary of a discussion in Chatham House from 24th February 2005, Guilfoyle (2009), p. 244

¹⁰⁵ Both Hoch and Althaus confirm the prevalence of this suspicion. Interview Gottfried Hoch, 2nd July 2019; interview Uwe Althaus, 15th June 2020

¹⁰⁶ Interview Uwe Althaus, 15th June 2020

¹⁰⁷ Caldwell (2013), p. 242

¹⁰⁸ Barlow (2013), p. 182

¹⁰⁹ Barlow (2013), pp. 183-4

*ROE, and that as a minimum all ships had the ROE to defend other coalition naval forces, and this we had.*¹¹⁰

The ROEs the German navy was given for OEF appear to have been sufficiently suitable for the mission and not substantially different from those of its allies. Feedback of German commanders on the scene was positive.¹¹¹ Furthermore, the ROEs must have also been deemed up to the task by the US Navy, otherwise it would hardly have entrusted a German commander early on with the responsibility to cover a third of the maritime area of operations,¹¹² for his ROE limitations had to be applied to all coalition vessels under his command while he was in charge.¹¹³

German parliamentary mandates justified the use of military force with collective self-defence, but they essentially introduced contributing to a *comprehensive approach* to maritime security into the mission-set of the navy. In this, Germany was not alone, as UN resolutions and the shared mission aims in OEF emphasised the need for addressing lawlessness and instability as a root cause of terrorism, including illicit financial and smuggling activities.¹¹⁴ Accordingly, from the start, military counter-terrorism was seen as part of a broader so-called *comprehensive, civilian-military, whole-of-government approach* aimed at drying up support for terrorist networks.¹¹⁵ This way of handling crisis response quickly became popular in Germany – not least because it permitted the inclusion of development aid or police-training in the overall mission-set.¹¹⁶

NATO's and the EU's subsequent choice of the *comprehensive approach* as its preferred crisis-response was strongly supported by Germany.¹¹⁷ After all, civilian contributions to the alliance seemed to be reconcilable much more easily with its peculiar strategic culture than military ones. However, the civilian nature of the capabilities also made them less reliably available in the federal system. In addition to having to rely on voluntary participation of individual police officers, judges or attorneys, the government had no direct authority over the nation's police force and therefore consistently failed to meet the force levels

¹¹⁰ As quoted by Caldwell (2013), pp. 267-8

¹¹¹ Jungmann (2003), p. 53

¹¹² Interview Gottfried Hoch, 2nd July 2019

¹¹³ A logical point, generally made by the Canadian OEF task-group commander Lehre, as quoted by Caldwell (2013), p. 243

¹¹⁴ See SCRes 1373 (2001), p. 3

¹¹⁵ Bundesregierung (2001), p. 2

¹¹⁶ Kupferschmidt & Rothehäuser (2009), p. 8

¹¹⁷ Oppermann (2016), p. 138

in Afghan police-training it had promised to its international partners.¹¹⁸ Furthermore, training Afghan police or ‘digging wells in villages’ (as the saying went at the time), was not likely to satisfy calls for burden-sharing while others were fighting in Afghanistan.

The German government strove to avoid confrontation over differences in policy and ROEs domestically, diplomatically and during the operations. It avoided denouncing US practices in domestic communication, while it supported where it could – including by tacitly letting the navy escort allied vessels that were likely bound for Iraq, once the war had started in March 2003.¹¹⁹ While by its mandate, the navy could have been sent to the Arab Sea as much as to the Horn of Africa, the latter area, away from LIOs probably afforded the allies greater convenience for avoiding differences on an operational level. Admiral Hoch remembered that both the German liaison officer in the US Central Naval Command and the US commander were hard to convince of deploying German vessels in the North Arab Sea, closer to the ‘hotter’ OEF mission-areas.¹²⁰

V. 3 Operating off the Horn of Africa

Fourteen different warships, including frigates, supply ships, fast patrol boats and maritime patrol aircraft were part of the first task force at the Horn of Africa.¹²¹ Even historically, Germans had not sent many larger detachments of naval forces beyond home waters. Imperial Germany’s *Expeditionskorps* to the Chinese Boxer Rising in 1900 had encompassed twenty-three vessels, including four battleships, the largest type of warship in their day.¹²² Only during the relatively short period of German colonialism, from 1884 till 1914, sizeable cruiser squadrons of four to eight units had been frequently deployed and permanently stationed beyond the line of Dover-Calais, the Eastern entrance to the English Channel and traditional limit of Germany’s familiar waters to the West – the beginning of the world beyond and voyages overseas.¹²³

No longer a major power, let alone a sea power, post-Cold War Germany sent into the War on Terror what it could in terms of naval force. *Quantitatively*, Germany contributed between 10-12% of OEF’s total initial maritime component.¹²⁴ In numbers, Germany

¹¹⁸ As pointed out by Nachtwei, speech at a reception in the regional parliament in Düsseldorf, 26th June 2014

¹¹⁹ See Bundesregierung (2006), pp. 10-1

¹²⁰ Interview Gottfried Hoch, 2nd July 2019

¹²¹ Hoch (2003), p. 11

¹²² See Herwig (2014), p. 180

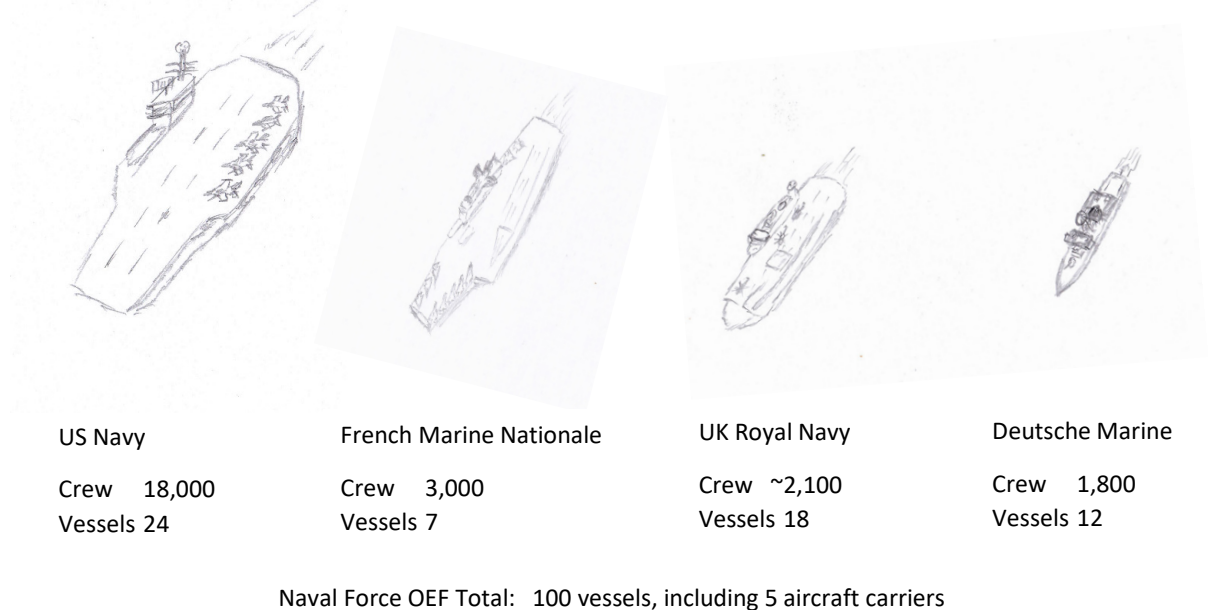
¹²³ See Herwig (2014), p. 165; pp. 168-9

¹²⁴ Hoch’s and Barlow’s counting of German and American numbers vary. See Barlow (2013), pp. 174-5, and Hoch (2003), p. 11

approached Britain’s Gulf War contribution in 1991 and did not fall far short of what the Royal Navy brought to OEF in 2001 and 2002.¹²⁵ Clearly, *qualitatively*, Germany’s force could not match the UK’s aircraft carrier *Illustrious*, as well as cruise-missile capable submarines capable of striking targets over long distances in Afghanistan.¹²⁶ Neither of these capabilities existed then – or exist today – in the German Navy.

Fig. 51, Comparing Initial OEF Deployments

Oct. 2001 – Feb. 2002



*Fig. 51, Comparing Initial OEF Deployments (author)*¹²⁷

Under considerable strain and given the foreseeable need to maintain a sustained presence, the German Navy sent whatever unit was available. Commander of the Fleet, Admiral Lutz Feldt wanted to send even more ships, but was reined in by his Chief of the Navy, Admiral Hans Lüssow, on account of necessary reserves for rotating forces off the Horn in a sustainable manner for years to come.¹²⁸ Despite this, strain on crews was considerable. While before OEF, an average of 140 days of absence from home was ‘normal’ in the navy – typically spread out over several deployments, exercises or voyages – starting with 2002, the average rose to 200

¹²⁵ Photographs Imperial War Museum (2021), Barlow (2013), p. 170, The exercise involved some 22,500 personnel, 6,500 vehicles and trailers, 93 aircraft of all types and 21 naval vessels, Bourn (2002), p. 7

¹²⁶ *Illustrious* had been operating helicopters instead of airplanes in its role in OEF, see Barlow (2013), p. 170

¹²⁷ Figures for US, see Schneller (2007), p. 78, for UK, see Barlow (2013) p. 171, for Germany, see Hoch (2005), p. 693, for the total ship-count and the French deployment, see Denis (2004), p. 1

¹²⁸ Interview Thomas Kempf, 13th September 2019

days, with a single spell in OEF lasting six months. Individual ships' crews were even away from their families for more than 250 days at a time.¹²⁹

The frigate *Bayern*, for example, first flagship of the German task group off the Horn of Africa, equipped with the latest technology to command such a mission at the time, was redeployed from already commenced NATO duties in the Mediterranean to serve a further six months in OEF. By the time it returned home, the crew had been gone from Wilhelmshaven for ten months.¹³⁰ Still, when some of the sailors were given the chance to fly home early from Djibouti, they opted to stay on.¹³¹

The strain that the crews were facing was shared by their equipment. Vessels in use at the Horn of Africa had been built for climatic conditions in the North and Baltic Sea, while the maintenance intervals of ships, helicopters and airplanes had not been devised with neither the extreme conditions nor the long deployments in mind. Helicopters' rotors deteriorated more rapidly and propellers in turbines looked like they had been sand-blasted after flying in dry dusty conditions.¹³² Spare parts and entire helicopters had to be flown in via Djibouti. A Class 122 frigate, like *Köln*, part of the first OEF task-force, had been planned with 70 sea-days per year in mind, with a maximum useful life of 15 years. By 2002, *Köln* was already 18 years old and – like her sister-ships – averaged 220 to 230 sea-days per year.¹³³ All units struggled with the heat. Whenever in doubt, limited air-conditioning capabilities were reserved for cooling computing power, not people.

¹²⁹ See Bundestag (2003), 2.1.6.1

¹³⁰ Hoch (2005), p. 701

¹³¹ Interview Gottfried Hoch, 2nd July 2019

¹³² Klindtworth (2003), p. 62

¹³³ Hoch (2003), p. 13



Fig. 52, 20mm gun installed as a consequence of *Sharp Guard*, seen here during OEF, 2002 (source: Bundeswehr)

The navy also had to adapt to deal with a new type of threat it faced; fast small boats in so-called *asymmetric* suicidal attacks like those on the USS *Cole* in 2000, or on the Tanker *Limburg* in 2002.¹³⁴ Just like *Sharp Guard* had required new speedboats for boarding operations and smaller manually operated 20mm-mounts to be installed on frigates, OEF brought mounted machine-guns and ‘doorgunners’ to the helicopters embarked on them.¹³⁵ Crews also had to deal with the lack of protection against small-arms fire that had never been foreseen to endanger a modern missile-firing warship during the Cold War. Accordingly, as Fig. 52 shows, crews on deck wore the army’s protective vests.

Due to its Cold War role and peculiar strategic culture, in terms of available capabilities and willingness to use them, Germany differed from its main sea power allies. None of the most powerful classes of warships, neither aircraft- nor helicopter-carriers, missile-firing cruisers or submarines, as well as expeditionary forces on amphibious transport vessels could have been contributed to OEF, as these capabilities did not exist then (or now) in the fleet. Additionally, the limited number of special forces meant that even the navy’s ones were deployed to Afghanistan and not on shipboard.¹³⁶ Therefore, neither ship-shore-targeting, nor opposed boardings could or would have been carried out by German vessels.

¹³⁴ FBI (2022); Henley & Stewart (2002a)

¹³⁵ Klindtworth (2003), p. 63

¹³⁶ Records of the missions of German special forces are not yet disclosed to the public. Interview with anonymous member of the German defence administration



Fig. 53, 'Germans to the front?': not in this display of allied seapower assembled in OEF. In four descending columns, from left to right: ITS Maestrale (F 570), FNS De Grasse (D 612); USS John C. Stennis (CVN 74), FNS Charles de Gaulle (R91), FNS Surcouf (F 711); USS Port Royal (CG 73), HMS Ocean (L12), USS John F. Kennedy (CV 67), ITS Luigi Durand de la Penne (D560); and HNLMS Van Amstel (F 831) – the German Navy was deployed further South and away from the 'hottest' part of the fight (source: US Navy)

Given the history of domestic complications it is not entirely surprising that the proximity of the Horn of Africa turned out to be the navy's main mission area. Germany had shied away from sending warships to the Persian Gulf during the Iran/Iraq Tanker War in 1988, and had only reluctantly committed to its brief mine-hunting stint in these waters after the 1991 Gulf War.¹³⁷ While close enough to the scene of action to make a difference – and therefore credible enough as a show of solidarity with America – the navy also was far enough away from controversial US naval counter-terrorist boarding operations in the North Arab Sea to invite too much trouble.¹³⁸ In addition to this, the French military facilities in Djibouti provided a convenient substitute for the limited global reach of the German Navy.

Following the parliamentary vote on 16th November 2001, the navy acted quickly. Within four weeks, on December 15th, the ships were ready to deploy.¹³⁹ There was a further delay on the part of the ministry involved, and the vessels sailed on 02nd January 2002. Despite

¹³⁷ See the missions' discussion in the previous chapter.

¹³⁸ See Hodgkinson et al. (2007), 622-3

¹³⁹ Hoch (2005), pp. 687-9

the time elapsed between government proposition of the force, 07th November, the parliamentary vote, 16th November, and the date of sailing of the force, details of the mission were still not clear to the navy.¹⁴⁰ All Hoch knew, was that he was going ‘*somewhere past the Suez Canal*’.¹⁴¹ The time necessary for transit to the mission area was consciously taken into account to finalise ROEs and clarify remaining details.¹⁴² Ultimately, the OEF-maritime component of the War on Terror was deployed to the Horn of Africa, based in Djibouti and cooperating with coalition forces. The German mission area encompassed the Southern Red Sea, the Gulf of Aden, the waters off the coast of Somalia in the Western Indian Ocean and – for a brief exercising period in August 2003 – the Gulf Oman.¹⁴³

The initial primary focus on surveillance and reconnaissance evolved towards actively boarding ships with flag-state-consent by German warships within the first four months of the mission.¹⁴⁴ Beginning with the designation of so-called ‘contacts of interest’ (COIs) on the basis of intelligence commonly relating to small craft departing from Pakistani or Indian ports, the task-force was assigned to find, verify and monitor these – in addition to boarding and searching them if justified and legally feasible.¹⁴⁵ These smaller craft, many of them dhows of locally characteristic time-honoured built (small diesel engines having replaced the sails that had still been in use well into the second half of the 20th century),¹⁴⁶ were suspected of being potential means of transport for Al-Qaeda-leaders trying to slip out of Afghanistan via Pakistan and the sea.¹⁴⁷ These ships often avoid the bigger, busier and better controlled ports in the pursuit of their traditional and occasionally illegal trade.

Due to an anticipated domestic public sensitivity, it was also clear from the outset, that the German warships deployed to the Horn of Africa had to take utmost care to not incur casualties.¹⁴⁸ In this regard, as there were no hostile military actors in the region, the greatest risk was attributed to terrorist attacks along the lines of the *Cole*-incident.¹⁴⁹ A realistic

¹⁴⁰ The mandate remained very broad in delimitating the region of the mission, see Bundesregierung (2001)

¹⁴¹ Interview Gottfried Hoch, 2nd July 2019

¹⁴² See Löffler (2003), also Interview Gottfried Hoch, 2nd July 2019

¹⁴³ See Wagener (2004), pp. 94-5

¹⁴⁴ Interview Gottfried Hoch, 2nd July 2019; Hoch (2005), p. 695

¹⁴⁵ Interview Gottfried Hoch, 2nd July 2019, Bereiter (2019), pp. 16-17

¹⁴⁶ For a first-hand account of the old way of sailing these vessels, and the way of life that went with them, see Villiers (1956)

¹⁴⁷ Bereiter (2019), p. 14

¹⁴⁸ Interview Gottfried Hoch, 2nd July 2019

¹⁴⁹ Interview Gottfried Hoch, 2nd July 2019

assessment of the capabilities and intentions of regional terrorist actors, as the attack on the commercial tanker *Limburg* was to show just months later.¹⁵⁰

Being prepared to actively fight terrorists, the navy was also called upon to save lives at sea. For example, in July 2003, the combat supply-vessel *Frankfurt am Main* saved the crew of the wrecked cargo-ship *Able 1* in the Red Sea. Or in April 2004, the frigate *Augsburg* saved an Iranian sailor's life by evacuating him with from a Dhow with her helicopter in a medical emergency.¹⁵¹ Clearly, the region benefitted from the presence of warships, where for a long time there had been no official authority to call on at sea.

Despite being able to rely on the French base in Djibouti, the navy soon set up its own facilities – especially in the form of a permanently moored supply vessel in port. All necessary logistics for the vessels in OEF went through this moored floating base. It was further home to the mission's staff and its chief medical facility (in cooperation with the French military hospital). From there, all port visits of units in Djibouti were managed and urgent supplies flown out by helicopter.¹⁵² The so-called naval logistic base added flexibility and avoided the need to secure fixed structures ashore and having to explain them domestically when mandates for missions were only given for one year at a time.

With mounting domestic controversy about US policy, from 2005 onwards, it was only the navy that maintained Germany's commitment to fighting terrorism with military means – and it did so in a markedly uncontroversial way.¹⁵³ Because of doubts about human rights violations and due legal process in the American way of handling the fight against Al Qaeda, by October 2005, the Bundeswehr's contributions to Afghanistan exclusively went into state- and nation-building through the NATO-led ISAF.¹⁵⁴ From then on, only the navy contributed to the War on Terror directly – but in a much reduced form.

While German vessels did conduct boarding operations in OEF and OAE, these had been subject to prior approval of the flag-state.¹⁵⁵ The navy also did not get into any engagements, apprehend any suspects or got involved in controversial practices of detention or extradition.¹⁵⁶ On average, not more than 300 service-members were deployed under the 1.400

¹⁵⁰ See Henley & Stewart (2002b)

¹⁵¹ Schneller (2007), p. 101

¹⁵² See Struck, H. (2003), pp. 22-4

¹⁵³ Until OAE ended in 2016, see Bundesregierung (2015)

¹⁵⁴ Defence minister Franz-Josef Jung as quoted by Buendnis90/Gruene (2007), 7.)

¹⁵⁵ See Bundesregierung (2006), p. 2

¹⁵⁶ See Bundesregierung (2006), p. 2, p. 8, pp. 10-1

ceiling of the Bundestag's mandate between 2005 and 2010 – two vessels, typically a frigate and a supply ship at the Horn of Africa.¹⁵⁷ Finally, in mid-2010, the navy was quietly pulled out of OEF, to support the EU counter-piracy operation ATALANTA instead.¹⁵⁸

After 2010, the War on Terror nominally continued with German naval participation in OAE until 2016. Collective self-defence against terrorism was acknowledged only as an abstract justification for an otherwise very useful mission.¹⁵⁹ With minimum effort required to sustain its great value in establishing maritime situational awareness towards Europe's South, it continued as a low-key mission in passing for German vessels in transit.¹⁶⁰ Under German diplomatic influence, NATO replaced it with *Sea Guardian*, a mission which brought Germany two political advantages over OAE: continued maritime presence and reconnaissance in the Mediterranean without the domestic political cost of referring back to the controversial invocation of national self-defence in the US-led War on Terror;¹⁶¹ plus allowing Chancellor Merkel to complement her deal with Turkish President Erdogan on controlling migration flows to Europe, with the visible presence of German warships patrolling in the Aegean Sea under NATO's flag.¹⁶²

The Navy's First Encounter With Somali Piracy: the Case of the *Panagia Tinou*

Piracy was a prevalent issue in the early 2000s off the Horn of Africa. Indeed, as Hansen noted, attacks on passing merchant ships for criminal gain – the particular Somali pirate hijack-and-ransom business-model – had occurred as early as the 1980s.¹⁶³ However, the larger scale Somali piracy crisis only gathered momentum after 2004.¹⁶⁴ More importantly for the German navy due to its limited regional Cold-War-role, by 2002, it had never encountered counter-piracy or other constabulary duties in its previous 45-year history.

The risk of piracy to the German navy's task force's own security was deemed low, but commanders were aware of a potential obligation to intervene. Naval supply vessels were not easily distinguishable from the pirates' regular 'prey', but they were capable of self-defence.¹⁶⁵ Concerning intervention on behalf of others, the situation was not as clear-cut. Previous to the

¹⁵⁷ See Buendnis90/Gruene (2007), p. 3, 7.); Bundesregierung (2006), IV.

¹⁵⁸ See Bundeswehr (2021f)

¹⁵⁹ See Bundesregierung (2015), p. 3

¹⁶⁰ See Schäfer (2010); Bundesregierung (2014b; Bundesregierung (2015)

¹⁶¹ See Bundesregierung (2016), p.4

¹⁶² See Traynor (2016)

¹⁶³ Hansen, Stig Jarle (2009a), p. 10

¹⁶⁴ Due to domestic changes in the situation in Somalia, see Hansen (2009), p. 19

¹⁶⁵ Interview Gottfried Hoch, 2nd July 2019

mission, in a briefing by Althaus, the fleet command's legal advisor, Admiral Hoch, the task force's commander and the commanding officers of the vessels were made aware of the legal limitations on related action in defence of vessels under attacks of pirates within territorial waters of Somalia – and other states in the region.¹⁶⁶ In addition to this, there was a clear restriction to act solely in self-defence, defence of the mission and ships explicitly designated for protection by the task-force. No *carte blanche* to act against piracy was given or implicitly intended.

Between the Law of the Sea, the international mission, the national mandate and the different levels of responsibility, reality caught up with the task-force on 16th June 2002. A call for help by a merchant ship attacked by Somali pirates reached the German commander. Beyond immediate help, the cargo ship *Panagia Tinou* had already been captured by pirates on the previous day, after engine problems had forced it to anchor in Somali waters.¹⁶⁷ Facing a difficult hostage situation on a ship, and a less-than clear-cut legal situation in the territorial waters of a failed state, there was little scope for an on-the-spot decision on armed intervention in an ad-hoc emergency.¹⁶⁸

Contrary to press comments at the time,¹⁶⁹ the fact that the hijacked ship was in Somali waters was not the main impediment to intervention.¹⁷⁰ The hostage situation itself placed the greatest burden on those responsible.¹⁷¹ Clearly, the resulting need for tactical deliberation resulting from concern for the crew of the *Panagia Tinou* was made even more complicated by a lack of legal clarity on the authority to intervene. Different and conflicting opinions on the German and OEF warships' powers and duties apparently existed on various levels of authority, from OEF-international, to US and German national command.¹⁷²

Hoch's also pointed out that his superiors at the different international and national levels did not always share his opinion on the legal authority to intervene. Matters were not necessarily made easier as their attitudes appeared to have changed over the unfolding of events as well. This ranged from an initial order from the German ministry of defence to not get involved with a 'criminal incident in foreign territorial waters' (a position shared by the US

¹⁶⁶ Interviews Uwe Althaus, 15th June 2020, Gottfried Hoch, 02nd July 2019

¹⁶⁷ See Berliner Zeitung (2002)

¹⁶⁸ Interview Gottfried Hoch, 2nd July 2019

¹⁶⁹ See Smith, H. (2002)

¹⁷⁰ As events with Somali piracy in later years were also to show, interview Gottfried Hoch, 2nd July 2019

¹⁷¹ Interview Gottfried Hoch, 2nd July 2019

¹⁷² Interview Gottfried Hoch, 2nd July 2019

Naval Central Command which was responsible for the US part of OEF),¹⁷³ to an early strong support for intervention by the German Fleet Command (which by this time was no longer directly in the chain of command for Hoch, the new Joint Forces Command having taken over the running of all the Bundeswehr's missions abroad).¹⁷⁴

During this early encounter with Somali piracy, those involved on the German side had little or no experiences with the phenomenon to draw upon. The procedures which later turned into a sinister routine, involving hostages and ships to be kept for certain periods of more or less predictable negotiations, usually ending with the payment of a ransom by established means (often by air-drop), had not yet mutually evolved.¹⁷⁵ Accordingly, fear for the hostages was presumably much higher than it was later during the ATALANTA-mission. Despite the brutality and torture frequently involved, the business-model of Somali pirates depended on ransom-money, not dead hostages.

The tedious and time-consuming negotiations for ransom of crew and ship were accompanied by a task-force warship constantly close to where the *Panagia Tinou* was anchored. The idea was to provide a quick capability to intervene in case the situation were to escalate, waiting just outside the Somali territorial waters and out of sight of the hijacked vessel.¹⁷⁶ The warship in the vicinity was also in contact with the master of the hijacked freighter, its shipping company and the negotiator who represented the insurance company covering the case.¹⁷⁷

The stand-by warship waited just outside the Somali territorial waters, but was granted the authority to intervene inside them, if it was to receive a further call for help from the ship, or an emergency were to evolve.¹⁷⁸ This relatively robust stance was the result of the internal discussions in the task-force and with German Fleet and Joint Forces Commands at home.¹⁷⁹ Admiral Hoch had adopted the opinion, that in lieu of any Somali capability to intervene against pirates in its territorial waters, the UNCLOS granted him and his ships' commanders the right to intervene in cases of immediate and grave danger.¹⁸⁰ If the case had reasonably

¹⁷³ Interview Gottfried Hoch, 2nd July 2019, for the US view, see the Annotated Supplement to the Commander's Handbook on the Law of Naval Operations, Thomas & Duncan (1999), 3.5.2.1

¹⁷⁴ See the history and mission of the *Einsatzführungskommando*, BMVg (2021b)

¹⁷⁵ See Johns (2015), p. 110

¹⁷⁶ Interview Gottfried Hoch, 2nd July 2019

¹⁷⁷ On the role of the ship, interview Gottfried Hoch, 2nd July 2019, on the negotiator, see ICC (2002)

¹⁷⁸ Interview Gottfried Hoch, 2nd July 2019

¹⁷⁹ Interview Gottfried Hoch, 2nd July 2019

¹⁸⁰ Interview Gottfried Hoch, 2nd July 2019

been identified as piracy, this view would have been consistent with the US Navy's standing ROEs as well.¹⁸¹ However, as Germany had never even considered the necessity for constabulary roles of its navy, similar rules did not formally exist in the navy at the time.

Ultimately, it did not come to an intervention with force, and the ransom was paid on 3rd July 2002. By the next day, the hijackers had left the ship, and the German warship which stood by outside Somalia's territorial waters, launched its helicopter, entered Somalia's waters and kept a close watch on the *Panagia Tinou* in order to prevent any further pirate gang potentially lurking about from seizing the ship. Accordingly, far from seeing the territorial jurisdiction of the failed state Somalia as a hindrance, the German commander saw his duties and authority along the lines of a more pragmatic view of naval power as for example shared by the US Navy. Therefore, it became clear that the primary operational limitation in the case of the *Panagia Tinou* resulted from the tactical dangers of the hostage situation not from conflicting authority or specific German constitutional concerns.

V. 4 The Effects of the Schröder years on the Navy in German Foreign Policy

During his seven years in government (1998-2005) Schröder – especially with his labour-market reforms – had placed Germany at the forefront of maritime-led globalisation,¹⁸² orchestrated Germany's rise to a global shipping power and deployed the navy in an unprecedented comprehensive maritime security role in the missions OEF and OAE.¹⁸³ Seen in this broader perspective, Germany's reaction to the 9/11 attacks had a lasting influence on the navy's role in foreign policy. Firstly, the initial 2002 task force was the largest force the navy has ever deployed anywhere beyond North and Baltic Sea. Secondly, through participating in its first ever 'war', the War on Terror, the navy was introduced to *constabulary* duties for the first time in its existence. After all, the navy's contributions to a *comprehensive* whole-of-government *approach* to addressing root-causes of terrorism, effectively called upon the navy to provide good order at sea: Creating conditions conducive to legitimate uses of the sea through visible presence, establishing MDA, countering piracy, monitoring smuggler's networks or providing assistance to ships in distress.¹⁸⁴

¹⁸¹ See the 1999 Thomas & Duncan (1999), 3.5.3.2, p. 226, and in the current 2005 version, see Chairman of the Joint Chiefs of Staff (2005), Enclosure A, 4. d]

¹⁸² See Fig. 3, Chapter I; Fig. 20, Chapter III; Dauderstädt & Dederke (2012), p. 4

¹⁸³ See Schröder's speech at the first national maritime conference, 2000, Bundesministerium fuer Wirtschaft (2000); and the tripling of German shipping tonnage 1998-2005, UNCTAD (1999), p. 30; UNCTAD (2007) p. 33; on OAE and OEF, see previous chapter

¹⁸⁴ See the OEF mandate, Bundesregierung (2001)

Of the naval War on Terror commitment, OEF at the Horn of Africa was the larger, more publicised mission, complemented by OAE in the Mediterranean. Still, both missions have had considerable impact on the navy. OEF set it up to stay in Djibouti for almost twenty years to come, with every major surface ship taking turns to spend months in the waters around it and maritime surveillance aircraft stationed there almost continuously. OAE, in turn, made the navy feel at home in establishing reliable MDA and providing maritime security in the Mediterranean as a strategically vital sea area adjacent to the EU.¹⁸⁵ Both missions introduced the navy to so-called asymmetric threats and assuming constabulary responsibilities – to providing good order at sea. This considerably expanded the mission and awareness of the complexity of the maritime domain for the navy.¹⁸⁶

Overall, coalition forces were confident of their success and significance in the War on Terror and in bringing stability to the Horn of Africa: in the words of the German Navy's spokesperson in Djibouti, stated a year-and-a-half into the mission, '*no ship may have passed unnoticed through the dense web of surveillance*'.¹⁸⁷ Nevertheless, it must be clear that in a region that a decade of close observation later was estimated to see more than 60,000 passages of vessels per year,¹⁸⁸ the mission's above-quoted figures mean that nowhere near all ships, not even those of potential special interest to the mission, could have possibly been searched for weapons or individuals connected with Al Qaeda.

Rather than counting arrested terrorists, the value of OEF to the region is probably much greater in the intangible improvement of maritime security in a previously 'lawless' region. For the first time since the withdrawal of UNOSOM II, an international presence consistently patrolled waters that had not been policed or seen a reliable SAR service for decades even before that.¹⁸⁹ In addition to maritime interdiction, a key aim of the mission was the achievement of MDA: surveillance and reconnaissance, the establishment of the so-called 'patterns of life' of shipping.¹⁹⁰ Still, 'non-cooperative boardings' did take place as early as December 2001 and were carried out especially by the US Navy.¹⁹¹ In these cases of non-compliance with boarding requests, the US forces were also, prepared to use disabling fire.¹⁹²

¹⁸⁵ See Bundesregierung (2015), p. 3

¹⁸⁶ Interview Lutz Feldt, 13th August 2019

¹⁸⁷ Koch (2003), p. 72

¹⁸⁸ Oceans Beyond Piracy, . (2013), p. 1

¹⁸⁹ Hoch (2005), p. 693

¹⁹⁰ Interview Gottfried Hoch, 2nd July 2019

¹⁹¹ Bereiter quotes the case of the container vessel *Kota Serajah*, Bereiter (2019), p. 17

¹⁹² Bereiter (2019), p. 16

This practice of obtaining consent or forcing compliance under the guns of a warship was not authorised by the German government.¹⁹³

From a German perspective, solidarity with the US and fostering European integration, not operational military success against terrorism, was the number one priority. Visible partnership with its allies, displaying sovereignty and commitment were accorded primary importance.¹⁹⁴ Therefore, conducting the War on Terror predominantly at sea absolutely made sense. Neither from its position within the Western alliance, nor judging by its own interests would it have been necessary to pursue the capture of Bin Laden or the military conquest of the Taliban in Afghanistan. On top of this, addressing terrorism with military means was domestically seen as highly controversial.¹⁹⁵ Employing warships significantly reduced the practical risk of having to deal with combat, captures and civilian collateral damage.

To be sure, Al Qaeda's terrorists were hiding on land, but as the German military response to 9/11 primarily served a diplomatic, communicative purpose and not an operational one on land in Afghanistan, it made perfect sense to send the navy. The more indirect, controllable employment of the navy had decisive advantages over the much riskier engagement of ground-forces. Eventually, both warship and infantry battalion in Afghanistan demonstrated a visible military commitment to the US-led War on Terror, while the former came with a much smaller risk of own losses, civilian collateral damage or entanglement in controversial counter-terrorist practises. Relying predominantly on the navy in the War on Terror was no coincidence and clearly consistent with Germany's interests.

Because the decision on the mandate foreseeably was a close call and dissenters had to be kept in the fold,¹⁹⁶ the obvious naval dominance in the initial force-composition was clearly the result of careful deliberation. From the make-up of the force, to the area of operations and its ROEs, all had to be subjected to balancing allied need and perception with reservations of members of the *Bundestag* towards the use of military force. Indeed, Struck, marshalling support and justifying the mandate before the crucial vote, pointed out that using the navy to protect commercial vessels from terrorism was not a particularly warlike mission.¹⁹⁷ While this appears to have been a rhetorically clever understatement of the counter-terrorist task of

¹⁹³ Interview Gottfried Hoch, 2nd July 2019

¹⁹⁴ As can be inferred from Schröder's priorities, Schröder (2006) , p. 179

¹⁹⁵ See the manifold references to these views in the speeches of members of parliament across party-lines in the debate before the vote on OEF on 16th November 2001, Bundestag (2001a)

¹⁹⁶ See the discussion above and the debate in the Bundestag on 16th November 2001, Bundestag (2001)

¹⁹⁷ As chairman of the SPD's faction, see his speech on 16th November 2001, Bundestag (2001)

actively seeking out and interdicting suspicious vessels, this pointed to one of the navy's specific advantages over army or airforce: its presence could be portrayed in benign terms much easier than a bomber squadron or tank battalion might have been in its stead.

Germany's national security is defended at the Hindukush – as Struck, newly appointed minister of defence in June 2002,¹⁹⁸ famously said – *and in the same sense it was defended at sea and off the Horn of Africa*. Directly tackling Al-Qaeda in Afghanistan, taking the fight to the enemy instead of waiting for terrorist attacks to occur in German cities was one part of the original phrase's meaning.¹⁹⁹ Alliance solidarity, supporting European neighbours and securing America's commitment to NATO was the other.²⁰⁰ Often overlooked in the general political and public attention on Afghanistan, the navy played an important role for Germany's foreign policy in the War on Terror. The proactive approach of the navy itself was probably also a key element in OEF's genesis, as it was in 1994 for *Southern Cross*. In addition to possibly having identified an opportunity to apply the navy's unique tool-set for the benefit of Germany's foreign policy, the navy also strove to be visible and be seen as possessing political utility. After all, entire capabilities were at stake for all services in the post-Cold War peace-dividend, as the navy was to experience in 2005, with the loss of its *Tornado* naval strike capability.²⁰¹

The navy was convinced that its participation in OEF was a success. Chief of the Navy, Admiral Lutz Feldt, thought that the maritime areas patrolled have become significantly more secure, terrorism has been pushed back. On a political and strategic level, this successful commitment of the navy has opened up opportunities for diplomatic influence and Germany's voice to be heard. Through this, political leadership has gained an increased scope for action in the international arena.²⁰² The overall positive assessment, including of Germany's contribution, was shared by the US Navy.²⁰³

Critics of OEF and OAE claimed they were not missions for the navy but for civilian law-enforcement agencies. Indeed, for this alleged lack of a strictly defined practical military *national defence*-related purpose – the collection of data on shipping, the generation of

¹⁹⁸ A reply to a question of a FAZ journalist, concerning the constitutional legality of the mission, in the light of Art. 87, tying the Bundeswehr's legitimacy to 'defence', see Struck (2010), pp. 109-10

¹⁹⁹ Struck (2010), pp. 110-2

²⁰⁰ See Bundesregierung (2001); Bundesregierung (2003)

²⁰¹ See Brake & Walle (2016), p. 95

²⁰² Feldt (2003)

²⁰³ Schneller (2007), p. 81

‘intelligence superiority’ – *Herrschaftswissen*,²⁰⁴ the support of controversial US practices or the War in Iraq, the Bundeswehr’s contribution to the War on Terror would continue to be challenged by Die LINKE especially.²⁰⁵ The intention to mollify domestic political opposition to the use of military force supported the use of the navy – and it also contributed to emphasising the civilian and humanitarian elements of post-9/11 counter-terrorism.²⁰⁶ By 2003 the *comprehensive approach* had found its way into government strategy.²⁰⁷ After all, the UN had been advocating for comprehensive ‘human security’ as early as 1994,²⁰⁸ while expert advisers, including at the influential SWP think-tank,²⁰⁹ were equally advocating for fighting international terrorism in a networked, comprehensive approach of which the military was to be but a part of the tool-set and mission in the War on Terror.

Accordingly, the War on Terror solidified at least one prominent and one less well noticed feature of German foreign policy in the 21st century. The reliance on comprehensive whole-of-government responses to international crises, and a pronounced affection for the navy to handle the military share that goes with this. It has become one of the defining features of Germany’s security and defence policy post-9/11, to practice and advocate multilateral, cooperative comprehensive approaches to security challenges.²¹⁰ While this did and does include military force, it puts a much greater emphasis on its benevolent contributions. In this regard, the navy with its unique profile and versatility has a lot to offer in support of comprehensive approaches to security – at sea as well as on land.

Concerning the furtherance of stability in the region, the Horn of Africa, the area of operations of OEF has seen mixed results after the years following 2001. While there was no spectacular capture, no ‘*Bin Laden on a dhow*’,²¹¹ to show for all the hours, days and years of warships patrolling, the naval presence still appeared to have had a positive effect. Both in cases of piracy attacks (see the case of the *Panagia Tinou* above) or Search and Rescue (SAR) situations, with OEF, ‘*there was finally somebody there to call.*’²¹²

²⁰⁴ Schäfer (2010)

²⁰⁵ See Bundesregierung (2006), pp. 10-2

²⁰⁶ Oppermann (2016), p. 138

²⁰⁷ See BMVg (2003), Art. 36, 37; p. 22

²⁰⁸ See United Nations Development Programme (UNDP) (1994)

²⁰⁹ See Schneckener (2002), pp. 40-4

²¹⁰ See Merkel’s foreword in Auswärtiges Amt (2017)

²¹¹ Interview Gottfried Hoch, 2nd July 2019

²¹² Interview Gottfried Hoch, 2nd July 2019

If increases in security are less easily measurable in the greater Horn of Africa region, this is certainly obvious in the small city-state of Djibouti. Situated on the Southern coast of the Gulf of Aden, just South-East of the Strait of Bab al Mandab, wedged on the coast between Somalia to the East and Eritrea to the West, Djibouti has visibly gained in significance and prosperity with the arrival and continuous presence of international warships since 2001. France had maintained a continuous military presence in Djibouti since 1883, and its naval facilities and base for some 3,000 men became also home to the small German support group (30-80 people) at the Horn of Africa since 2001. The lease, France paid to Djibouti was €30 million annually. The USA established their own base *Camp Lemonnier* in 2001 and initially paid \$30 million,²¹³ an amount which rose in 2012 with the expansion and 30-year-lease of the base to \$63 million.²¹⁴ Other countries, especially China would follow suit with more or less permanent bases over the years. This influx of money, the increase in security, and the subsequent investment by Dubai Ports in a modern container-terminal and port facilities to capitalise on the deep-water port's access to the region, substantially improved the economic situation of Djibouti (see graph of GDP over time below).²¹⁵

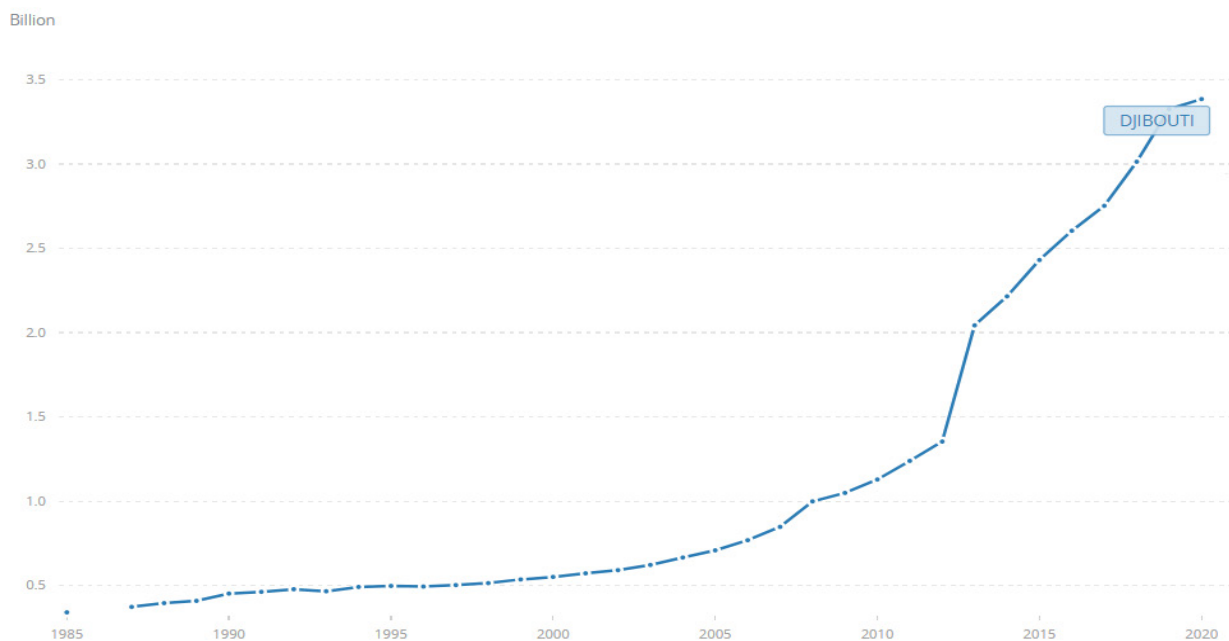


Fig. 54, GDP of Djibouti in current USD (source World Bank)²¹⁶

²¹³ WTO (2004), executive summary

²¹⁴ Melvin (2019), p. 6; p. 7; p. 20

²¹⁵ See gulfnews.com (2004)

²¹⁶ World Bank (2021)

Maritime domain awareness has undoubtedly grown after 9/11 in all of the War on Terror's areas of operations. This holds true for the Horn of Africa as much as for the Mediterranean. OEF with its accumulated and shared knowledge remains in place in the shape of the CTF 150, which is still supported by the US, UK and other nations.²¹⁷ While Germany has chosen to switch its commitment to the EU mission ATALANTA since 2008 and has stopped supporting OEF in 2010, it is still part of the action on the scene.²¹⁸ In the Mediterranean, OAE – after fifteen years – has been superseded by operation *Sea Guardian* in 2016.²¹⁹

Related to the navy's presence at the Horn of Africa, is the humanitarian deployment of the combat-supply vessel *Berlin* to Banda Aceh, Indonesia, in the wake of the December 2004 Tsunami. The ship had been deployed with OEF since November 2004,²²⁰ when news of the humanitarian disaster in South-East Asia prompted chief of the navy Feldt to propose the option of sending it to Banda Aceh to defence minister Struck just before Christmas.²²¹ With its hospital for 30 patients, two operations rooms, fresh-water production plant, large storage capabilities for humanitarian supplies and two embarked helicopters for delivering them and evacuating patients, the *Berlin* was well suited to bring rapid relief. Sending it onwards from its position roughly half-way between Germany and Indonesia allowed for a quick response alongside other international naval relief efforts. From mid-January until mid-March, together with a Bundeswehr field hospital ashore, *Berlin* helped to treat over 3,000 patients and perform over 200 surgeries. 380 service-members served in the mission and its total cost was estimated at €15 million (ship and shore).²²²

Domestically, Germany continued to display sincere uneasiness when it came to the use of military force abroad. This appeared to be still commonly assumed as a given – though not static – starting point for any debate on the use of the navy or the Bundeswehr as a tool of foreign policy.²²³ Public opinion in Germany – and Europe – at the time of 9/11 and in the run-up to the Iraq War was divided between traditional scepticism and a post-9/11 increased readiness concerning using armed force.²²⁴ Still, a greater or lesser degree of scepticism towards the use of force in international relations seems to be a characteristic shared by

²¹⁷ See the Royal Navy's press releases on it, Royal Navy (2020)

²¹⁸ See BMVg (2020)

²¹⁹ NATO (2016)

²²⁰ Der Tagesspiegel (2004)

²²¹ Interview Lutz Feldt, 13th August 2019

²²² See Berliner Zeitung (2005; Der Tagesspiegel (2005; Hartmann (2019)

²²³ See SPIEGEL (2020)

²²⁴ Oppermann (2016), p. 124

democracies in general. Not just an international audience, but also the US public had to be convinced of a war in Iraq, as the immediate shock of the 9/11-attacks wore off. Colin Powell's carefully orchestrated infamously deceptive show in the UN Security Council on February 5th 2003 clearly proved, US public opinion polls went up from one third pro-war before, to half after the widely televised speech.²²⁵

Concerning capabilities, some lessons were learned from OEF, other were not. Germany did not procure vessels for transport and support of intervention forces – even though the need was identified by the ministry of defence in 2003.²²⁶ Nor has it acquired the ability to conduct meaningful ship-shore-targeting. However, following concepts from 2002 and influenced by the OEF-experience, the navy reactivated its 'marines', the naval infantry component, which in addition to force-protection roles at sea and in port, also covered the newly relevant capability of boarding operations.²²⁷ The unit was re-named '*Seebattalion*' in 2014, following the old Imperial Navy's tradition.²²⁸ It is as if Germany had quietly focussed more on a navy capable of interdiction at sea and embargo-enforcement, rather than more direct ways of projecting power ashore. After all, for a state that prefers less visible, less violent indirect means to more blunt uses of military force, this would make sense.²²⁹

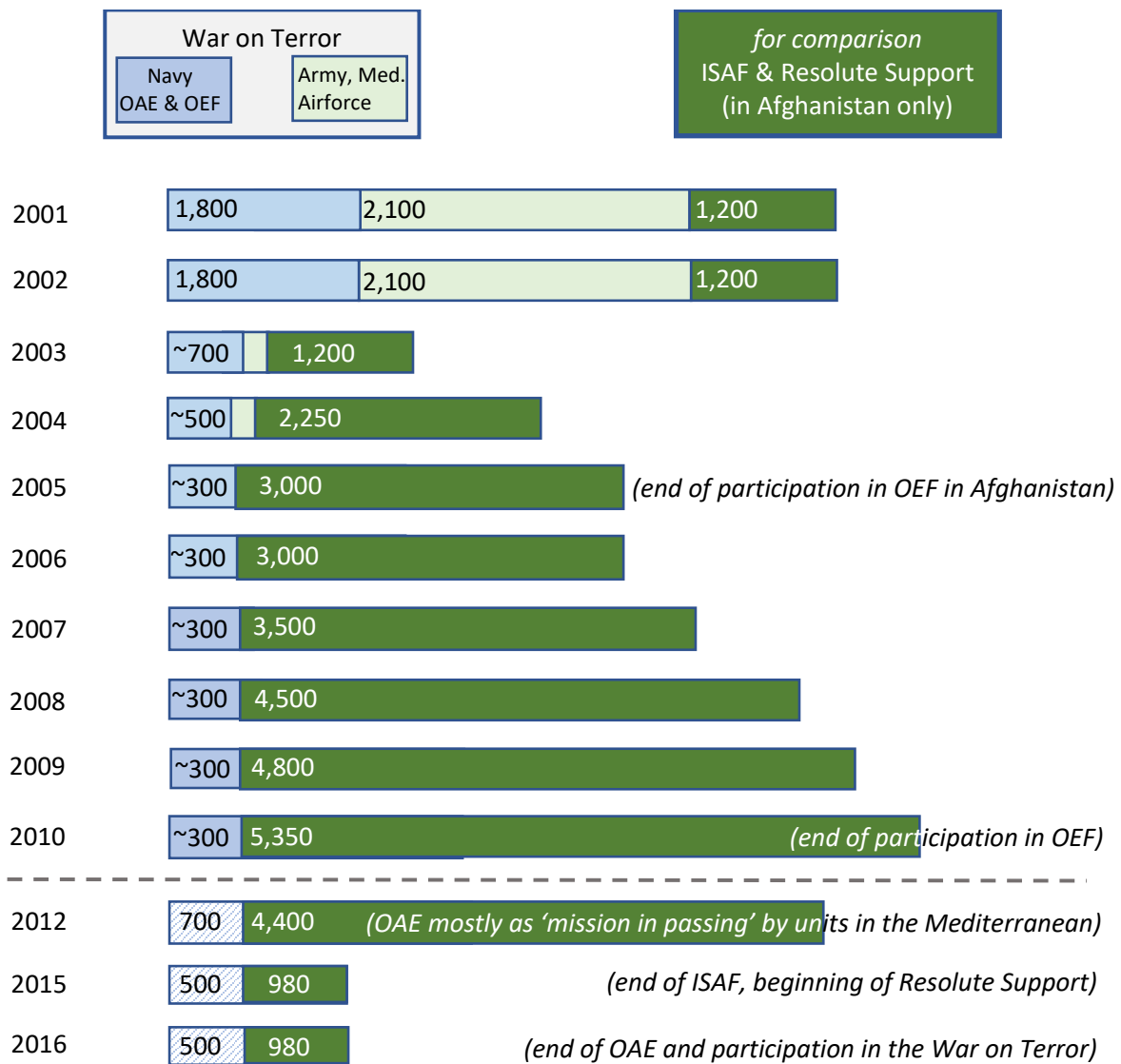
²²⁵ See Bozo (2016), p. 212

²²⁶ BMVg (2003), p. 30, Art. 8.2

²²⁷ BMVg (2006), Art. 6.5, p. 124

²²⁸ Krüger (2020)

²²⁹ See Martin Regg Cohn, as quoted by Caldwell (2013), pp. 202-3



31st August 2021: End of NATO presence in Afghanistan

Fig. 55, German force levels in the War on Terror from 2001 until 2010, where available, approximate numbers (~) refer to average deployed force-levels, not to maximum ceiling of mandates. War on Terror-participation is split up between navy (blue) and army, medical branch, airforce (light green), and compared with those of the Bundeswehr in ISAF and Resolute Support in Afghanistan (dark green). After 2010 and until 2016, OAE continued as a mission in passing for German units in transit in the Mediterranean (light blue, shaded). (graphic, author; data: mandates, parliamentary enquiries, reports)

OAE ran for almost fifteen years and has continuously seen the participation of the German Navy. All nations together have queried 128,000 merchant vessels and boarded 172 suspect ships. At least 10 of these boardings have been conducted by the German Navy, while it never had to resort to coercion or military force in the course of the mission.²³⁰ Having been able to predominantly make use of units already deployed to the region, the aggregated cost of the mission to Germany over the years was low, €22.3 million.²³¹



Fig. 56, Selection of badges made by various ships' crews to mark their participation in OEF, note the one in the centre, shaped like a US police-badge (2002-2009; unknown authors)

OEF has seen almost all of the major German surface vessels of the day over nine years. 9,249 service-members served in OEF between 2002 and 2010 (incl. non-naval components, 2002-2005)²³² Not all data is disclosed, but during the most intense phase in the years after 9/11, coalition forces have boarded almost 1,500 vessels (until summer 2005).²³³ Smuggled drugs have been found repeatedly on searched vessels, but noteworthy arrests of terrorists have not

²³⁰ See NATO (2016); Bundesregierung (2006), pp.2-3; Bundesregierung (2015c), p. 2

²³¹ Until 2010 cost may have been included within those of OEF, see Bundesregierung (2013), p. 10; Bundesregierung (2018), p. 6

²³² Bundesregierung (2018), p. 3

²³³ See Schneller (2007), p. 101

been reported.²³⁴ The German Navy conducted a number of unspecified boardings with flag-state approval and escorted 72 allied vessels (2006) through the area of operations.²³⁵ The aggregate cost of the mission was comparatively high, €1,076.6 million, but in this figure, four years of (expensive) non-naval components are included (2002-2005).²³⁶ Annual cost when typically only a frigate and a supply-vessel (plus shore-based staff and support) were part of the mission was much lower and between €47.8 million and €55.4 million (2007-2010). ISAF in Afghanistan doubled in annual cost in the same period from €515.3 million to €1,081.8 million and ran up an aggregate amount that surpassed OEF ninefold.²³⁷

According to polls conducted by the BMVg, public opinion took little notice of either mission once it was up and running: ~20% of those polled i.e. in 2006 had some knowledge of OEF and OAE, while almost half had never heard of them. ~50% of citizens polled approved of the missions. Media attention focussed predominantly on the army in Afghanistan and especially on scandals or casualties. Whenever these scandals came up, this also affected the navy negatively in opinion polls.²³⁸

Beyond confirming the expected limited domestic visibility of naval deployments, their relative cost-efficiency over ground-forces is noteworthy: in a very rough calculation, for two warships (frigate and a larger supply-vessel) at the Horn of Africa, the navy ran up a fourth of the annual deployment cost of a single army battalion in Afghanistan in 2010.²³⁹ At the same time, a limited number of personnel in a navy mission (~300 in OEF in 2010) as compared to larger numbers in an army one (~5,350 in ISAF in 2010), can achieve a notable degree of visibility and effect.²⁴⁰

Not five years after OEF had commenced, the navy's section in the 2006 defence white paper became testimony to the evolved appreciation of the navy's value as an instrument of foreign policy. On this highest defence-strategic level, the way the navy is being described says a lot about how its utility was perceived by the government. Stating its evolution into an expeditionary force, from protecting sealines of communication, via embargo-enforcement, conducting surveillance and reconnaissance missions, to supporting and commanding joint operations ashore, the navy is accredited with endurance, reach, robustness and versatility in

²³⁴ See Hodgkinson et al. (2007), p. 627; New Zealand Defence Force (NZDF) (2021)

²³⁵ See the three given by Hoch Hoch (2005), p. 695; Bundesregierung (2006), pp. 10-1

²³⁶ Bundesregierung (2018), p. 6

²³⁷ Bundesregierung (2013), p. 10

²³⁸ Earlier data is not available and later polls yield similar results, see Bulmahn et al. (2008), pp. 109-10; p. 122

²³⁹ See number above and in Fig. 55

²⁴⁰ See numbers above and in Fig. 55

delivering a breadth of operational options – including humanitarian ones – at a controllable degree of risk even under higher threat-levels. The legal status of the high seas is noted in connection with global reach, the ability to preposition forces without diplomatic complications.²⁴¹ This not only marked a further step up in the recognition of the political utility of the navy since the 1994 white-paper,²⁴² it did so based on the accumulated experience of the missions in the 1990s and the War on Terror at sea.

From 2002 until 2010 for OEF and until 2016 for OAE, the German Navy in the War on Terror delivered a markedly non-scandalous, uncontroversial and quietly efficient performance that has as yet to be officially evaluated. Despite the missions' significance and long duration, there has not yet been an official evaluation of either OEF or OAE.²⁴³ Indeed, this is true for all of the Bundeswehr's missions. Thirty years after *Südflanke*, and 20 years after 9/11, the commencement of this process has only recently been announced for the army's deployment to Afghanistan.²⁴⁴

²⁴¹ BMVg (2006), Art. 6.5, pp. 94-5

²⁴² BMVg (1994), Chapter 6, p. 120

²⁴³ The Green party in parliament repeatedly and unsuccessfully called for such systematic evaluation of missions in general and OEF in particular, Buendnis90/Gruene (2011); Buendnis90/Gruene (2006)

²⁴⁴ See Kramp-Karrenbauer (2021)

Fig. 57, Analytical Map of the post-9/11 Deployments, 2001-2010(OEF)/2016(OAE)

<p>Reasons and Aims</p>	<p>Solidarity with the US post 9/11 Fighting int. terrorism</p>	<p>Humanitarian concerns (Banda Aceh, ISAF) Responsibility as member of the UN and NATO</p>																	
<p>Missions</p>	<p>Maritime Interdiction Operations/Counter-Terrorism Presence and Surveillance Disaster relief and humanitarian aid (Banda Aceh)</p>	<p>Protection of own SLOC Providing maritime security/good order at sea</p>																	
<p>Characteristics of the Deployments (<i>key points</i>)</p> <p>Germany probably proposed the deployment together with its French allies, including the Horn of Africa and the French base in Djibouti.</p> <p>Key role of NATO Art. 5 and UN Security Council Resolutions to justify the deployment; invoking Art. 24 (2) <i>Grundgesetz</i> permitting the use of force in systems of collective security</p> <p>Close integration of the multinational task-force</p> <p>Use of old links of the GDR within the region (Yemen)</p> <p>Key region for international, European and German maritime commercial life-lines</p> <p>No difficult historical connections to the Horn of Africa (i.e. colonial, World Wars)</p> <p>Djibouti as a base since 2002</p> <p>ROEs no longer fundamentally different from those of most other European Navies</p> <p>Mandate and ROE formulation while ships were already in transit to mission area</p> <p>Training and preparations in transit</p> <p>Common NATO operation procedures as foundation of cooperation</p> <p>Limited capabilities for (opposed) boarding operations</p> <p>Focus on establishing MDA; regional expertise and 'patterns of life'</p> <p>Cold War equipment and procedures repurposed for the mission (vessels, ECLOs)</p> <p>Navy made up substantial part of the initial force composition</p> <p>Berlin at the Horn of Africa allowed for rapid response to humanitarian disaster in Indonesia.</p>			<table border="1"> <thead> <tr> <th colspan="2">Target Audiences</th> </tr> <tr> <th>Coercive</th> <th>Supportive</th> </tr> </thead> <tbody> <tr> <td>Al Qaeda</td> <td>USA</td> </tr> <tr> <td>Taliban</td> <td>NATO</td> </tr> <tr> <td></td> <td>UN</td> </tr> <tr> <td></td> <td>European allies</td> </tr> <tr> <td></td> <td>Countries & people in regional vicinity</td> </tr> <tr> <td></td> <td><i>Domestic public</i></td> </tr> </tbody> </table>	Target Audiences		Coercive	Supportive	Al Qaeda	USA	Taliban	NATO		UN		European allies		Countries & people in regional vicinity		<i>Domestic public</i>
Target Audiences																			
Coercive	Supportive																		
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	<i>Domestic public</i>																		
<p>Influences on the Political Process (<i>non-exhaustive</i>)</p> <p>subject to interpretations of constitutional limitations</p> <p>subject to historical considerations of guilt and responsibility</p> <p>subject to considerations of allied need for support and solidarity</p> <p>subject to considerations of alliance cohesion</p> <p>influence of the Bundeswehr's leadership on government decision</p> <p>influence of the navy on acquiring a mission through 'lobbying'</p> <p>cabinet decision in preparation for later Bundestag vote on mission</p> <p>influence of public opinion</p> <p>influence of the US</p> <p>influence of European allies (<i>France</i>)</p> <p>influence of United Nations; ambition for a permanent seat at least since 1993</p> <p>influence of the opposition in parliament</p> <p>key role of the chancellor</p>																			

VI. Phase 3: Comprehensive Maritime Security and Ocean Governance

VI. 1 Introduction

By the mid-2000s the navy possessed greater value as an instrument of Germany foreign policy than ever before based on its increasing experience, adapted material and the evolved legal framework for its employment. Many of the geographic, operational and legal constraints had been overcome and it had gotten used to operating globally well beyond its Cold War role. When Angela Merkel became chancellor, she inherited and continued Gerhard Schröder's commitment to expanding international trade and his maritime turn in economic and foreign policy. As this chapter examines, the missions of the Merkel years completed the process begun with OEF and OAE. Germany and its navy were getting used to what could reasonably be expected of them within their power – to contribute to good order at sea, maritime security and global ocean governance.¹ Indeed, it would be uncommon for a state of Germany's maritime interests and economic resources, to not invest some of the latter to protect the former.² Barely a year after Merkel took office on 22nd November 2005, the government published her first *Weißbuch* (25th October 2006). In it, she officially subscribed to the way her predecessor's missions had furthered the role of the Bundeswehr in general and the navy in particular.³ Less well-noticed, Merkel confirmed the same commitment to pursuing Germany's commercial shipping boom her first opportunity, the *Nationale Maritime Konferenz* on 4th December 2006.⁴

In the light of Germany's persisting ambition to contribute as a responsible actor to international crisis response and increased dependence on secure maritime communications – as the dramatic rise of the share of trade of Germany's GDP in the chart below demonstrates – the utility of the navy was accorded its most comprehensive consideration in German strategy since the Cold War.⁵ The recognition of the value of the navy in the *Weißbuch 2006*, is matched by its record of deployments during Merkel's four term chancellorship (2005-21). Admiral Lutz Feldt, first Chief of the Navy of the era, coined the unofficial principle: '*Whenever the use of military force seems to be called for: check the naval option first.*'⁶ While the army and

¹ Something most navies of any significant size would be tasked to do, see Booth (1977), p. 270; Till (2013), p. 25; Germond (2015), p. 78; Mellet (2014), p. 67

² Grove (1990), p. 241

³ BMVg (2006), preface of Angela Merkel

⁴ Merkel (2006); national maritime conference, introduced by Schröder in 2000, Bundesministerium fuer Wirtschaft (2000)

⁵ BMVg (2006), pp. 131-4

⁶ As related by Karsten Schneider, interview, 8th February 2021

its mission in Afghanistan continued to dominate headlines and the ministry,⁷ as will be outlined, the navy found itself carrying out a broad variety of missions which suggested that political leaders had taken the admiral's words to heart. With Germany's increased dependency on the sea, facing a broad range of opportunities and challenges in foreign policy, Merkel's government recognised the navy as an important instrument in a multilateral comprehensive approach to furthering and safeguarding Germany's values, interests and obligations towards the international community.⁸

During Merkel's first year in office, Germany's longstanding commitment to Israeli security came to rely on the naval support of German diplomacy. In 2006, deployed to UNIFIL off the coast of Lebanon, the navy provided the government with a tool to support the peacekeeping effort without German and Israeli soldiers potentially confronting each other.⁹ Two of Merkel's greatest challenges during her chancellorship, the 2008 global financial crisis and the 2015 refugee crisis, saw the navy take on a key role.¹⁰ In 2008, the global financial crisis came with the very real risk of the EU falling apart, and establishing an EU naval mission against Somali piracy served the triple purpose of addressing a humanitarian crisis, countering a security threat and supporting the sovereignty, prestige and credibility of the EU. In the 2015 refugee crisis, the navy played an important role in saving lives at sea, supported the government's domestic public diplomacy, efforts to maintain EU cohesion and to craft agreements on controlling migrant flows with key transit countries like Turkey or Libya.

Literature concerning German foreign and security policy under Merkel is expansive and expanding.¹¹ While some authors address aspects of her government's maritime policies and the use of the navy,¹² no wider assessment has been undertaken integrating economic and foreign policy with naval deployments during the era. For example Kundnani, in his '*Paradox of German Power*', has little to say on Merkel's use of the military and focusses more on her economic policies.¹³ From his discussion of the Bundeswehr, one might even get the

⁷ On public visibility of missions, see Graf (2021), p. 74

⁸ BMVg (2006), the utility of the navy, pp.123-4; *challenges*, pp. 19-23; *interests*, pp. 24-26; *mission of the Bundeswehr and instrument of sovereign action*, p. 26, p. 65; *multilateralism*, p. 30; *experience of missions*, pp. 89-92

⁹ See Steinmeier (2016), p. 109-10; Bundesregierung (2006a)

¹⁰ Merkel (2021)

¹¹ See Bierling (2014), pp. 154-264; Wiesner (2013); Steinmeier (2016); Giegerich & Terhalle (2021); Matlary (2018), p. 151-174

¹² On Germany as part of NATO, see Seidler (2015); and in EU foreign and maritime policy, see Germond (2015); Riddervold (2019); on UNIFIL or ATALANTA, see Meyer (2007), pp. 8-9; Hansen, Stefan & Wethling (2015), p.292 ; Jacobs (2016), p. 2

¹³ Kundnani (2015), pp. 48-69; economic hard power, p. 102

impression Schröder never left government in 2005, while even his coverage of the Kohl and Schröder eras does not mention seapower or the navy at all. Kundnani only much later acknowledged the diplomatic value of naval deployments.¹⁴ Similarly, Giegerich and Terhalle in their review of Germany's and the Merkel-era's strategic culture, have identified the desire to be perceived as a reliable, responsible ally and member of the international community as a key motivation. But they have not considered the particular value of a navy in achieving this diplomatic visibility that – in their opinion – even exceeds Berlin's will to achieve tangible change with regard to strategic challenges.¹⁵ Furthermore, 'maritime security', as increasingly discussed with the escalation of Somali piracy and participation in the EU mission ATALANTA, was largely treated as yet another out-of-area mission, rather than an expression of Germany's responsibility for global ocean governance.

Several scholars have dealt with the strategic and foreign policy questions concerning naval deployments,¹⁶ but how these affected the navy in turn, has not been discussed. The role of the navy in comprehensively providing maritime security has also sparked a dedicated legal discussion. In this, on both national and international levels, gaps in the legal framework for enforcing good order at sea have been identified,¹⁷ with some continuing to doubt the constitutional conformity of current counter-piracy practice of the navy.¹⁸ It is striking, while naval deployments have been discussed more broadly in Germany over the past decade the connection between the use of the navy and Germany's 'post-modern', 'post-heroic' or 'cosmopolitan' foreign policy,¹⁹ in conjunction with its '*desire for commercial advantage*' as a major globalised economy,²⁰ has not been explored beyond Marxist circles distracted by anti-Imperialist suspicions.²¹

This chapter examines the navy's missions with regard to their broad connection with the change in context and overall foreign policy challenges, while considering whether these missions mark a turn towards more comprehensive maritime security and ocean governance in the Merkel years. In doing so, it also takes into account the substantial changes, Germany

¹⁴ As demonstrated in an article on the frigate *Bayern*'s mission to South-East Asia in 2021, Kundnani & Tsuruoka (2021)

¹⁵ Giegerich & Terhalle (2021), p. 41

¹⁶ See Bruns et al. (2013); Petrovic (2013); Hansen & Wethling (2015); Bellmann & Wieck (2014); Ehrhart et al. (2013)

¹⁷ See Schiedermaier (2010); Arnauld (2012); Jenisch (2015);

¹⁸ See Sax (2018), p. 379

¹⁹ See Muenkler (2007); Kundnani (2015), p. 69, pp. 101-2; Beck (2001)

²⁰ See Giegerich & Terhalle (2021), p. 13

²¹ See Buchholz & Ziefle (2010); Haydt (2009)

underwent as a major open economy dependent on trade and as a leading global shipping player. As in the previous era, the missions of the navy are analysed in their multiple layers, stakeholders and communicative dimensions, while their strategic context, the navy itself and the deployment practice are taken into account.²²

VI. 2 The Navy in the Economic and Foreign Policy Context of the Merkel Years

With financial markets a key element of globalisation, the financial crisis following the so-called ‘*sub-prime crisis*’ on the US mortgage market in 2007 had massive global repercussions. When the American bank *Lehman Brothers* collapsed in October 2008, this triggered the ‘*deepest recession in Europe since the 1930*’.²³ By then deeply interwoven with global and American financial networks,²⁴ Germany faced a drastic slump in trade (see Fig. 18, 19; Chapter III) and lost over 5% of its domestic GDP over the course of the next year.²⁵

This happened against the backdrop of the ongoing US War on Terror – and constant pressure on Germany to increase its contribution to match its economic power in the alliance. Before the U.S. substantially raised its force-levels in Afghanistan and Iraq by 21,000-22,000 in January 2007, NATO had also called for an increase of allied troop levels in Afghanistan in early September 2006.²⁶ This followed in the wake of fierce fighting in southern Afghanistan, with heavy US, UK and Canadian casualties (98, 30 and 29 soldiers respectively).²⁷ During the same period, Germany lost only one soldier – in an accident. The renewed Taliban insurgency had cost 3,700 Afghan lives in 2006 and the UK and Canada lost four times as many soldiers than in the previous four years together.²⁸ From Merkel’s earliest days in office, pressure was on Germany to support offensive operations in the South with its forces stationed in the relatively quiet North.

After 2006 there was no more mention of ‘out-of-area’ restrictions or the delegation of safeguarding Germany’s global interests to sea power allies.²⁹ As the maps illustrate, the Bundeswehr was deployed in Afghanistan, on smaller missions in Africa and with the navy off

²² An approach consistent with Rowlands and Stöhs, see Rowlands (2015), pp. 347-9; and Stöhs (2019), pp. 12-3

²³ Welch (2011), p. 483

²⁴ See Blankenburg & Palma (2009), p. 532

²⁵ See GDP, Germany 2008-2010; IMF (2021)

²⁶ See U.S. Government (2007); Aljazeera (2006)

²⁷ On US casualties see statista (2022); on UK and Canada, see Heinssohn (2006)

²⁸ See Heinssohn (2006)

²⁹ BMVg (1992), Art. 8 3)

the Horn of Africa.³⁰ Affirming its ambition to demonstrate responsibility and defend Germany's values and interests, the government explicitly listed the protection of peace, the furthering of European integration, the respect and extension of international law, peaceful resolution of conflict and integration in a framework of collective security as its core missions.³¹

In terms of particular susceptibility to the influence of seapower, it is noteworthy that among the interests included were the prevention and resolution of distant regional conflicts of particular relevance to national security, fighting international terrorism and the proliferation of weapons of mass destruction, respect of human rights and strengthening international order and law, as well as the protection of the free and unhindered flow of global trade.³² While seapower could be used in defending and furthering all of these interests, especially for the latter elements – within a geographically unrestricted context – the navy and its specific capabilities possessed particular value.

³⁰ See Fig. 58

³¹ BMVg (2006), p. 24

³² BMVg (2006), p. 24

NATO-Missionen:

KFOR: Kosovo Force, Kosovo
ISAF: International Security Assistance Force, Afghanistan

EU-Missionen:

EUFOR: European Union Force, Bosnien-Herzegowina
EUFOR RD Kongo: European Union Force, Demokratische Republik Kongo

VN-Missionen:

UNMIS: United Nations Mission in Sudan, Sudan
UNMEE: United Nations Mission in Ethiopia and Eritrea, Äthiopien, Eritrea
UNOMIG: United Nations Observer Mission in Georgia, Georgien
UNAMA: United Nations Assistance Mission in Afghanistan, Afghanistan
UNIFIL: United Nations Interim Force in Lebanon, Libanon

Kampf gegen den internationalen Terrorismus

ACTIVE ENDEAVOUR: Mittelmeerraum (NATO-Operation unter Art. 5 Nordatlantikvertrag)
ENDURING FREEDOM: Stützpunkt: Djibouti, Horn von Afrika

AU-Mission:

AMIS: African Union-Mission in Sudan, Sudan

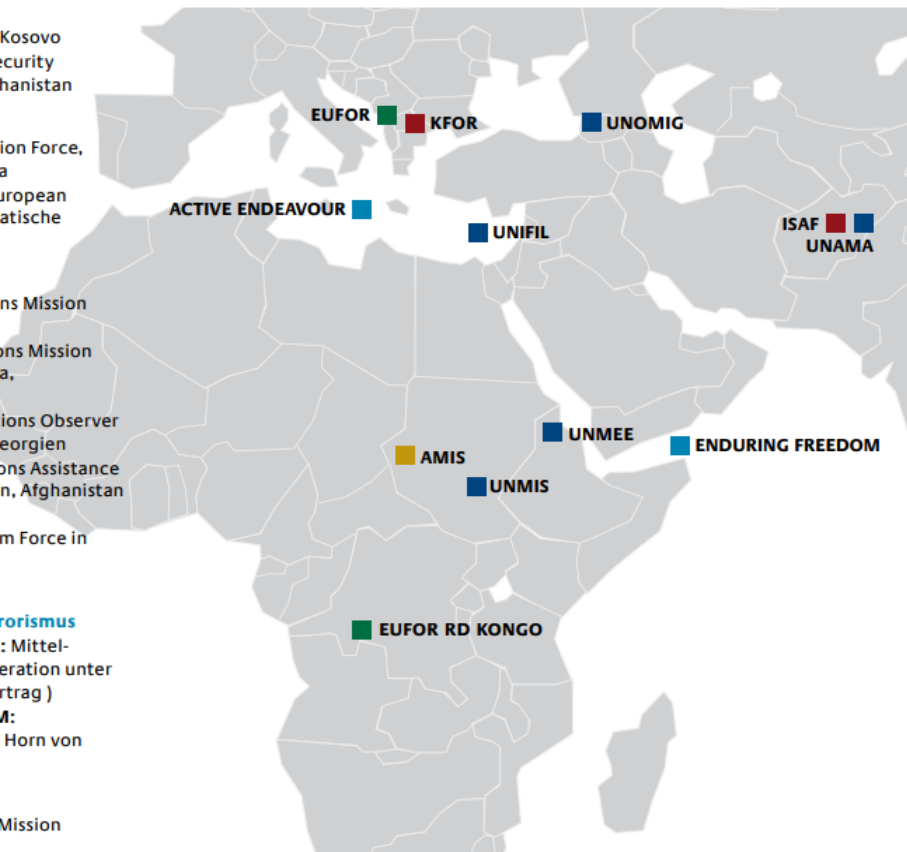
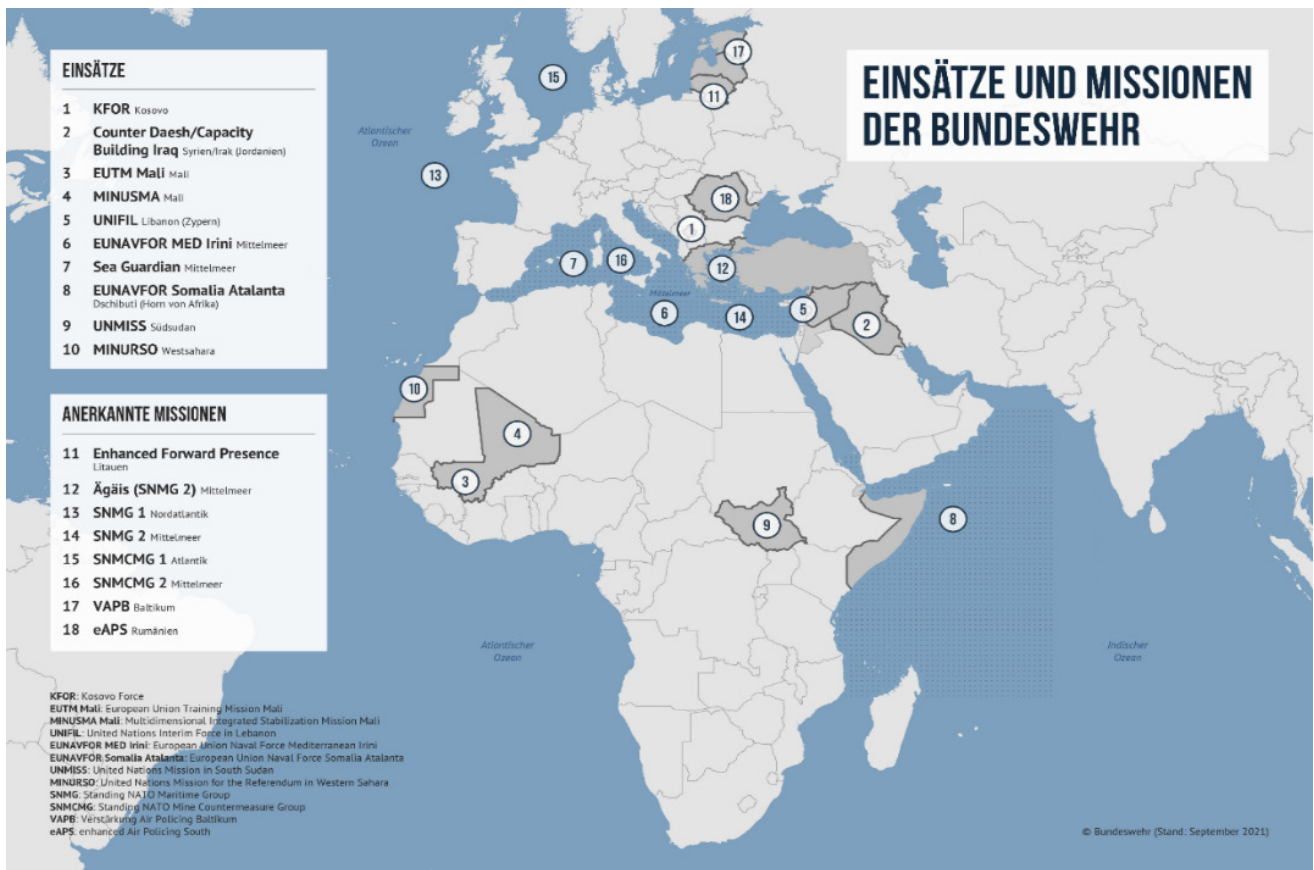


Fig. 58 (above), Map of Bundeswehr missions abroad 10th October 2006 (source: Bundeswehr)

Fig. 59 (below), Map of Bundeswehr missions abroad September 2021 (source: Bundeswehr)



In strategic outlook and operational execution, the government was largely aligned with public opinion – or able to argue its case convincingly. The interests of Germany as outlined above have consistently been accorded overwhelming public support.³³ Concerning using armed force to further or defend these, missions defined in strategy and actual deployment practice were also in line with what the public supported.

Fig. 60, Percentage of Population in Favour of Missions of the Bundeswehr Abroad³⁴

Mission Type Year	2006	2012	2016	2020
Humanitarian aid and disaster relief	95%	92%	91%	85%
Defending Germany (war and terror)	88% (terror)	84% (terror)	91% (preventive: 65%)	86%
Crisis-Response/ Stabilisation	88% (Europe) 63-65% (Mid.East/Africa)	75% (Europe) 44-45% (Mid.East/Africa)	59%	62%
Evacuate/Liberate Citizens(war-zone/hostages)	88%	90% (evac.) 87% (host.)	84%	81%
Preventing Genocide	85%	72%	66%	(not asked)
Defend (NATO/EU) Allies	87%	90%	69%	70%
Contribute to Counter International Terrorism	78%	65%	69%	65%
Securing Resource and Energy Supply	66%	69%	53%	(not asked)
Surveillance and Protection of Maritime Trade	(not asked)	72%	(not asked)	(not asked)

Based on its 1990s experience the navy role's in 2006 was more prominently and comprehensively outlined. Pointing out that it is transforming into an '*Expeditionary Navy*', capable of dealing with conventional and asymmetric threats – *at the geographic location where they originate*, the following specifically naval characteristics are mentioned as favourable toward achieving the desired political effects in the *Einsatzland* (ambiguous term meaning 'country of deployment', *target* or *host-country*):³⁵ flexibility, versatility, long range, endurance and ability to operate under heightened threat levels off a hostile coast; exploiting the freedom of movement permitted by the law of the sea to preposition forces; easy integration

³³ See 2006, Bulmahn et al. (2008), p. 52; 2012, Wanner & Bulmahn (2013) p. 25

³⁴ Merging the results for 'agree' and 'rather agree' as taken from several polls conducted by the Sozialwissenschaftliches Institut der Bundeswehr, respectively the ZMSBw, Bulmahn et al. (2008), p. 115; Steinbrecher et al. (2016), p. 69;

³⁵ BMVg (2006), p. 131

into multi-national units; ability to project force at and from the sea; acting as an operational base to support and command land operations; ability to support diplomatic activities; conducting embargo operations; protecting sealines of communication; surveillance and reconnaissance; defending against terrorism – including in national territorial waters in support of the police. Further aspects explicitly mentioned are the navy’s role in defending against sea- and airborne threats like mines, submarines, missiles, aircraft and ballistic missiles.³⁶

Briefly hailed as *Meereskanzlerin* (chancellor of the sea) at the time,³⁷ Merkel expanded her maritime policies into a commitment to sustainable and equitable ocean governance (*Meerespolitik*) in Germany’s first national maritime strategy on 1st October 2008 – but did not initially tie this to an expansion of the role of the navy.³⁸ Germany’s ocean governance commitment followed from the EU’s 2005 initiative on establishing ‘*all-embracing maritime policy aimed at developing a thriving maritime economy and the full potential of sea-based activity in an environmentally sustainable manner*’.³⁹ While focussing on its *Heimatgewässer* North and Baltic Sea (home waters), Germany aimed to involve the entire population and foster maritime awareness, including by introducing related topics into school curricula. Despite the recognition that the oceans play a crucial role for humanity, are used intensively but protected little, the German interest in global ocean governance, securing the integrity of marine ecosystems and the use of the sea for economic purposes for generations to come, was not integrated with national security policy.⁴⁰ The 2008 68-page national ocean governance strategy does not mention the navy even once.

³⁶ BMVg (2006), pp. 131-2

³⁷ WWF (2008)

³⁸ See Merkel (2007); Bundesregierung (2008)

³⁹ Commission of the European Communities (2005)

⁴⁰ See Bundesregierung (2008), p. 6; pp. 10-1

VI. 3 UNIFIL: The Arab-Israeli Conflict, Diplomacy, Presence and Training

Following the killing of two Israeli soldiers, the abduction of another by the Palestinian Hamas on 24th June 2006, and the subsequent kidnapping of a further two soldiers by the Lebanon-based Hezbollah on 12th July 2006, tensions between Israel and Palestinians escalated into the Israeli-Lebanon War. In addition to air-raids on the Gaza-strip after the first incident, Israel responded with a full-blown military invasion of Southern Lebanon after the second.⁴¹ As the war triggered a massive humanitarian crisis in Lebanon, while equally not leading to any foreseeable end in a decisive defeat of Hezbollah, the UN and EU sought ways to end it. Germany helped broker the peace, trying to limit the damage and provide Israel with a face-saving way out of a stagnating military campaign.⁴² Both Lebanon and Israel asked for German help with peacekeeping⁴³ but it was absolutely clear to Steinmeier, then foreign minister, that *'our past as perpetrators of the Holocaust made the deployment of German soldiers on Israel's borders a particularly delicate matter'*.⁴⁴

More directly concerned by the war than Germany, Italy had taken the European lead to convene a first conference to address the conflict in Rome on 26th July 2006, paving the way for the 11th August UN Security Council Resolution 1701.⁴⁵ Italy had been contributing peacekeepers to the existing *United Nations Interim Force in Lebanon* (UNIFIL) since 1979 and around 1,000 of its citizens were estimated to be in the country when hostilities broke out. A further 25,000 US, 20,000 French and 15,000 Canadian citizens were also in need of evacuation from a Lebanon completely isolated by Israel's naval blockade and targeting of airports.⁴⁶ Upon request of the government of Lebanon via the UN Secretary General Kofi Annan, it was the EUROMARFOR, led by Italy, with contributions from Greece, France and Britain, that stepped in to lift the blockade.⁴⁷ Based on the WEU's international peacekeeping commitment expressed in the *'Petersberg Declaration'* from 1992, EUROMARFOR was a multinational naval force formed in 1995 by France, Italy, Portugal and Spain to carry out naval, air and amphibious operations.⁴⁸

⁴¹ It would go too far to reiterate the history of the conflict here. See Wissenschaftlicher Dienst (2006), p. 4; p. 17; Crefeld (2011)

⁴² See Crefeld (2011), pp. 4-7

⁴³ See Steinmeier's speech in the Bundestag, calling for support of the mission, 16th September 2006, Bundestag (2006a)

⁴⁴ Steinmeier (2016), p. 109

⁴⁵ SCRes 1701 (2006)

⁴⁶ See Lucia (2009)

⁴⁷ Annan (2006)

⁴⁸ See EUROMARFOR (2021); WEU (1992)

EUROMARFOR, for the first time deployed under a UN mandate, replaced Israeli warships and prepared the ground for the expansion of UNIFIL with a maritime component to take over the task of preventing the influx of weapons to Hezbollah. What then became UNIFIL's *Task Force 448*, was to be set up and led by Germany.⁴⁹ The end of Israel's blockade not only permitted the evacuation of foreign citizens, it also allowed for humanitarian shipments into the country.⁵⁰ Beyond the immediate relief delivered by sea, the reopening of the ports of Lebanon and its economy's access to global trade was crucial for any hope to stabilise and pacify the country.⁵¹

1. France	1,653
2. Italy	1,512
3. Spain	1,393
4. Germany	933
5. India	671
Total	8,741

Part of a larger European contribution to the expanded UNIFIL, Germany and its maritime *Task Force 448*, was given a robust mandate authorising the use of force not just in self-defence, but also in pursuit of its mission.⁵³ The peacekeepers were to monitor the cessation of hostilities, render humanitarian assistance, and support Lebanon's armed forces, including against foreign forces intruding without consent.⁵⁴ In the *Bundestag*, where only a naval contribution to UNIFIL was to be decided upon, defence minister Jung explicitly mentioned that this would permit opposed boardings of suspicious vessels threatening to violate the mandate's provisions against smuggling weapons into Lebanon.⁵⁵

UNIFIL had been set up in 1978 in response to the outbreak of the Lebanese civil war, Syrian and Israeli intervention and as part of broader peace-plans. Its aim was to help the state of Lebanon to establish territorial control in the light of its precarious balance of various ethnicities, Shiite and Sunni Muslims, Christians and their respective militias.⁵⁶ Concurrently Hezbollah, affiliated with Iran and thriving on grievances of Lebanon's Shiite population,

⁴⁹ See DW (2006a)

⁵⁰ Lucia (2009)

⁵¹ United Nations Peacekeeping (2022)

⁵² See UN DPKO (2006), *UNIFIL*

⁵³ As also stated by defence minister Jung, when presenting the mandate in the Bundestag, Bundestag (2006)

⁵⁴ SCRes 1701 (2006), pp. 3-4

⁵⁵ Jung in the Bundestag, Bundestag (2006)

⁵⁶ SCRes, 425 (1978); see Calvocoressi (2009) pp. 351-63

began to expand its support-base to develop into a broader national anti-Israel movement.⁵⁷ It was also responsible for firing as many as 3,500 short-range rockets against Israeli cities throughout the conflict.⁵⁸

Israel's naval blockade, aiming to prevent a seaborne influx of weapons to Hezbollah, effectively cut the entire country off from overseas trade. To avert collapse of the state and a humanitarian catastrophe, Lebanon's government called for a replacement of the blockade with a naval peacekeeping force.⁵⁹ This served several ends. Firstly, opening Lebanon back up for humanitarian aid and trade. Secondly, maintaining an international military presence in the region to monitor the situation. Thirdly, assisting the Lebanese government in achieving its monopoly on the use of force with respect to Hezbollah. To support this endeavour ashore, the Lebanese government called for an international maritime peacekeeping force to carry out this task at sea and support its maritime law-enforcement capabilities.⁶⁰

Supporting UNIFIL exclusively at sea was intended to ensure that Germans would not potentially end up shooting at Israelis. As Merkel unmistakably stated in the *Knesset*, barely two years after the establishment of UNIFIL's naval component, Israel's security was a non-negotiable part of the German *raison d'état*.⁶¹ While this rendered the neutrality of a peacekeeper impossible, it also meant that Germany could not possibly turn down Israeli requests for assistance. Germany sought to square this circle by sending the navy to avoid the risk of getting caught up in a confrontation involving Israel.⁶²

The risk – especially ashore – was real and could have placed German forces in potentially difficult situations with Israeli ones. In addition to a greater risk of outbursts of violence, the identification of friend or foe was more difficult on land than at sea. Warships are recognisable, identifiable via radio and satellite communication, and could visually not have been confused with capabilities available to Hezbollah. Conflict between Israel and Hezbollah might flare up again, as the latter was armed, concealed among the local population and beyond the control of the government of Lebanon. With its kidnapped soldiers still in the hands of Hezbollah, Israel saw the conditions of the UN peace agreement unmet and the Israeli airforce

⁵⁷ See Calvocoressi (2009), pp. 360-63

⁵⁸ See Crefeld (2011)

⁵⁹ See Annan (2006)

⁶⁰ Bundesregierung (2006), p. 2

⁶¹ Merkel (2008)

⁶² See the reply of Fritz Kuhn (Grüne) to Dirk Niebel (FDP) during the debate on the mandate for UNIFIL, Bundestag (2006)

continued to operate in Lebanese airspace.⁶³ This also meant that an armed Israeli hostage liberation on the territory of Lebanon was a very real possibility – a violation of Lebanon’s sovereignty, which, by its mandate, could have brought UNIFIL into conflict with Israeli forces.⁶⁴ The risk to the peacekeepers, should hostilities resume, was underscored by the tragic incident of 25th July 2006, when four UN observers were accidentally attacked and killed by an Israeli airstrike during the previous campaign against Hezbollah.⁶⁵

German fears were confirmed early on in the mission when Israeli aircraft repeatedly provoked dangerous incidents with patrolling German warships. Both government and opposition parties expressed how an Israeli violation of Lebanese territory would put German UNIFIL forces in a very uncomfortable position between adherence to the mandate and the historical relationship with Israel.⁶⁶ In three separate occasions in October 2006 Israeli aircraft fired shots over German helicopters and warships in Lebanese waters. With similar incidents happening to UNIFIL units ashore, the commander of UNIFIL, French General Pellegrini, reportedly even asked for air-defence systems to be deployed with his troops for protection against the Israeli airforce. Such incidents ended after they were addressed by the chancellor and ministers with their Israeli counterparts.⁶⁷

⁶³ See Meyer (2007), pp. 6-7

⁶⁴ As pointed out by Dirk Niebel (FDP) in the Bundestag, Bundestag (2006)

⁶⁵ See Associated Press in Beirut (2006)

⁶⁶ See Fritz Kuhn (Grüne), Dirk Niebel (FDP) and Gregor Gysi (Die LINKE) in Bundestag (2006)

⁶⁷ See ZEIT online (2006b); DW (2006b); DW (2006c)

Fig. 62, UNIFIL Maritime Task Force 448, 15 th October 2006 ⁶⁸						
Germany	Denmark	Sweden	Norway	Greece	Turkey	Bulgaria
8 vessels <i>2 frigates</i> <i>1 combat-supply vessel</i> <i>1 supply vessel</i> <i>4 fast patrol boats</i>	2 vessels <i>2 fast patrol boats</i>	1 vessel <i>1 corvette</i>	5 vessels <i>4 fast patrol boats</i> <i>1 supply vessel</i>	1 vessel <i>1 frigate</i>	1 vessel <i>1 frigate</i>	1 vessel <i>1 frigate</i>
Crew 865	Crew 57	Crew 41	Crew 131	Crew 182	Crew 233	Crew 160

When Germany took the lead in setting up the naval component of the UN mission it also contributed the largest individual force and vessel numbers. Initially, the German mandate had a maximum ceiling of 2,400 and deployed a troop-strength of almost 1,000 – logistics and shore staff, a task force of two frigates, two supply vessels and four fast patrol boats.⁶⁹ As can be seen in the table above, these were joined by 11 vessels from six other European nations. Turkey, at the time still aspiring to become a member of the EU, was the only non-EU country to contribute.⁷⁰ This brought the total to 19 vessels and 1,670 crew – over half of which were German. This sizeable naval commitment came at a time when allies were increasingly voicing their discontent at Germany’s relative restraint in Afghanistan and calling for more German – and European – troops.

It was only in November 2006, after Germany had deployed almost 1,000 sailors to UNIFIL, that Merkel and Steinmeier finally rejected any calls for a more robust commitment to fighting the Taliban in Afghanistan.⁷¹ It must have helped that by 14th August, U.S. President Bush had come to see Lebanon as a ‘*front in the War on Terror*’ and UN peacekeeping in the country as a major blow against Hezbollah – a terrorist organisation he linked directly to Syria and Iran.⁷² A substantial military commitment to UNIFIL – even at sea (and very much out of harm’s way, especially if compared to the alternatives) – was a good argument to deflect calls for more troops in Afghanistan.⁷³

⁶⁸ Numbers based on UNFIL press release on 16th October 2006, UNIFIL (2006); and correlated with other press releases and coverage, www.brainmar.com (2006); Der Tagesspiegel (2006); reliefweb.int (2006)

⁶⁹ Bundesregierung (2006); Asseburg (2007), pp. 1-2, p. 5

⁷⁰ See European Commission (2022b)

⁷¹ See ZEIT online (2006a)

⁷² See C-SPAN (2006); CNN (2006)

⁷³ As was suggested to this author by an anonymous interviewee who served in the ministry of defence at the time.

Domestically, UNIFIL could also help to deflect criticism from the Bundeswehr's ISAF mission. By the time Merkel took office in October 2005 the Bundeswehr had suffered casualties in Afghanistan and – even though not involved – become associated with the questionable aspects of the American War on Terror, extrajudicial killings, offshore prisons and torture.⁷⁴ In October 2006, a widely publicised scandal of surfaced photos of Bundeswehr soldiers posing with skulls in Afghanistan made politicians anxious about losing domestic support for the mission.⁷⁵ UNIFIL, as a peacekeeping mission under the UN-flag, with no direct US involvement, geared to bring relief to an obvious humanitarian crisis in a fragile state, could serve as a good example for the benign nature and utility of Bundeswehr deployments. It must have pleased the government, when this argument was used by Volker Beck of the opposition (Bündnis 90/Grüne) to defend Bundeswehr deployments generally in the debate on the extension of the ISAF mandate on 29th September 2006.⁷⁶

Operationally, UNIFIL introduced training of foreign security forces as a naval task and reinforced previous experiences with embargo-control and providing maritime security. Initially, the German-led maritime task force primarily patrolled Lebanese waters to prevent arms-smuggling and this encompassed cooperating with and supporting Lebanese security forces.⁷⁷ In practice, UNIFIL did not enforce the embargo itself, but rather highlighted suspicious vessels for handling by Lebanese authorities. Aiming to foster the sovereignty of the state, the focus shifted more to training and equipping the Lebanese coast-guard and navy.⁷⁸

⁷⁴ See Ertel et al. (2005); Rosenberg (2022)

⁷⁵ See SPIEGEL (2006)

⁷⁶ Volker Beck in Bundestag (2006b)

⁷⁷ See UN and German mandate SCRes 1701 (2006); Bundesregierung (2006)

⁷⁸ See Bundeswehr (2022i)

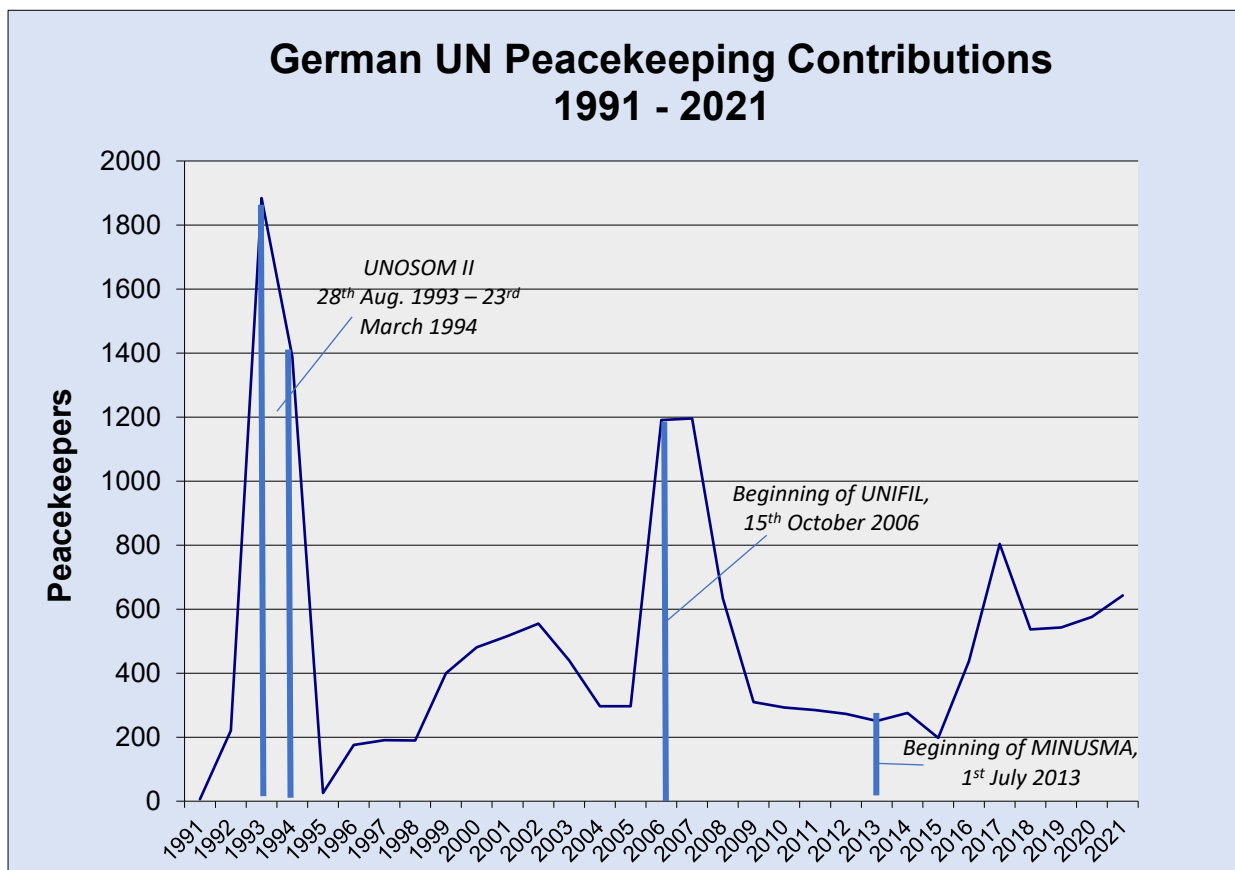


Fig. 63, UN Peacekeeping Contributions of Germany (graphic: author; data: UN DPKO)

Beyond its strong European element and Germany's gradually reduction though continued commitment to UNIFIL, it was Brazil that played a major role in commanding the mission continuously for almost ten years between February 2011 and January 2021. From its inception until February 2008, command of UNIFIL rested with German admirals.⁷⁹ The requirements of other missions and limited resources led Germany to relinquish command of TF448. The frigates and larger *Berlin*-class combat supply-vessels that initially dominated the task-force of a broad range of units – including submarines,⁸⁰ were redeployed to ATALANTA at the Horn of Africa in December 2008. This left the fast patrol-boats, mine-sweeping units and – from 2014 onwards – corvettes with UNIFIL. When in 2015, the focus shifted again – to the refugee crisis in the Mediterranean – frigates and combat-supply-vessels were taken from other tasks

⁷⁹ See United Nations Peacekeeping (2022)

⁸⁰ On submarines in UNIFIL, see Stiller (2007)

and the corvettes moved from UNIFIL to ATALANTA, once again drawing a fast patrol-boat for nine months into the mission – before the type’s final decommissioning in July 2016.⁸¹



Fig. 64, corvette Erfurt, F262, commissioned in 2013, arriving in Limassol, 2nd May 2015 (source: Bundeswehr/Bastian Fischborn)



Fig. 65, UNIFIL’s last German fast patrol-boat. Hyäne, P6139, commissioned 1984, Naqura, Lebanon – site of the UNIFIL headquarters in the background, 21st March 2016 (source: Bundeswehr/PAO UNIFIL)

The first of the *Braunschweig*-class corvettes were commissioned into the fleet in 2008, but only became fully operational in 2014, when they were sent into UNIFIL for the first time.⁸² As a new class of vessels geared towards international deployments, they were designed with the new post-Cold War missions in mind and replacing fast patrol-boats. More seaworthy, more capable of self-defence, devised for operating unmanned aerial vehicles (UAV) and striking targets on land, they were larger and had greater endurance at sea than their predecessors. At

⁸¹ See Pauker (2016), pp. 71-3; Dunkel (2016); Wiegold (2015b); Presse- und Informationszentrum Marine (2016)

⁸² See WELT (2014)

89.1m length and 1,800 tons displacement, they were comparable in size to smaller frigates – even carrying the NATO-vessel-class denominator ‘F’ for ‘frigate’ as part of their hull-number (see Fig. 64 above) – while only requiring a fraction of the crew.⁸³ A corvette’s crew was only marginally larger – 61, compared to 54 – than that of the much smaller last fast patrol-boats (57m length, ~ 400 tons).⁸⁴ These missile equipped fast-patrol boats were built in the 1980s for quick 24-hour-sorties in Cold War operations in the Baltic Sea.⁸⁵ With only an improvised watch-keeping system possible to allow for spells at sea beyond this time-frame, no air-conditioning and sparse bunk-capacities, fast patrol boats were not configured for patrolling duties for weeks and months in distant waters. In UNIFIL they typically only spent four days patrolling – causing strain for the crew – before returning for a similar amount of ‘off-task’-time in port in Limassol (including transit).⁸⁶

To keep the strain on crews manageable during UNIFIL deployments, crews were rotated and only the vessels stayed on the scene. Typically deployed for 120 days with crews that exercised together, this procedure picked up the idea used in *Südflanke* in 1991 and became a design- and organisation-principle of the subsequently introduced *Braunschweig*’s (2008 onwards) and later *Baden-Württemberg*-frigates (2019 onwards).⁸⁷ Vessels on distant deployments were to remain on station for up to two years, be relatively independent from frequent returns to Germany for servicing, allow for a reduction in maintenance and transit-times to achieve a more favourable ratio of vessel-numbers to units deployed.⁸⁸ Typically, the ratio was 2.5 to 1 in the old system, requiring 5 ships in the fleet to have 2 constantly deployed anywhere.⁸⁹ Vessels needed regular maintenance – a substantial docking period of several months, up to a year, every three years, after that, be available for roughly a year’s worth of training and exercising with their crews – also every three years, with FOST in the UK for the larger surface vessels, and only then were they considered ‘fully operational’ to be deployed on a mission.⁹⁰

With no arrests and all ship-board investigation of suspects deferred to Lebanese authorities in port, a tedious feature of UNIFIL was the dullness of the patrolling duties in

⁸³ See Bundeswehr (2022)

⁸⁴ See Stark (2016)

⁸⁵ See Stark (2016)

⁸⁶ See Pauker (2016), pp. 72-4

⁸⁷ See Seidel (2015); Presse- und Informationszentrum Marine (2016); on *Südflanke*, see Jentzsch (2021)

⁸⁸ See Bundeswehr (2022)

⁸⁹ See Deutsche Marine (1991), pp. 13-4

⁹⁰ Interviews Jens Schaadt, 2nd September 2019

Lebanese waters.⁹¹ Crews were aware of the political and diplomatic importance of their mission for the stability of Lebanon, peace in the region and – later in the mission, after the beginning of the 2011 Syrian civil war – the refugee-situation ashore.⁹² At the same time, the day-to-day routine did not involve spectacular events. Using the time for exercises among the international naval vessels was intended,⁹³ but limited by the need to spread out to cover the area of operations. A common opportunity to lighten the daily routine were so-called ‘*steampass*’-farewell-ceremonies for departing units after their spell on the mission. During one of these, saluting the frigate *Brandenburg* on 20th April 2007, two German fast patrol boats negatively lived up their crews’ reputation as ‘*Ostsee-Rocker*’ (Baltic Sea Rockers) and collided in a particularly risky manoeuvre, wrecking one so badly it almost had to be decommissioned.⁹⁴

The shift to smaller vessels from 2008 onwards meant that Germany reduced its presence in UNIFIL. While actual numbers deployed were lower, the maximum ceiling of German troop levels was reduced from 2,400 in steps to 300, where it has remained since 2010.⁹⁵ Nonetheless, UNIFIL made up Germany’s most substantial UN peacekeeping commitment from 2006 until the beginning of the army’s mission MINUSMA in Mali in 2013 (see Fig. 63 above).⁹⁶ UNIFIL also provided the navy with significant international leadership experience and, through its strong European element, fostered EU integration.⁹⁷

VI. 4 EU ATALANTA: Comprehensive Maritime Security at the Horn of Africa

By October 2008, Somali piracy not only came with direct human suffering, Lloyd’s List quoted 537 seafarers held hostage, it also threatened regional stability and vital maritime communications.⁹⁸ The area affected by Somali piracy encompassed some of the busiest global shipping lanes. With over 65,000 transits of ships per year this maritime crossroads connects Europe with Asia and the Arabian Peninsula.⁹⁹ For Germany and the EU, Asian countries – and particularly China – were the second-most important global trade-partners (after the US) and accounted for over 10% of respective trade in 2008.¹⁰⁰ Given Germany’s almost total

⁹¹ See Pauker (2016), p. 75

⁹² See Seidel (2015)

⁹³ See Pauker (2016)

⁹⁴ See unknown (2007); Westerhoff (2016)

⁹⁵ See Bundesregierung (2006); Bundesregierung (2010b); Bundesregierung (2021a)

⁹⁶ See Bundesregierung (2013a)

⁹⁷ United Nations Peacekeeping (2022)

⁹⁸ Lloyd's List (2008)

⁹⁹ Oceans Beyond Piracy, . (2014), p. 15

¹⁰⁰ See Bundesministerium für Wirtschaft und Energie BMWi (2021), p. 8; eurostat (2019)

dependence on oil (97%) and gas (84%) imports, and the EU's only slightly better self-sufficiency (imports of oil: 82%, gas: 57%),¹⁰¹ any risk to maritime communications with the Middle East – accounting for roughly one third of global oil production in 2008 – could have calamitous effects on global supply and prices.¹⁰² With insurance premiums for ships going up and substantial detours being made by some shipowners,¹⁰³ potential economic domino- and spill-over-effects of Somali piracy loomed large in 2008.

¹⁰¹ See Flottenkommando (2008), 1-7; European Environment Agency (2021)

¹⁰² Data on global oil production, see IEA (2022)

¹⁰³ See Lloyd's List (2008); ntv (2008)

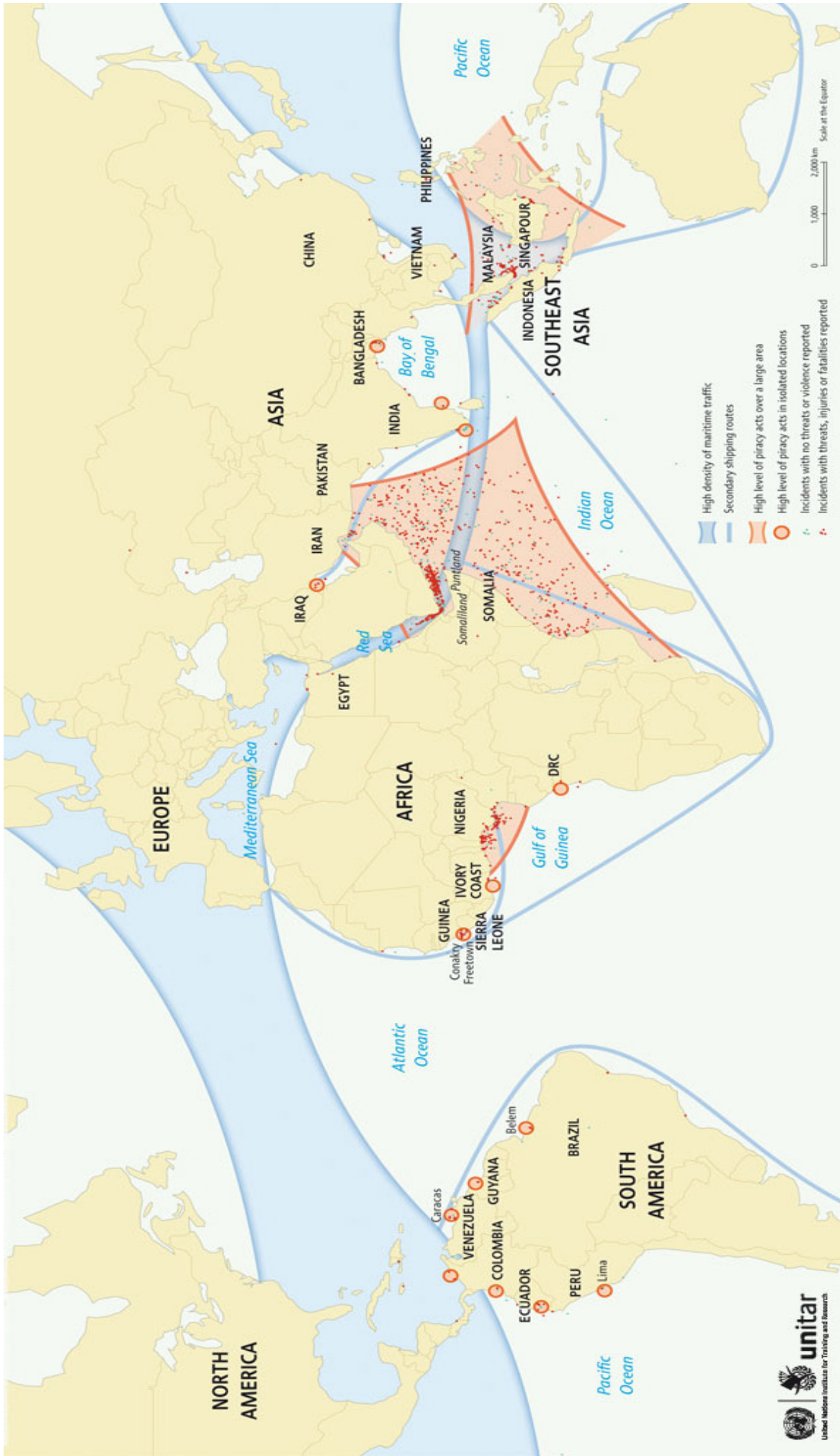
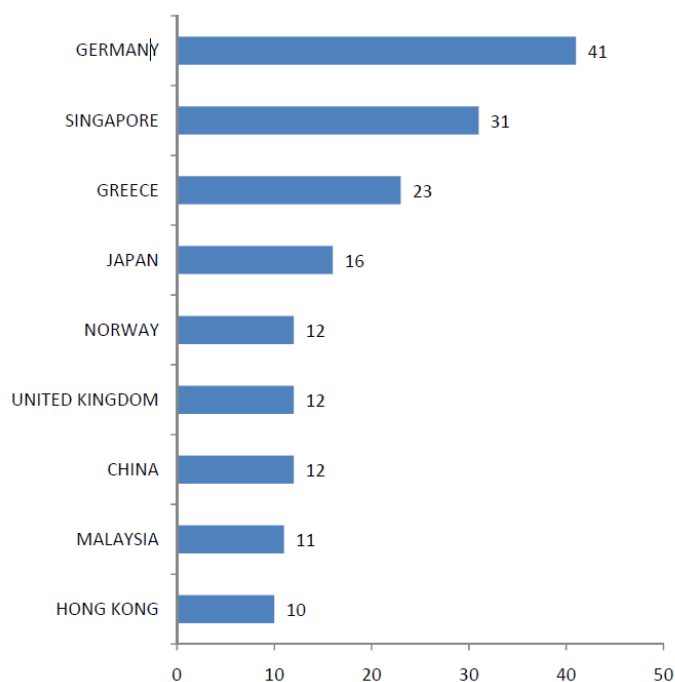


Fig. 66, map of main maritime circulation and acts of piracy and armed robbery, 2006-2013

Fig. 67, Managing Countries whose Ships were attacked more than ten times in 2008



Source: IMB¹⁰⁴

In 2008, Germany was not only a leading shipping nation, it was also the most heavily affected by criminal attacks on its ships – and most of these originated in Somalia. With headlines flashing news of seven hijacked German vessels and hostages in the hands of pirates, shipowners and the media sounded the alarm for Germans and their government to wake up to the threat of contemporary piracy.¹⁰⁵ Germany's sizeable merchant fleet of 3,220 vessels in 2008 was the third largest in the world,¹⁰⁶ and meant national responsibility extended to crews of 7,447 Germans, a further 7,792 EU citizens, and probably more than four times that combined number in non-EU nationals, who were potentially directly concerned by security risks at sea.¹⁰⁷ This realisation sank in, together with growing European calls for action. In April 2008, France had reacted to the hijacking of the sailing cruise vessel *Le Ponant* with its navy and had since begun to gather support for a EU naval counter-piracy mission.¹⁰⁸

¹⁰⁴ IMB (2009), p. 22

¹⁰⁵ See Johns (2015), p. 111-7; Fastenrath (2008); Frankfurter Allgemeine Zeitung (2008)

¹⁰⁶ UNCTAD (2009), p. 39

¹⁰⁷ See Fig. 67 above and Krüger-Kopiske (2017), p. 125; pp. 149-53

¹⁰⁸ See Sueddeutsche Zeitung (2008); Riddervold (2019), p. 206

Piracy at the Horn of Africa was directly connected with Somalia's descent into civil war and its plight as a failed state. In 2007, specifically citing Somalia, Murphy identified seven factors that enable piracy: *legal and jurisdictional weakness, favourable geography, conflict and disorder, underfunded law-enforcement/inadequate security, permissive political environments, cultural acceptability, promise of rewards*.¹⁰⁹ All of these conditions were present in Somalia and reinforced by thriving piracy that fuelled conflict and corruption with its ransom money.¹¹⁰ Failing crops and a global food crisis were bound to make matters even worse. In April 2008, to avert impending famine in the country whose population was already suffering, the FAO called for external emergency food shipments.¹¹¹

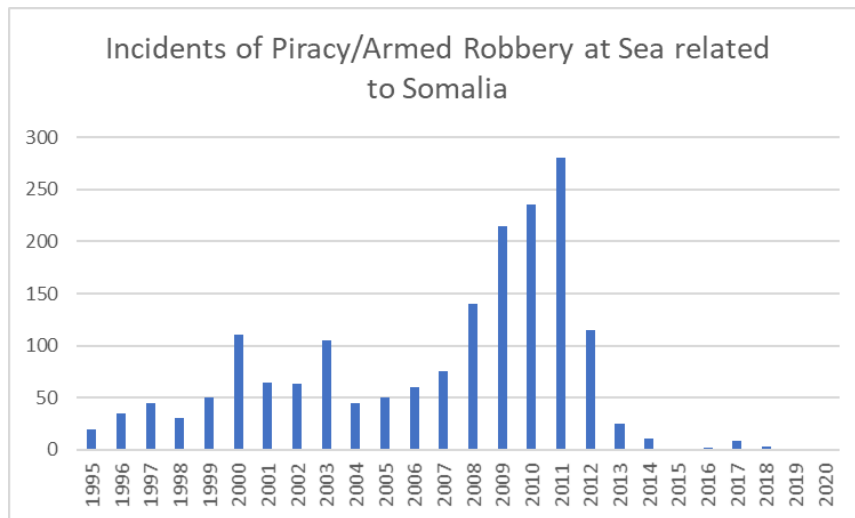


Fig. 68, *Incidents of Piracy/Armed Robbery at Sea related to Somalia* (data: IMB, UNITAR; graphic: author)

Despite a favourable geographic position, overlooking busy maritime trade routes, Somalia had no particularly strong tradition of piracy until the 1990s, with maritime violence only escalating in the 2000s. Sparse accounts from colonial times, and an occasional hijacking of a yacht for ransom in the 1950s, can hardly suffice to explain contemporary piracy.¹¹² Recent piracy did not occur until the early stages of Somalia's civil war in the late 1980s and substantially picked up, once the country descended into a failing state after the defeat of its long-time dictator Siad Barré.¹¹³ As Fig. 68 above shows, a significant increase in numbers of piracy-attacks off the coast of Somalia happened around the turn of the millennium, with a first boom-phase of

¹⁰⁹ Murphy, Martin (2007), pp. 13-8

¹¹⁰ See Kraska, James & Wilson (2008), p. 43

¹¹¹ FAO (2008)

¹¹² Woodward (2012), p. 98; Murphy, Martin N. (2011), p. 11

¹¹³ See Murphy (2007), p. 15; Hansen, Stig Jarle (2009b), p. 10

hostage-piracy starting in 2003-2004.¹¹⁴ The brief spell of power of the *Union of Islamic Courts* (UIC) had almost completely eradicated piracy in areas under its control. Piracy was regarded as un-Islamic and severely punished. In 2007, an American-supported Ethiopian military intervention displacing the UIC in the War on Terror, entailed a speedy re-surge of piracy incidents.¹¹⁵

By May 2008, piracy began to increase as Puntland, a hitherto relatively stable de-facto autonomous region in the North-East, went bankrupt and stopped paying its police.¹¹⁶ Already fragile, Puntland's collapse had progressed in the wake of the impact of the global economic crisis on Africa from 2007 onwards. Despite limited exposure to global financial markets, the growing difficulties African governments faced in borrowing money internationally and reductions in remittances received from their diaspora started to aggravate existing domestic economic challenges.¹¹⁷ The overall increase in piracy was so drastic that calls for action, especially by the IMO and shipping industry,¹¹⁸ led to the first Somali-piracy-related UN Security Council resolution 1816 on 2nd June 2008.¹¹⁹

Calling on states to cooperate with the Transitional Federal Government (TFG) of Somalia, the Security Council particularly mentioned those '*whose naval vessels and military aircraft operate on the high seas and airspace off the coast of Somalia*' to be vigilant and deter attacks on commercial shipping and protect humanitarian aid shipments.¹²⁰ In addition to referring to states' rights and obligations in suppressing piracy on the high seas, resolution 1816 extended the use of '*all necessary means*' to counter piracy and armed robbery at sea into Somali territorial waters – providing cooperation with the TFG. This extension of third-party interdiction rights into the territorial seas was a crucial contribution to the conduct of counter-piracy operations off the Horn of Africa.

German warships had been present in the region as part of the substantial coalition fleet since the advent of OEF in late 2001. Their focus was on counter-terrorism and powers to act against piracy were limited.¹²¹ Perpetrators could rely on the nominal sovereignty of the failed state of Somalia to shield them from pursuit or early interception. Therefore, in the case of

¹¹⁴ Guilfoyle (2013b), p. 38

¹¹⁵ Hansen (2009), p. 16

¹¹⁶ Hansen (2009), p. 33

¹¹⁷ African Development Bank (2009), p. 1; p. 3; p. 6

¹¹⁸ Bueger (2013a), p. 97; Johns (2015), p. 117

¹¹⁹ SCRes 1816 (2008)

¹²⁰ SCRes 1816 (2008)

¹²¹ Murdoch & Guilfoyle (2013), pp. 158-9

Somali piracy, UNCLOS' restrictions impeded successful suppression of the crime until resolution 1816. The UN's approach to counter Somali piracy was noteworthy in two respects, it extended the right for third-party intervention from the high seas to Somalia's territorial waters,¹²² and it focussed on a comprehensive approach to human security.¹²³



Fig. 69, The 'live piracy map' of the IMB for 2011 (Source: IMB)

The 'business-model' of Somali piracy is straightforward. Ships are hijacked in order to ransom the crew and ship. Attackers use small, fast boats – *skiffs*, extending their range far out to sea by using *mother-ships* – hijacked fishing vessels, dhows or larger vessels for the purpose. Recorded attacks occurred at a distance of 3,655km from the Somali coast in 2010 (see also map above for 2011).¹²⁴ Weapons were used to shock crews into stopping their vessels. Alternatively, boarding was attempted while underway, scaling up the ship's sides with hooked-on ladders or ropes – a dangerous endeavour. Some ships are more vulnerable than others, because of *low free-board* (distance between deck and water-level), *slow speed* (affecting accessibility while underway, as each ship's wake increases exponentially with

¹²² SCRes 1816 (2008); Jenisch (2015), p. 166

¹²³ On 'human security', see United Nations Development Programme, UNDP) (1994), pp. 22-4

¹²⁴ World Bank (2013), p. 88

speed) or *negligence* (sub-standard management).¹²⁵ Somali pirates mostly acted opportunistically,¹²⁶ as opposed to prepared interceptions of scouted vessels.¹²⁷

Exclusive ‘kidnap-and-ransom’-piracy reflected the destitute local situation.¹²⁸ Criminal gain is disproportionate to the economic values at stake. A large modern container-ship cost around \$150 million,¹²⁹ and its cargo might reach several times that of the ship (i.e. 10,000-20,000 containers, \$15,000-\$1.8 million per unit, if full).¹³⁰ Single large modern vessels and their cargo may add up to over a billion US-dollars in economic assets. Somalia’s highest-ever ransom for crew, ship and cargo was \$13.5 million (IRENE SL, cargo-value, \$200 million of crude-oil).¹³¹ During 2011, the most financially successful year for Somali pirates, estimates place the *entire annual ransom-revenue* at \$150-160 million.¹³² This is further seen to have constituted roughly 15% of Somalia’s GDP.¹³³ The construction price of a single containership roughly equals the total amount of ransom-money paid for all 32 released vessels from Somali captivity in 2011.¹³⁴ Combined with the cargo, a captured ship’s value might exceed Somalia’s entire GDP. As, apart from holding them for ransom, neither ship- nor cargo-value can be put to any substantial economic purpose in Somalia, development without improved governance in Somalia *might make piracy more profitable*.

Naval forces were at the heart of counter-piracy efforts across all nations,¹³⁵ but the EU especially focussed on addressing piracy through state-building ashore and multilateral cooperation. Its Maritime Security Centre Horn of Africa (MSCHOA) served as the main reporting point for merchant vessels transiting the High-Risk Area (HRA) and in the jointly patrolled International Recommended Transit Corridor (IRTC) in the Gulf of Aden.¹³⁶ Beyond contributing to the international naval effort, it also established EUCAP NESTOR (since 2012),¹³⁷ a mission for building judiciary and coast-guard capabilities in the member-states of the Djibouti Code of Conduct. This regional regime under IMO sponsorship aims to enable

¹²⁵ Hansen (2009), p. 39

¹²⁶ World Bank (2013), p. 90

¹²⁷ UNMG (2008), p. 30; Woodward (2012), pp. 100-1

¹²⁸ Percy, Sarah & Shortland, Anja (2013), p. 6

¹²⁹ i.e. the *Emma Maersk* www.emma-maersk.com (2022)

¹³⁰ 50% of values for double-length containers, as given by Rodrigue (2020a)

¹³¹ Oceans Beyond Piracy (2012), p. 11

¹³² UNODC (2013), p. 38; Oceans Beyond Piracy (2012), p. 1

¹³³ UNODC (2013), p. 1

¹³⁴ Oceans Beyond Piracy (2012), p. 12

¹³⁵ Oceans Beyond Piracy (2014), p. 7

¹³⁶ EU NAVFOR (2022)

¹³⁷ European External Action Service (2016a)

coastal states adjacent to the piracy hot-spot to provide maritime security in their waters in accordance with the SUA Convention.¹³⁸ The EU also set up a military training mission for Somali security forces in Mogadishu, EUTM Somalia (since 2010).¹³⁹

As the main force provider to secure Somalia's state-building, the African Union Mission in Somalia (AMISOM) was crucial in tackling on-shore instability and was substantially funded and supported by the EU.¹⁴⁰ AMISOM was established in 2007 by the AU with a mandate by the UN Security Council to assist in stabilising Somalia.¹⁴¹ In October 2011, announcing to act against incursions of the Somali terrorist organisation Al Shabaab, Kenya invaded southern Somalia. Integrating its troops into AMISOM, raising its force-levels from 12,731 to 17,731, Kenya contributed to the more robust stance the mission could take in resuming control of the country.¹⁴² Providing the boots on the ground for the overall aim to consolidate and expand the control of the Somali government over its national territory, AMISOM has received €2.2 billion since 2007 from the EU.¹⁴³

Responding to Somali piracy with a EU naval force was not an obvious choice.¹⁴⁴ Even though the EU had never led a naval mission before, choosing it over NATO to undertake the counter-piracy mission, offered numerous benefits at the time. While NATO would have been able to address piracy, the European political civilian-military tool-set was more suitable to tackle the root-causes of piracy in Somalia comprehensively.¹⁴⁵ In dealing with the financial crisis, beyond fiscal policy, diplomatic prestige was seen by member-states as a way to build confidence with investors.¹⁴⁶ Seen in this light, the first-ever EU NAVFOR was not only part of a cosmopolitan comprehensive approach to a severe regional security crisis, it served very traditional roles of naval forces. In addition to defending maritime trade, it aimed to foster member-state cooperation while also projecting a positive image of a sovereign EU.¹⁴⁷

When the focus at the Horn of Africa shifted from counter-terrorism to counter-piracy in 2008, the German navy was already on the scene, familiar with the terrain and the criminal practice it was supposed to address, but not legally empowered to act. The OEF mandate did

¹³⁸ IMO (2019)

¹³⁹ Council of the European Union (2020); EUTM Somalia (2020)

¹⁴⁰ See Council of the European Union (2020)

¹⁴¹ AMISOM (2022)

¹⁴² Ministry of Defence - Kenya (2022)

¹⁴³ European Commission (2022a), pp. 11-2

¹⁴⁴ See Riddervold (2019), p. 202

¹⁴⁵ See UK Parliament - Lords Chamber (2008)

¹⁴⁶ On Ireland, see Welch (2011), p. 483

¹⁴⁷ On these roles of navies, see Speller (2019), pp. 29-32

not permit acting against piracy beyond self-defence or defence of others in an ongoing attack.¹⁴⁸ As late as July 2008 the defence minister Franz-Josef Jung claimed that it would be unconstitutional for the navy to undertake policework.¹⁴⁹ With attacks and hijackings soaring off the Horn of Africa, the government changed its mind.¹⁵⁰ Despite the recognition that piracy was connected with Somalia as a failed state, the possibilities for action inside the country were considered very limited. The risk for aid workers was seen as incalculable.¹⁵¹ Similarly, the training of security forces in Somalia had already received a blow noted by the German government. A project initiated by the EU Commission with the UNDP for the training of civilian Somali police forces was suspended in 2007 after the assassination of the UNDP's head of office in Mogadishu.¹⁵²

As a political response was discussed in Brussels and Berlin, 40% of the Somali population was in need of immediate humanitarian aid. In December 2008, UN Humanitarian and Resident Coordinator for Somalia, Mark Bowden, called for \$918 million in aid for Somalia in 2009, while highlighting that only 70% of the \$662 million for 2008 were met by 1st December 2008.¹⁵³ Germany was the world's fourth-ranking, the EU collectively the second-ranking economy behind the US.¹⁵⁴ In this light, Germany's €6.6 million and the EU's promised €27 million as part of the overall response to the crisis were small compared to the size of the task. In the worsening humanitarian crisis, over 90% of aid-shipments of the World Food Programme (WFP) came by sea and were targeted by pirates.¹⁵⁵ Canada, the Netherlands and France had already sent warships under national authority to escort vessels from June onwards. Then, at the request of the UN Secretary General, NATO took on the escorting task from 17th October until a planned EU mission would take over in December.¹⁵⁶

The naval mission the European Council authorised on 10th November 2008 under the name ATALANTA aimed to counter piracy at sea and support stability ashore by protecting WFP shipments. Commencing operations on 8th December, the first-ever EU naval mission was headquartered in Northwood in the UK. In addition to protecting WFP ships, including through embarked Vessel Protection Detachments (VPD), it was to deter or prevent attacks on

¹⁴⁸ See Schönbach, Kay-Achim (2011), pp.233-4

¹⁴⁹ As quoted by Frankfurter Allgemeine Zeitung (2008)

¹⁵⁰ See Bundesregierung (2008c); Sax (2018), p. 388

¹⁵¹ See Bundesregierung (2008), p. 5; and the story of Amanda Lindhout, Lindhout & Corbett (2013)

¹⁵² See Bundesregierung (2008), p. 5

¹⁵³ UN News (2008)

¹⁵⁴ See Bundesregierung (2008), p. 5; on GDP ranking, World Bank (2022c)

¹⁵⁵ Mitchell (2007); World Food Programme (2008)

¹⁵⁶ See World Food Programme (2008); Bundesregierung (2008), pp. 9-10

commercial vessels, conduct surveillance off the coast of Somalia, apprehend suspects, seize pirate vessels, equipment and captured goods.¹⁵⁷ These measures were taken with a view to possible prosecution by member states of the European Union or willing third states.

Legal prosecution in Germany was considered, where important legal interests with sufficient national connection were concerned. In particular, prosecution based on German law would be sought if Germans were killed, injured or ships sailing under the German flag attacked. In other cases, persons arrested by the navy could be handed over to another state – barring a risk of the death penalty, torture or any other cruel, inhuman or degrading punishment or treatment. If neither applied, detained persons were to be landed in a place of safety, taking care that they would not face a concrete risk to life or limb at the place of release.¹⁵⁸

¹⁵⁷ The Council of the European Union (2008), Art. 1, 2, 4

¹⁵⁸ Bundesregierung (2008), p. 15; The Council of the European Union (2008), Art. 12

Fig. 70, Planned forces, first year EU NAVFOR ATALANTA, 08th December 2008¹⁵⁹			
Member-State	Dez. – Mar.	Apr. – Aug.	Sep. – Dez.
Germany	<i>1 frigates 1 helicopter 1 VPD</i>	<i>1 frigates 1 helicopter 1 VPD</i>	<i>1 frigates 1 helicopter 1 VPD</i>
Portugal	<i>1 MPA</i>		
Netherlands			<i>1 frigate 1 helicopter 1 VPD</i>
United Kingdom	<i>1 frigate</i>		
Spain	<i>1 MPA</i>	<i>1 MPA 1 frigate 1 helicopter 1 VPD 1 supply vessel</i>	<i>1 MPA</i>
Sweden	<i>2 corvettes</i>	<i>2 corvettes 1 supply vessel 1 VPD</i>	<i>2 corvettes</i>
Belgium			<i>1 frigate</i>
France	<i>1 frigate 1 VPD</i>	<i>1 frigate 1 VPD</i>	<i>1 frigate 1 VPD</i>
Greece	<i>1 frigate 1 helicopter</i>	<i>1 frigate</i>	<i>1 frigate</i>
Total	<i>6 vessels 2 helicopters 2 VPDs 2 MPAs</i>	<i>8 vessels 2 helicopters 4 VPDs 1 MPA</i>	<i>7 vessels 2 helicopters 3 VPDs 1 MPA</i>

The planned forces for ATALANTA's first year show that the EU relied on a high degree of cooperation among member states. Typically planning in four-month spells, only France, Germany, Greece, Spain and Sweden earmarked contributions for the entire 12 months – when the mandate would have to be extended.¹⁶⁰ Belgium, UK, Spain and Sweden interlocked in their contributions to provide a total force of at least 1,200 crew, six vessels, two helicopters, two VPDs and an MPA at all times throughout 2009.¹⁶¹ Even with, on average, 20-30 warships of different nationalities deployed in the area from early 2009 until 2012,¹⁶² it was too vast to ensure sufficient coverage and short reaction times throughout.¹⁶³

Germany participated in ATALANTA with the same mandate and ROEs as other EU partners.¹⁶⁴ There were no caveats on using force or areas of deployment. How this was applied in practice depended on individual commanding officers and the time-frame of deployments. Due to strong winds in the monsoon season, deployments could be relatively uneventful as the

¹⁵⁹ Numbers based on Bundesregierung (2008), p. 7

¹⁶⁰ The Council of the European Union (2008), Art. 16

¹⁶¹ See Fig. 70 and IMB (2009), p. 41

¹⁶² Woodward (2012), p. 102

¹⁶³ See Bundesregierung (2008), p. 3; IMB (2009) p. 41

¹⁶⁴ Interview Uwe Althaus, 15th June 2020

weather does not permit small boat piracy operations in the waters off the Horn of Africa roughly between early June and mid-September.¹⁶⁵ The exceptional praise by the EU NAVFOR operation commander Admiral Duncan Potts to frigate *Köln*'s commanding officer Chris Karow, on 25th November 2011, for a 'very successful deployment', illustrates that there were differences between individual ships' experiences.¹⁶⁶ Between September and November 2011, *Köln* had stopped 42 pirates and destroyed seven small boats from four separate groups. Five Somali fishermen were rescued at sea and the hijacked Yemeni Dhow *Al Jabal*, with two hostages on board was freed and handed over to Yemeni authorities.¹⁶⁷



Fig. 71 (left), boarding-team and speedboat of Köln interdicting suspect pirate supply vessel (source: Bundeswehr)

Fig. 72 (bottom, left), 29th September 2011, doorgun of Köln's helicopter sinking an empty skiff with piracy artefacts on board (fuel, weapons, ladders) close inshore (source: Bundeswehr)

Fig. 73 (bottom, right), vessels of an interdicted 'pirate action group' destroyed after suspects were taken aboard Köln (source: Bundeswehr/PAO ATALANTA)



¹⁶⁵ See Cook & Garret (2013), pp. 311-12

¹⁶⁶ As quoted by Wiegold (2011a)

¹⁶⁷ See Presse- und Informationszentrum Marine (2011)

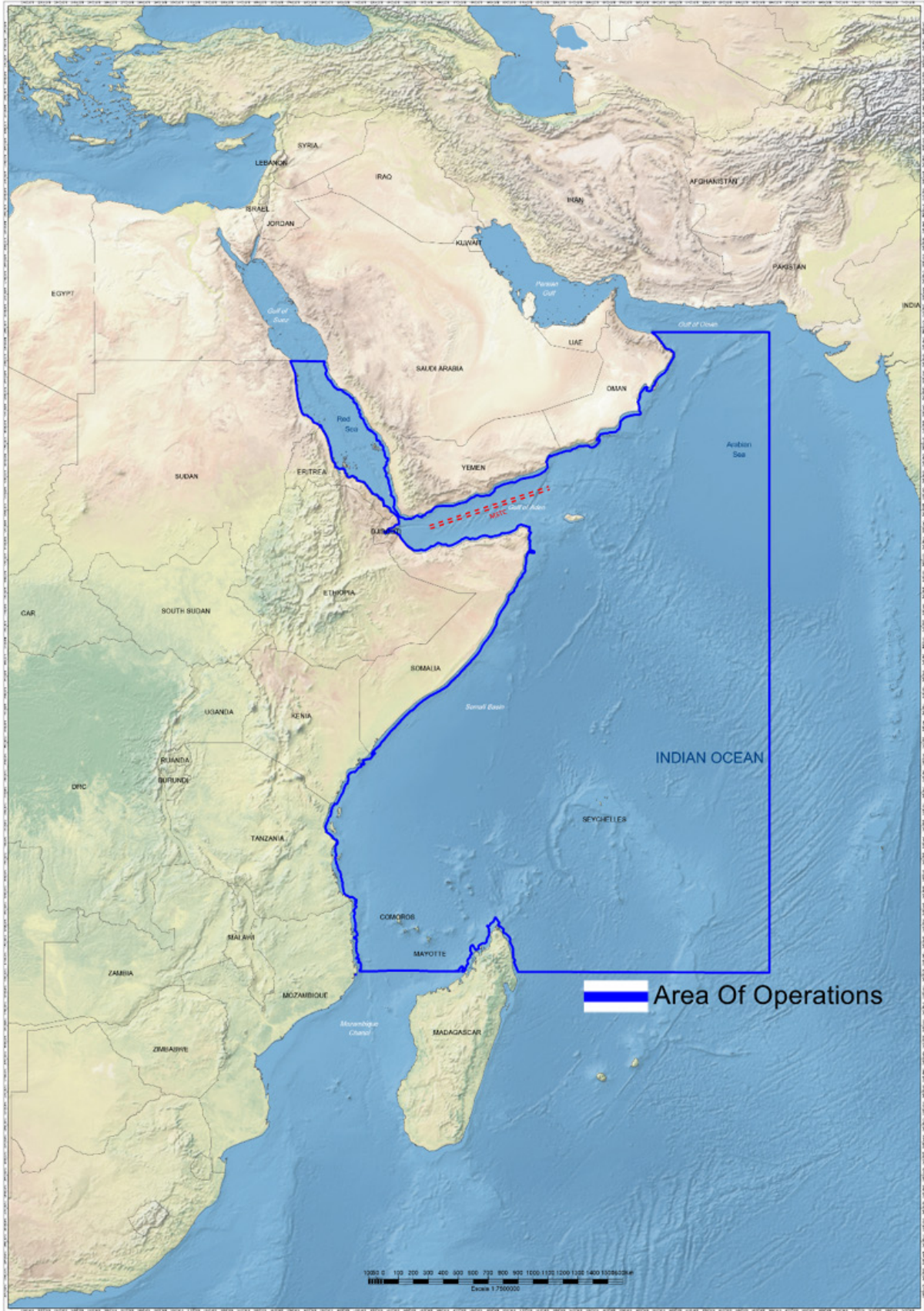


Fig. 74, Map of area of operations of EU ATALANTA (as extended September 2010, source: EU NAVFOR)

Given the essential role of private business stakeholders in raising standards of self-protection of vulnerable merchant ships in an area too vast to police, Germany's significant maritime economic profile and influence mattered at least as much as its naval contribution. Through the *Contact Group on Piracy off the Coast of Somalia (CGPCS)*, set up in 2009, over 80 stakeholders in counter-piracy, public and private; governmental and non-governmental, successfully coordinated their efforts to raise maritime security.¹⁶⁸ The CGPCS was also one of the most important instruments to facilitate cooperation between EU, NATO, OEF and individual states like China, India, Iran and Russia in counter-piracy.¹⁶⁹ The measures evolved in cooperation with the industry, Best Management Practices (BMP) aboard merchant ships and the use of Privately Contracted Armed Security Personnel (PCASP), have contributed substantially to the suppression of piracy.¹⁷⁰

¹⁶⁸ Houben (2015); Missiroli (2014), p. 3

¹⁶⁹ SCRes 1851 (2008)

¹⁷⁰ See IMO (2022b); Kuzmick (2013), pp. 5-6

Fig. 75, Overview of Private Counter-Piracy Stakeholders		
Shipping Industry	Insurance Industry	Privately Contracted Armed Security Personnel (PCASP)
<ul style="list-style-type: none"> globalised business, fierce competition business-relocation easy to facilitate ships registered under 'flags of convenience' company-seat & ship-registry part of company's reputation and competitiveness businesses strike balance between highly reputed and regulated – costly – (flag-)states and those with lower standards and taxes world's leading flag-states: Panama (16.1%); Liberia (14.1%).¹⁷¹ 	<ul style="list-style-type: none"> individual ship-plus-cargo-values rising closer towards billion-\$-mark,¹⁷² incl. astronomic potential for (environmental) damage market dominated by companies mobilising vast capital principal marine-insurers situated in Europe and USA¹⁷³ Lloyd's Market Association in London, hub of the business, defining <i>War-Risk-Areas</i> of increased risks and premiums affecting shipping companies' profits & global pricing of goods 	<ul style="list-style-type: none"> gapless security not guaranteed by naval presence 35-40% of ships in HRA HOA (2013)¹⁷⁴ resorted to PCASP advantages: <i>availability & cost-efficiency</i> (most) insurance companies offer premium-discounts when PCASP employed so far no successful piracy attacks against PCASP in HRA HOA¹⁷⁵ <p>Info-Box: Fuel-consumption increases exponentially with speed: ~\$30,000 per day savings potential between maximum and economic (slow) speed for a medium-sized container vessel (~50tns bunker-fuel/day difference between economic slow-steaming and full speed (~\$600/tn, 2015))¹⁷⁶ => Cost of PCASP (\$28,500-\$38,000/passages)¹⁷⁷ for 7-day-passage easily covered if used to forego BMP max-speed-requirement</p>
Challenges and Potential for Counter-Piracy		
<ul style="list-style-type: none"> + BMP compliance reduces piracy success-rate - regulation of this sector difficult for single-state actors - US or European influence on shipping regulation at best indirect (i.e. through int. agreements; regulations applying to ships operating in their ports) 	<ul style="list-style-type: none"> + <i>war-risk-status</i> may spark counter-piracy action (i.e. 2005 Malacca Straits)¹⁷⁸ + ability to 'tax' or 'reward' (non-) compliance with security-standards (BMP, PMSC, etc.), regardless of shipping company's seat or flag-registry 	<ul style="list-style-type: none"> + reduces piracy success-rate - may be seen as sufficient security, causing the avoidance of costly components of BMP (i.e. maximum speed), <i>trading effective non-lethal for lethal defences</i> - risk of escalation of violence¹⁷⁹ - circumvents government monopoly on violence - accountability hard to ensure¹⁸⁰ - risk of underreporting of incidents and fire-arms use (to avoid liability)

¹⁷¹ Percentages from 2021, consistently leading the international registry, UNCTAD (2021b), p. 38

¹⁷² Allianz Global Corporate & Specialty (2014), pp.22-4

¹⁷³ See www.alliedmarketresearch.com (2021)

¹⁷⁴ Oceans Beyond Piracy (2014), p. 8

¹⁷⁵ Topp (2015), p. 194

¹⁷⁶ Rodrigue (2020b); Bunker Index (2015)

¹⁷⁷ Oceans Beyond Piracy (2014), pp. 14-18

¹⁷⁸ Beckman (2013), p. 19; Guilfoyle (2013c), pp. 330-1

¹⁷⁹ Siebels (2015), p. 219

¹⁸⁰ Siebels (2015), p. 213

Germany was reluctant to permit PCASP on vessels under the German flag,¹⁸¹ but under domestic political pressure and pleas from shipowners, it established a legal basis for their employment within narrowly circumscribed bounds on 25th April 2013.¹⁸² Given the high standards of training and security requirements for official VPDs, it would have been impossible to provide tens of thousands of ships passing the HRA with official guards. Availability and cost effectiveness, despite the risks that came with them, led to armed guards being deployed on roughly 40% of all merchant vessels in the area by the end of 2013.¹⁸³

Fig. 76, Official VPDs vs. PCASP	
VPD (German)	PCASP
Average Team-Size	
12-15 ¹⁸⁴	<4 ¹⁸⁵
Command & Liability (uses of force)	
VPD/sending state ¹⁸⁶	Vessel's Master ¹⁸⁷
Advantages: <i>practical</i> <ul style="list-style-type: none"> + reliability + effective (100% success-rate so far) + officially certified (training; fitness) + near-self-reliant teams (doctors/medics, stocks of ammunition)¹⁸⁸ + MEDEVAC + often war-ship-support in vicinity + cost covered or subsidised by sending state <i>legal</i> <ul style="list-style-type: none"> + official accountability 	Advantages: <i>practical</i> <ul style="list-style-type: none"> + availability + cost-efficiency + effective (100% success-rate)
Disadvantages: <i>practical</i> <ul style="list-style-type: none"> - very limited availability - expensive (to sending states) - only accorded to very limited number of ships (particularly those of the WFP)¹⁸⁹ 	Disadvantages: <i>practical</i> <ul style="list-style-type: none"> - uncertain quality standards - limited stocks of ammunition - limitations to lighter weaponry (depending on flag-state laws) <i>legal</i> <ul style="list-style-type: none"> - uncertain accountability - <i>outsourcing</i> of security
Cost Comparison per Passage HRA HOA 2013 ¹⁹⁰	
\$144.637	\$28.500-\$38.000

¹⁸¹ See Bundesregierung (2008), p. 12

¹⁸² See Deutsche Handwerkszeitung (2012); Wiegold (2011b); Wiegold (2013); Bundesministerium für Wirtschaft und Technologie (2013)

¹⁸³ Oceans Beyond Piracy (2014), p. 8

¹⁸⁴ Einsatzflottille (2014), p. 92

¹⁸⁵ Oceans Beyond Piracy (2014), p. 16

¹⁸⁶ Ickert (2015), pp. 125-6

¹⁸⁷ Unruh (2015), p. 190

¹⁸⁸ Einsatzflottille (2014), p. 92

¹⁸⁹ Ickert (2015), p. 127

¹⁹⁰ Oceans Beyond Piracy (2014), pp. 14-18

At almost the same time, Germany and the US experienced hostage crises with Somali pirates during 2009 with the hijacking of the *Hansa Stavanger* and the *Maersk Alabama*. The different courses of action are illustrative. The former, hijacked on 4th April 2009, flying the German flag, had five Germans among its crew of 24 and belonged to a German shipping company.¹⁹¹ The latter, US-flagged, was hijacked just five days later, on 9th April 2009. Of its 20 crew-members, only Richard Phillips, the American captain, eventually ended up as a hostage in the hands of the pirates aboard one of *Maersk Alabama*'s life-boats. On 12th April, after a standoff involving the destroyer *Bainbridge*, the frigate *Halyburton* and the amphibious assault ship *Boxer*, as well as a rapidly flown in Navy-SEAL special-forces team, three pirates were killed by sniper bullets and the captain liberated.¹⁹² A hastily prepared but much slower rescue operation for the German vessel was ultimately called off on 4th May and the *Hansa Stavanger* was only released on 3rd August 2009 after payment of a \$2.75 million ransom.¹⁹³ Immediately after the hijacking, the frigate *Rheinland-Pfalz* moved close to the vessel, but withdrew after the kidnappers threatened to kill hostages. Following this, frigate *Mecklenburg-Vorpommern* only kept a distant watch. Within a week, well after SEALs had liberated Captain Phillips, the German police special forces unit GSG9 arrived in Mombasa and from there transferred to the US Navy's *Boxer*. As Germany lacked a vessel of comparable capabilities for an operation planned with 200 special forces and six helicopters, it had to rely on the help of its ally.¹⁹⁴

It is difficult to assess what exactly caused the delay, and despite the involvement of navy special forces in support of the GSG9, differences over competences between the ministries of the interior (GSG9), foreign affairs and defence (navy and military special forces) were cited by the governing CDU's spokesperson for domestic affairs and security.¹⁹⁵ Contrary to President Obama in the *Maersk Alabama* case, and Chancellor Schmidt during the 1977 *Landshut* aircraft hijacking,¹⁹⁶ Chancellor Merkel seems not to have taken the situation up to her level. After the delay in despatching the GSG9, and in the agitated atmosphere among Somali pirates following the forceful liberation of Phillips – in which *Hansa Stavanger*'s kidnappers even tried to get involved by manoeuvring their captured vessel closer to the scene

¹⁹¹ Verkehrsrundschau (2009); WELT (2009a)

¹⁹² A fourth surrendered beforehand; for further details, see McFadden & Shane (2009) and McRaven (2019), pp. 219-40

¹⁹³ n-tv (2009); SPIEGEL (2009)

¹⁹⁴ Frankfurter Allgemeine Zeitung (2009); SPIEGEL (2009)

¹⁹⁵ Frankfurter Allgemeine Zeitung (2009)

¹⁹⁶ Coincidentally the first-ever hostage-liberation of the GSG9, in Mogadishu, not far from the *Hansa Stavanger*'s plight, see Geyer (2017)

– it was ultimately a veto delivered by President Obama’s security advisor, James Jones, which called off the operation.¹⁹⁷

After the failed peacekeeping-intervention in Somalia from 1992 until 1995,¹⁹⁸ it took until the summer of 2008 for the country to make it back onto the international agenda. With piracy comprehensively approached as a complex maritime security problem connected with failed statehood, the situation came surprisingly fast under control. Successful hijackings by Somali pirates dropped to zero in 2012 and – apart from singular cases – have not resurged since (see Fig. 68). Even though a lot of progress has been made ashore, a risk of resurgence of piracy remains in connection with a generally volatile security situation. Accordingly, a EU naval presence remains off the Horn of Africa, but Germany has closed its base in Djibouti in April 2021 and only sporadically deploys vessels or MPAs to the mission.¹⁹⁹

¹⁹⁷ Frankfurter Allgemeine Zeitung (2009); SPIEGEL (2009)

¹⁹⁸ As discussed in Chapter IV, see Brons (2001), p. 231

¹⁹⁹ EU NAVFOR (2021)

VI. 5 Refugee Crisis in the Mediterranean

From January 2011 the widening ‘*Arab Spring*’ led to violent government reprisals and escalations into civil war across North Africa and the Middle East.²⁰⁰ The causes of these protests, subsequent violence, civil war and migration are complex.²⁰¹ Notably the brutal government crack-down on protesters in Syria and Libya and resulting civil wars prepared the ground for substantially increased numbers of migrants trying to enter the EU, triggering what has been called the ‘*refugee crisis in the Mediterranean*’.²⁰² Migration by boat across the Mediterranean had been an issue since the 1990s but after 2011 took on a new dimension. Already in 2005, absent internal border controls in the *Schengen*-system, Europe began to jointly address ‘*cross border problems*’ of irregular migration, human trafficking, terrorism and organised crime with the border-control agency FRONTEX.²⁰³ By 2010, Libyan dictator Muammar Gaddafi counted on the EU being sufficiently troubled by maritime migration flowing through his country, that he felt able to demand €5 billion a year to stop it.²⁰⁴ He sought to capitalise on the role of Libya as a transit-country for refugees from often far-away regions in Sub-Saharan Africa and the wider Middle East. Soon after, it was his brutal reaction to the Arab-Spring in his country, which led to a UN mandated NATO-intervention – consisting of a naval embargo and air strikes – and the collapse of the regime.²⁰⁵

Gaddafi’s death in October 2011 preceded the descent of the country into persisting civil war,²⁰⁶ and the staging ground for human trafficking and rising numbers of boat migrants in the following years. Adding to the crisis, Syria also descended into civil war in March 2011.²⁰⁷ From March 2011, to the end of 2014, the number of internally displaced persons in Syria had risen to 7,6 million.²⁰⁸ By mid-2015, over 4 million Syrians had fled their country. The vast majority of them sought refuge in neighbouring countries.²⁰⁹ Under worsening conditions in refugee camps, hundreds of thousands pinned their hopes on the dangerous crossing over the Mediterranean.

²⁰⁰ For an overview, see National Geographic (2019);McPherson (2019), p. 42

²⁰¹ A discussion would go beyond the scope of this thesis. For an excellent discussion of causes of accelerating migration, see Collier (2013), pp. 27-53

²⁰² See Gopalakrishnan (2017)

²⁰³ Moreno-Lax (2017), pp. 153-4

²⁰⁴ Smith, S. (2018), pp.169-70

²⁰⁵ See NATO (2015)

²⁰⁶ See BBC News Africa (2011)

²⁰⁷ See Sueddeutsche Zeitung (2015, 03.12.); on the ‘Islamic State’, see Helfont & Brill (2016)

²⁰⁸ See World Bank (2022)

²⁰⁹ See UNHCR (2015)

By April 2015, with hundreds of migrants dying with overcrowded boats of little seaworthiness sinking in the attempt to cross to Europe, the image of the Mediterranean as a ‘*mass grave*’ for refugees started making headlines.²¹⁰ From October 2013 until October 2014, Italy’s navy had conducted the *Mare Nostrum* operation, which rescued more than 150,000 migrants.²¹¹ The mission was partly discontinued because of its perceived ‘*magnet effect*’ on boat arrivals. FRONTEX set up *Triton* in its place in October 2014, but its primary focus was border management.²¹² While its vessels rescued migrants, *Triton* did not have the resources that *Mare Nostrum* had been given previously (see below). The available SAR-capabilities were insufficient for the rising numbers of boat migrants (see UNHCR map).

Fig. 77, Comparing Resources of <i>Mare Nostrum</i> (Oct. 2013 – Oct. 2014) with <i>Triton</i> (Oct. 2014 -)²¹³	
<i>Mare Nostrum</i>	<i>Triton</i>
1 LPD with 1 helicopter and 2 UAVs	3 OPVs
2 OPV	2 coastal patrol vessels
2 patrol vessels with helicopters	2 coastal patrol boats
3 helicopters ashore in Lampedusa	2 aircraft
3 MPAs	1 helicopter
Cost: €9 million/month	Cost: €2.9 million/month

²¹⁰ See Buescher (2015); Hammond (2015), p. 8

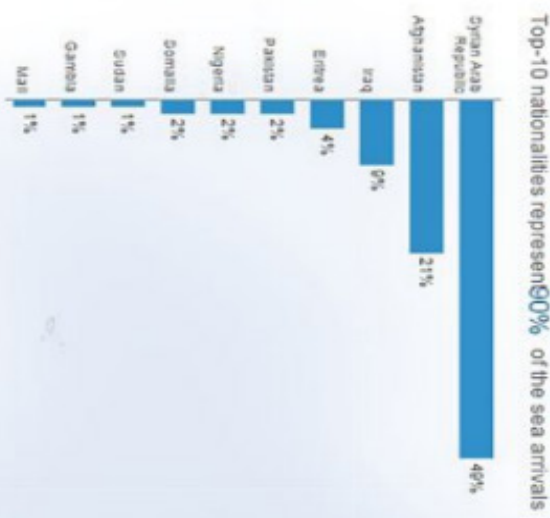
²¹¹ Ministero Della Difesa (2018); Neslen (2014)

²¹² See Ghezelbash et al. (2018), p. 326; FRONTEX (2014)

²¹³ Ministero Della Difesa (2018); *Triton* was expanded in May 2015, FRONTEX (2014); FRONTEX (2015)

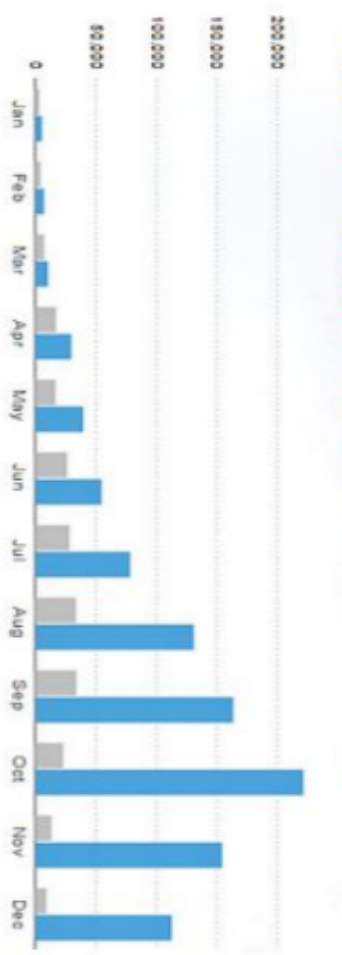
Increasing numbers of refugees and migrants take their chances aboard unseaworthy boats and dinghies in a desperate bid to reach Europe. The vast majority of those attempting this dangerous crossing are in need of international protection, fleeing war, violence and persecution in their country of origin. Every year these movements continue to exact a devastating toll on human life.

Top-10 nationalities of Mediterranean sea arrivals

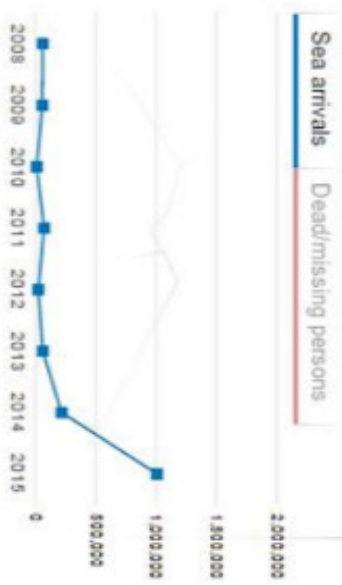


1,008,616 arrivals by sea in 2015
3,771 dead/missing in 2015
84% of arrivals come from the world's top 10 refugee-producing countries

Comparison of monthly Mediterranean sea arrivals



Evolution - Mediterranean Sea



Demographics

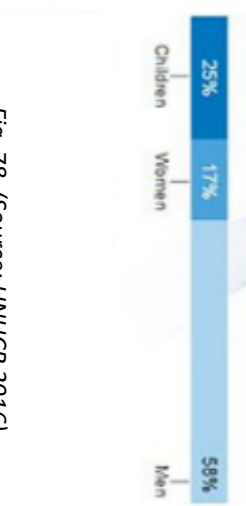


Fig. 78. (Source: UNHCR 2016)

When news that over 700 people had drowned near the Italian island Lampedusa on 19th April 2015 reached Germany, Admiral Krause offered the government to send ships from the EAV supporting ATALANTA at the Horn of Africa, for immediate SAR support and to start saving people.²¹⁴ On 29th April, the EAV received orders to deploy the frigate *Hessen* and combat-supply-vessel *Berlin* to the area, leaving the third vessel, *Karlsruhe*, to proceed with the original deployment to Israel for the 50-year anniversary celebrations of German-Israeli friendship, hosting the minister of defence aboard.²¹⁵ Rerouted from the Horn of Africa, *Berlin* and *Hessen* stopped in Crete to prepare for the mission. Eight further doctors, mobile toilets, ten additional life raft, 450 life jackets, a thousand blankets, medical material and additional food were taken on board. *Berlin* was deemed to be able to accommodate up to 250 people, *Hessen* up to 100.²¹⁶ On 29th May 2015, *Hessen* encountered several overcrowded boats in danger of sinking, taking 880 people aboard, before returning to port.²¹⁷ As illustrated below, protection against diseases was addressed with sanitary overalls, while security of ship and crew required that people taken aboard were kept out of the ship's internal spaces. Helicopter hangars and flight decks were prepared to provisionally accommodate them.

While, at EU-level, a joint mission to address the crisis was being discussed, *Hessen* and *Berlin* were relieved on 8th June by supply ship *Werra* and frigate *Schleswig-Holstein*.²¹⁸ During the two months, until EU NAVFOR MED was launched on 22nd June 2015, German vessels saved 5,673 people.²¹⁹ A migrant baby born aboard *Schleswig-Holstein* on 24th August 2015, was named after the ship's historic patron, Prussian princess Sophia of Schleswig-Holstein. 'Sophia' was then later adopted as the new EU mission's name.²²⁰ At times pulling hundreds of people out of the water over the course of up to 18 hours at a time, strain on naval crews was considerable and this was not a task crews had been trained for.²²¹ Having previously deployed to ATALANTA or OEF, the yell of 'Allahu akbar' (god is great), associated with the final scream of terrorists before suicide attacks, now greeted the navy when migrant's shouted for joy of being saved at sea.²²²

²¹⁴ As he stated in his speech at the naval officer's association's annual meeting, 25th April 2015

²¹⁵ See Tagesschau (2015); Presse- und Informationszentrum Marine (2015)

²¹⁶ EURACTIV (2015)

²¹⁷ Wiegold (2015a)

²¹⁸ European Council (2015); Presse- und Informationszentrum Marine (2015)

²¹⁹ See Brake & Walle (2016), pp. 107-8

²²⁰ European External Action Service (2016b)

²²¹ A much greater focus had been on boarding operations or asymmetric threats off the Horn of Africa

²²² Liese (2016), pp. 78-9



Fig. 79 (left), Hessen and Berlin, en route to Crete (source: Bundeswehr/Ricarda Schönbrodt)

Fig. 80 and 81 (below), flight deck and hangar of Hessen, 29.05.2015, 880 boat migrants on board (source: Bundeswehr/Gottschalk)



While Germany communicated its naval mission as an emergency measure to save lives, the EU, just a few weeks later, announced the joint mission as geared towards disrupting human smugglers.²²³ Initially, this did not appear to make a difference, as without a mandate to operate ashore in Libya, no significant action against human smugglers was possible, while any ship present in the area would be required to render assistance to migrants under international SAR obligations applicable to navies and commercial vessels alike.²²⁴ As the government replied to critical requests from the opposition and media: participating in the EU operation would not impede its commitment to saving lives at sea.²²⁵

²²³ See ARD Magazin Monitor (2015); European Council (2015)

²²⁴ On the EU, SAR and international law, see Ghezelbash et al. (2018)

²²⁵ ARD Magazin Monitor (2015)

Fig. 82, EUNAVFOR MED SOPHIA in perspective (15 th September 2015) ²²⁶			
SOPHIA	Triton	Italian Navy	Others & NGOs
7 vessels 3 MPAs 4 helicopters	12 vessels 4 aircraft 2 helicopters	4 vessels	1 vessel (Irish Navy) 4 vessels (NGOs)

The EU mission SOPHIA, by virtue of name, objective and practical humanitarian focus, reconciled a broad range of political approaches to migration among and within EU member-states. Italy, Greece and Spain had saved and taken up the majority of migrants over the past years and wanted greater burden-sharing within the EU, right-wing governments were likely to securitize migration or suppress it, while others – like Germany’s, at least for a time, cast the migration crisis primarily as a humanitarian obligation, even an opportunity. Similar differences between the political right and liberal to left existed within states, also in Germany.²²⁷

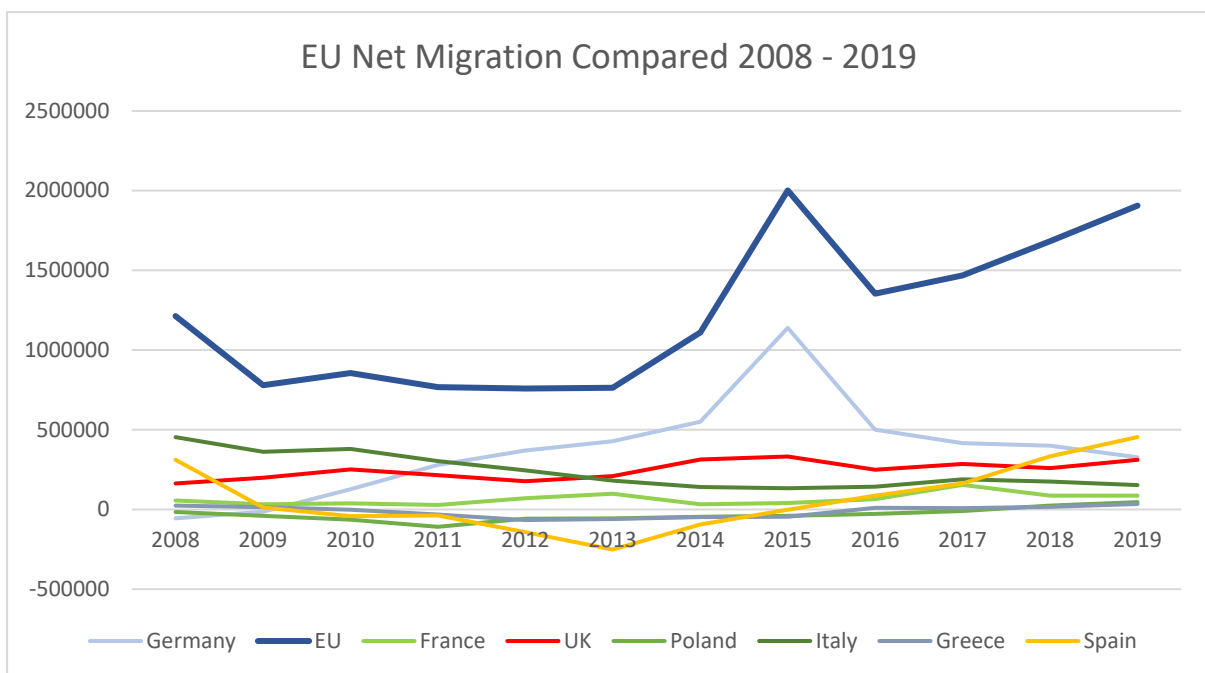


Fig. 83, EU Net Migration Compared 2008 – 2019 (data: Bundesinstitut für Bevölkerungsforschung, eurostat; graphic: author)²²⁸

The Mediterranean refugee crisis culminated for Merkel, Germany and Europe in the days following 2nd September 2015, when the image of the drowned three-year old Syrian boy Alan

²²⁶ See ARD Magazin Monitor (2015)

²²⁷ See van Prooijen et al. (2018), pp. 144-5; Karakayali (2018), pp. 606-7

²²⁸ Bundesinstitut fuer Bevoelkerungsforschung (2022; eurostat (2022)

Kurdi washed up on a beach in Turkey spread around the world.²²⁹ High numbers of refugee arrivals in Germany by August had already sparked a spirit of voluntary support in civil society and Merkel said her famous words ‘*Wir schaffen das!*’ (we can do this). Exploding into this situation, Kurdi’s image sparked a shift in European public perceptions, for example giving the compassion-inducing term ‘*refugee*’ four times greater salience in online searches and media than the neutral ‘*migrant*’, when previously both terms had been roughly equally represented.²³⁰

On 4th September, Merkel decided to ‘open German borders’, suspend EU migration-procedure and unbureaucratically accept refugees stuck on the Balkan-route.²³¹ While the decision invited criticism, accusing her of overstressing European resources and attracting – and thereby endangering – more migrants in the long run,²³² the chancellor defended it on humanitarian grounds – and had the population largely behind her.²³³ *Willkommenskultur* (welcome-culture) – encompassed large swathes of society,²³⁴ as Germany received over 1 million migrants in 2015 – more than half of all arrivals in the EU of that year.

With over 40,000 boat migrants saved in 2014 by merchant ships, the situation also concerned Germany’s interest in maritime security as a shipping nation. As early as 31st March 2015, in an open letter to the European heads of state, international shipowner’s associations and seafarer’s labour unions – together representing over 80% of the world merchant fleet and the vast majority of seafarers – had called for immediate action to prevent ‘*further catastrophic loss of life*’. Before the discussion picked up in Germany and at EU level, the shipping community saw the need for concerted EU SAR-action to take the burden of the southern member-states and especially merchant ships handling potentially dangerous situations for which they are not equipped.²³⁵

With numbers as high as in 2015, despite *Willkommenskultur*, domestic and European political pressure rose on Merkel to keep the migrant flow under control.²³⁶ The patterns as displayed in the UNHCR map above illustrate the key role of Turkey. The government of Recep

²²⁹ See Levi Strauss (2017)

²³⁰ See Levi Strauss (2017)

²³¹ See UNHCR map above

²³² For a right-wing populist’s view, see Marine Le Pen’s interview with Foreign Affairs in 2016, Foreign Affairs (2016)

²³³ See Alexander (2017)

²³⁴ See Karakayali (2018), p. 608

²³⁵ European Community Shipowners’ Associations (ECSA) et al. (2015)

²³⁶ Oltermann (2021); Karakayali (2018), pp. 609-10

Tayyip Erdoğan had a mixed record of cooperation with the EU but hosted close on 3 million Syrian refugees.²³⁷ Turkey's long-standing dispute with Cyprus over the northern half of the island and related questions concerning the extent of territorial seas and exclusive economic zones, likewise with Greece, made matters complicated in a EU context.²³⁸ Involving NATO in the diplomatic endeavour to address migration flows through Turkey made sense, as it allowed Turkey, Greece and Germany to meet on eye-level. All the core political aspects of the deal that was eventually struck on 18th March 2016 between Merkel and Erdoğan concentrated on the EU. European funds would be made available to Turkey, €6 billion in two annual instalments to be used for specific projects for refugees, while in turn Turkey would agree to stop migration and take back any boat migrants that were to cross illegally to Greece. For every migrant returned to Turkey, one regular refugee would be permitted to enter the EU.²³⁹

Even before the agreement was reached, following a joint initiative by Germany, Turkey and Greece, a task-group of NATO's SNMG2 deployed to the Aegean in February 2016, with the German combat supply vessel *Bonn* leading it.²⁴⁰ This gave Germany presence, permitted monitoring of the situation and supporting coordination between Greece and Turkey which both also had a frigate in the task-group.²⁴¹ From then on, the mission in the Aegean – with a German ship in command – was surveillance and coordination between Greece, Turkey and FRONTEX in the area. To further support this, Germany also deployed two federal police 21-meter cutters to in the FRONTEX mission from 1st March 2016.²⁴² Illustrating the aims of its role, the navy presents the drastic reduction in migrant crossings since 2015 in its mission description.²⁴³

In the central Mediterranean, SOPHIA – with an extended mandate and without German participation– had begun training a Libyan coast guard. The programme had been initiated and led by Italy and it aimed to target human smugglers ashore and prevent boat migrants from embarking on their journey.²⁴⁴ The first two of ten patrol vessels were donated by Italy in March 2017 and despite the ongoing civil war in Libya,²⁴⁵ the coast guard

²³⁷ See Deutsche Welle (2018)

²³⁸ Thorough discussion would go too far in this thesis, see European Commission (2022)

²³⁹ See Deutsche Welle (2018)

²⁴⁰ Traynor (2016)

²⁴¹ See Frankfurter Rundschau (2016)

²⁴² Bundespolizei (2016)

²⁴³ Bundeswehr (2022a)

²⁴⁴ EU Neighbours (2016)

²⁴⁵ The Migrant Project (2017)

contributed to a sharp reduction in boat migration in the Central Mediterranean, while thousands still died in the attempt, as can be seen below.

Previous years	Arrivals *	Dead and missing
2021	123,318	1,977
2020	95,774	1,401
2019	123,663	1,335
2018	141,472	2,270
2017	185,139	3,139
2016	373,652	5,096
2015	1,032,408	3,771
2014	225,455	3,538

* Include sea arrivals to Italy, Cyprus, and Malta, and both sea and land arrivals to Greece and Spain (including the Canary Islands). Data are as of 31 December 2021 for all countries.

Sea arrivals monthly



Fig. 84, arrivals/dead and missing 2014-2021; Fig. 85, Sea arrivals monthly (Source: UNHCR)

Despite the EU-Turkey deal, a build-up of Libyan coast-guard activity and subsequent reduction in migrant arrivals, the EU remained divided over the issue of distributing refugees. Right-wing parties across Europe drew support from their opposition to migration,²⁴⁶ contributing to BREXIT and the loss of one of the three most powerful EU member-states.²⁴⁷ Germany's AfD also entered the Bundestag for the first time and as the third-strongest parliamentary faction in 2017.²⁴⁸ In Italy, Matteo Salvini succeeded in becoming minister of the interior in June 2018, promising to take a tough stance on immigration.²⁴⁹

²⁴⁶ See van Prooijen et al. (2018), p. 148

²⁴⁷ See Dennison & Geddes (2018), p. 1151

²⁴⁸ Bundestagswahl-2017 (2017)

²⁴⁹ See SPIEGEL (2018)

NGOs had taken over a substantial part of saving migrants, while simultaneously accusing EU warships of deliberately avoiding proximity to known routes, aiming to hinder the passage of migrants to Europe. This, they claim, is the reason why still so many people drown in the attempt to cross the Mediterranean.²⁵⁰ Numbers are difficult to establish, but 10 different NGOs have been credited with cumulatively saving over 120,000 migrants between 2014 and 2018 alone.²⁵¹ By 2017, NGO vessels were deemed to have become the largest provider of SAR in the Mediterranean.²⁵² These numbers need to be taken in perspective with those of FRONTEX, which saved 521,525 boat migrants between October 2014 and January 2022 across its three missions in the Mediterranean.²⁵³

Italy played a key role in the Central Mediterranean, with SAR activity – demonstrated by *Mare Nostrum*, its commitment to SOPHIA and *Triton*, but also – together with Malta, in providing ports of destination for migrants saved at sea. Once minister of the interior, Salvini worked towards stopping arrivals of migrants saved by naval forces or NGOs from June 2018 onwards. It is in this context that the widely publicised case of Carola Rackete, German NGO-captain, unfolded in June 2019. Barred by Salvini’s new regulations from entering an Italian port with over 50 rescued migrants aboard a small vessel for over two weeks, she declared a state of emergency, entered port without permission and was arrested. What had turned into a stand-off with Salvini, was decided against him by Italian courts ultimately acquitting Rackete.²⁵⁴ As Italy also effectively blocked SOPHIA’s ability to save migrants, Germany withdrew its ships in January 2019.²⁵⁵ With SOPHIA rendered ineffective, EU member-states did not extend the mandate in March 2020, but instead set up a new mission in its place: EU NAVFOR IRINI.²⁵⁶ The focus of the new mission – also by area of deployment – was no longer seaborne migration, but enforcing a UN weapons embargo in the ongoing civil war in Libya. While combating human smuggling and SAR obligations are cited in the mandate, the AA states that these would have to be taken to *Greece* and that no migrants have been saved by IRINI units since March 2020.²⁵⁷

²⁵⁰ See Werth (2015) Cusumano (2016)

²⁵¹ See Cusumano (2021), p. 547

²⁵² See Cusumano (2017), p. 106

²⁵³ See European Council (2022)

²⁵⁴ See Hughes (2019)

²⁵⁵ See Wiegold (2019)

²⁵⁶ See Barigazzi (2020)

²⁵⁷ As of January 2022, Auswärtiges Amt (2022)

VI. 6 Crisis-Response, Comprehensive Maritime Security and the return to Great-Power Confrontation

(W)e are on the way to understanding, even in broad society, that a country of our size with this foreign trade orientation and thus also foreign trade dependence must also know that in case of doubt, in case of emergency, military action is also necessary to protect our interests, for example (in) free trade routes (and to prevent) entire regional instabilities, which would then certainly also negatively impact our opportunities to secure jobs and income in our country through trade.

Horst Köhler, Bundespräsident, Interview Deutschlandradio, 22.05.2010
(translated by author)²⁵⁸

As the quote above seems to suggest, Germany was growing used to contributing to protecting international maritime interests – but only reluctantly, for President Köhler was hounded out of office for this statement, accused of calling for ‘*Kanonbootdiplomatie*’.²⁵⁹ He became the target of a political campaign that had as its aim less his words, than the post-Cold War shift towards actively using the Bundeswehr as a tool of foreign policy. Köhler’s resignation was not so much due to expectable opposition to military deployments by some left-leaning politicians or journalists.²⁶⁰ More importantly, despite the consistency of his statement with the government’s defence white paper,²⁶¹ he received no backing from Chancellor Merkel.

Nevertheless, Germany’s rise to *Exportweltmeister* and becoming one of the top global shipping players, progressed in step with Merkel’s government using the navy much more comprehensively in foreign policy. Not long into her chancellorship, outlined foreign policy challenges like the Lebanon War or Somali piracy were addressed with naval missions. The latter case may not appear extraordinary – especially not from the perspective of most navies as counterpiracy has historically been a naval role. But it was for the German navy, that had no tradition or domestic legal framework for constabulary functions. UNIFIL, contributing to peacekeeping in the context of the Arab-Israeli conflict, was a dual novelty. A first-ever deployment of UN forces at sea and Germany’s first turn at leading a substantial multinational UN peacekeeping force.

²⁵⁸ Rieke (2010)

²⁵⁹ WELT (2011)

²⁶⁰ See Buchholz & Ziefle (2010)

²⁶¹ BMVg (2006), pp. 95-6

In 2015, the navy expanded and supported the options the government had in the refugee crisis. It allowed for a rapid SAR response, formed an essential part of the joint-European effort to handle the crisis, easily integrating a broad variety of member-states at the side of those that were most affected by the situation. Naval cooperation, through NATO's SNMG2, was also an important element of the EU-Turkey agreement that Merkel crafted to address uncontrolled migration via Turkey, Greece and the Balkan route.

All naval missions considered here were long-term efforts, complex in their aims, with multiple international and local stakeholders and target audiences. UNIFIL was primarily driven by concerns about responsibility and the political relevance of the Middle East for regional, European and international security. But it also served European integration by contributing to an effort primarily driven by Germany's EU-partners, France, UK and Italy. ATALANTA demonstrated concern and commitment to human security, but it also advanced EU cooperation and prestige at a critical moment and protected Germany's interests with respect to maritime trade and regional stability. The missions SOPHIA, IRINI and the SNMG2-task-group in the Aegean Sea were part of an overall humanitarian effort, but especially focussed on border security and maintaining EU cohesion while addressing a highly divisive issue.

UNIFIL prevented Lebanon from sliding into a humanitarian disaster in 2006. This role gave it renewed relevance, when over a million refugees after the outbreak of civil war in Syria in 2011, came to find shelter in the country that, previously, only had four million citizens.²⁶² From 15th October 2006 until January 2022, Task Force 448 'hailed' 113,800 vessels and referred 16,200 to Lebanese authorities for further inspection.²⁶³ Germany's known cost for the first twelve years was €488.8 million (figures from 2006 – 2018).²⁶⁴ The initial force level of 2,400 was never needed. Beginning with 8 vessels and a crew of 865 (plus shore-staff), the size of the mandated force shrank to 300 in 2021.²⁶⁵ The main achievement of the mission was the aversion of collapse of the state of Lebanon through replacing the Israeli blockade, and the strengthening of the country's sovereignty by training its maritime security sector. Despite these significant successes, in day-to-day practice of eventless patrolling, the mission was liable to dull a crew. By 2018, 11,642 service-members had served in the mission.²⁶⁶

²⁶² United Nations Peacekeeping (2022); Seidel (2015)

²⁶³ United Nations Peacekeeping (2022)

²⁶⁴ Bundesregierung (2018), p. 7

²⁶⁵ See Bundestag (2022)

²⁶⁶ Bundesregierung (2018), p. 4

Contrary to accusations of *Kanonbootdiplomatie*, ATALANTA did not escalate brutality by militarising foreign policy,²⁶⁷ it successfully improved maritime security through counter-piracy and facilitating humanitarian aid to Somalia. This supported a state-building effort encompassing reconciliation, institution building, security sector reform and development aid. For the first time, Germany's navy had a mandate and mission to combat piracy, a crime it had by that time already encountered during OEF in the same region. Neither Germany, nor its EU partners were entirely comfortable with the reality of the counter-piracy part of the mission. Concerns for suspects claiming refugee status once aboard their warships or on their territory when standing trial in Europe played a part as much as the worry that combating piracy ashore would drag their forces into the civil war.²⁶⁸ The extension of the EU mandate on 23rd March 2012 to allow targeting piracy preparations ashore in practice only led to attacks from the air or sea.²⁶⁹ 'At no point did EU Naval Force "boots" go ashore', was an important bit of news, when the mission reported its first attack on land with a frigate's helicopter on 15th May 2012.²⁷⁰

Since 8th December 2008, ATALANTA protected shipments totalling 2,276,637 tonnes of food aid to Somalia, transferred 171 pirates to authorities, of which 145 were convicted. It further escorted 1,598 vessels of the WFP and 704 related to AMISOM.²⁷¹ Judging by WFP calculations, the amount of food shipped to Somalia served to feed an average of roughly 9% of the population over the duration of 13 years.²⁷² Still, related to Al Shabaab blocking food-aid in areas under its control, almost 260,000 people died of hunger in Somalia between October 2010 and April 2012.²⁷³ Following overall capacity-building in the region and prosecution in America and Europe, in mid-2013, 1,148 Somali pirates were held in legal custody in 21 countries.²⁷⁴ There were three piracy trials in Germany in 2012, 2018 and 2019. Leading to twelve convictions, the first was based on a naval arrest by Dutch forces, the others on identifying former pirates seeking asylum in Germany.²⁷⁵ Despite these numbers, the majority of interdictions led to catch-and-release of suspects by international navies.²⁷⁶ This

²⁶⁷ See Buchholz & Ziefle (2010); Haydt (2009)

²⁶⁸ See Bundesregierung (2008), p. 15, p. 17; UK Parliament - Lords Chamber (2008)

²⁶⁹ Council of the European Union (2012)

²⁷⁰ See Wiegold (2012)

²⁷¹ EU NAVFOR ATALANTA (2022)

²⁷² 150,000 tonnes feed 1,5 million people for six months, accordingly, 1 ton feeds 5 people for one year World Food Programme (2008)

²⁷³ See WELT (2013); LeGagnoux (2015)

²⁷⁴ US State Department, as cited by Piracy Daily (2013)

²⁷⁵ See Biesel (2019); ZEIT (2012)

²⁷⁶ Jenisch (2015), p. 172

illustrates the still patchy international judicial framework for piracy and the reluctance to prosecute suspects in courts in Europe and the USA, as well as difficulties in finding regional partners willing to do so. Germany's known cost for the first ten ATALANTA years was €587,9 million (2008 – 2018), on average €58,8 million per year, a cost consistent with the annual cost of OEF when it only encompassed one frigate, a supply vessel and occasional MPA deployments.²⁷⁷ The mandated force level of 1,400 it began with in 2008 shrank with the decline of piracy after 2012 in steps to around 300 in 2021. On average, it rarely exceeded the deployment of a frigate, a supply vessel and/or an MPA. When Germany was elected temporary member of the UN Security Council in 2011, underscoring its commitment, it decided to deploy a third vessel, the frigate *Köln* for an unscheduled four-month-spell in ATALANTA.²⁷⁸ By 2018, 11,018 service-members had served in the mission.²⁷⁹

The navy's role in the refugee crisis in the Mediterranean from 2015 onwards pursued the aim of humanitarian SAR and acting as a deterrent against human smugglers. This also entailed bolstering EU cooperation and relieving commercial vessels of the burden of SAR duties in an extraordinary situation. Deterrence of human smuggling is hard to measure and the 160 suspects taken into custody by SOPHIA at sea can hardly have been the 'big fish' behind the highly organised crime in Libya.²⁸⁰ However, the various missions have records of (estimated) migrants saved that allow for deductions as to their effectiveness in this regard.

Fig. 86, Number of Boat Migrants Saved by Mission/Actor²⁸¹

Mare Nostrum <i>Oct. 2013 - Oct. 2014</i>	SOPHIA <i>Jun. 2015 – Mar. 2020</i>	Triton & Themis (FRONTEX, Central Med.) <i>Triton Oct. 2014, Themis Feb. 2018</i>	IRINI <i>Since Mar. 2020</i>	NGOs <i>2014-2018</i>	German navy <i>May and Jun. 2015</i>
150,000	44,916	287,952	0	120,000	5,673

The FRONTEX-missions saved the largest number of migrants in the Central Mediterranean since 2014, while IRINI clearly has no SAR focus at all. Judging by photos of its warships, preparations with awnings and mobile toilets, as on German vessels in May and June 2015, are

²⁷⁷ See Bundesregierung (2013), p. 10; Bundesregierung (2018), p. 7

²⁷⁸ United Nations Security Council (2021); Presse- und Informationszentrum Marine (2011)

²⁷⁹ Bundesregierung (2018), p. 2

²⁸⁰ Wiegold (2019)

²⁸¹ See this chapter and European Council (2022)

not discernible, while the mission area, well to the East of the main migration routes, places ships out of range of related SAR-responses.²⁸²

Had the dedicated SAR focus of the two German units in May and June continued in SOPHIA, just two larger vessels could have saved over 134,000 people over four years (linear extrapolation of 1,400 people per month per ship). SOPHIA even initially had seven vessels, four helicopters and three MPAs.²⁸³ While the total numbers of transits dropped, and numbers from 2015, the busiest year of migrant crossings, can hardly be linearly extrapolated, the numbers saved by NGOs over the entire time-frame – in addition to thousands of people drowned and those saved by the FRONTEX missions *Triton* and *Themis* suggest, that SOPHIA did not focus on SAR nearly as much as the German navy did in its initial national response in 2015. Of the 44,916 migrants rescued by SOPHIA, 22,500 were saved by German warships.²⁸⁴ German cost of SOPHIA by 2018 was €79,5 million, while numbers for IRINI and the SNMG2 task-force in the Aegean were not available at the time of writing.²⁸⁵ Judging by the effort of one frigate or combat-supply vessel continuously in the missions, the figures from other missions suggest a cost around €25-30 million per year. The total number of personnel deployed was 3,216 for SOPHIA, 1,307 for the Aegean by April 2018.²⁸⁶ Extrapolating the numbers of a single frigate or combat-supply vessel permanently in the latter mission between February 2016 and April 2018, a single larger surface vessel's continuous presence roughly equals 650 service-members passing through a mission per year (three four-month-deployments of a vessel crewed with 180-220).

The shift in a '*humanitarian mission of SAR to a complex, securitized response to boat migration*' on the part of the EU,²⁸⁷ also describes a shift in German policy adjusting its approach with respect to its EU partners. The German government initially focussed on the humanitarian aspects while the joint European decision took on a more cautious tone, seeing migration as a security issue.²⁸⁸ In addition to FRONTEX as a joint coast-guard-mission, EU naval forces facilitated a coordinated common approach. Similar to how geographic locale in other naval operations influenced the likelihood of getting involved in unwanted tasks,²⁸⁹ the

²⁸² EU NAVFOR IRINI (2022)

²⁸³ See data in this chapter

²⁸⁴ Wiegold (2019)

²⁸⁵ Bundesregierung (2018), p. 7

²⁸⁶ Bundesregierung (2018), pp. 2-3

²⁸⁷ Ghezelbash et al. (2018), p. 317

²⁸⁸ European Council (2015)

²⁸⁹ As used i.e. in *Sharp Guard* by Germany until June 1994, see Benke (1995)

need to conduct SAR-operations was connected to proximity to the migrant routes. At the same time, not just the deployment, but also how it was communicated publicly, allowed for a substantial degree of adjustment to the requirements of the situation and the target audience. A warship in the central Mediterranean during the refugee crisis could be simultaneously portrayed to one audience as an emergency measure to save lives – and do just that, while to another, it could be made into a deterrent against criminal activity, even as a robust stance on irregular migration – without having to actually violate any international norms. It was precisely because of accusations that EU warships were avoiding proximity to the well-known refugee routes, that the NGO *SeaWatch* accused European governments of ‘*Kanonbootdiplomatie*’.²⁹⁰

The navy played an important role in supporting Germany’s foreign policy in some of its greatest challenges in the Merkel-years, while all of the deployments were characterised by comprehensive approaches to a broad understanding of maritime security. The navy was also influenced by what came to be unofficially dubbed the ‘*Merkel doctrine*’ – favouring logistical aid and training assistance to local security providers, rather than getting involved in any fighting with German forces. This principle accompanied all of the missions covered in this chapter.²⁹¹ One of UNIFIL’s core tasks later on was the training of Lebanese coast-guard and naval personnel, while EUTM Somalia and EUCAP Nestor were companions of ATALANTA in training Somali security forces. SOPHIA, even though without German involvement, also encompassed a training element for a Libyan coast-guard.

There were further missions, beyond the scope of what this chapter can cover. Starting in 2015, *Counter-Daesh*, the navy’s part in the allied reaction to terrorist attacks on France by the so-called ‘Islamic State’ or ‘Daesh’ in Syria and Iraq.²⁹² Not much noticed in its implications and without spectacular operations to show as yet, SEA GUARDIAN superseded OAE in 2016.²⁹³ Remarkably based on UNCLOS and SUA 2005, rather than OAE’s collective self-defence, the mandate authorises comprehensively enforcing ocean governance in the Mediterranean. As the navy’s mandate is not further nationally constrained, it covers the full range of criminal threats to maritime security – including piracy, illegal fishing or drug smuggling.²⁹⁴

²⁹⁰ Werth (2015)

²⁹¹ On ‘*Merkel doctrine*’, see Kluth (2021)

²⁹² See Bundeswehr (2021e); Bundesregierung (2015a)

²⁹³ See Bundesregierung (2016); Traynor (2016); Bundesregierung (2015)

²⁹⁴ SUA (2005); Art. 1 e); Art. 1 c) iii

Other missions ranged from humanitarian ones (evacuating Egyptian citizens from Tunisia during the Libyan civil war in March 2011), via supporting diplomatic efforts in the Syrian civil war (accompanying the specialised US vessel *Cape Ray*, disposing of chemical weapons handed over by Syria's regime in October 2014),²⁹⁵ to 'testing the waters' and demonstrating commitment in Germany's diplomatic dilemma of rising tensions between the West and China (deploying the frigate *Bayern* to the Indo-Pacific in 2021).²⁹⁶

The navy's utility clearly outlined in the *2006 Weißbuch*, makes it likely that its missions were the result of deliberate choices taking its advantages into account. For example, Germany's identified priority on visibility as a responsible actor, as opposed to tackling a strategic challenge conclusively single-handedly,²⁹⁷ constitutes a reason to prefer naval options over other military ones. In a reversal of Corbett's logic, if a direct effect on human affairs ashore is not prioritised, the restriction of naval forces to the sea – while people live on land – turns into an advantage.²⁹⁸ Presence and visibility – in addition to a number of less direct means of targeting challenges ashore – can be had with warships at much reduced risk, depth of commitment and financial as well as political cost compared with sending the army or airforce. After all, if from the outset, the army's ability to take charge of the security situation and establish a monopoly on the use of force ashore is politically not intended – as in UNOSOM II and ISAF, why incur the risks and costs? Furthermore, when in lieu of German 'boots on the ground' it comes to providing support and training to regional security forces as a preferred component of crisis-response,²⁹⁹ the navy can act as a secure base, enable or conduct them.

At the same time, the navy was given much more comprehensive mandates to provide maritime security. Given this, the relative lack of academic attention to these developments in the maritime arena as a '*crucible of international change and innovation in and of itself*',³⁰⁰ is surprising. Germany's first national ocean governance strategy was published in October 2008, only two months after discussions on ATALANTA began. It referred to the special public and political attention the sea had lately received, without however, mentioning the navy even once.³⁰¹ Omitting navies in ocean governance is a familiar shortcoming dating back to Mann

²⁹⁵ See Brake & Walle (2016), p. 106

²⁹⁶ Bundeswehr (2021d)

²⁹⁷ Giegerich & Terhalle (2021), p. 41

²⁹⁸ See Corbett (2004), pp. 8-9; p. 14

²⁹⁹ See Kluth (2021)

³⁰⁰ Bueger & Edmunds (2017), p. 1294

³⁰¹ Bundesregierung (2008), p. 5

Borgese, and still apparent in some of the latest publications.³⁰² Despite this, but little discussed in Germany,³⁰³ the enforcement gap with regard to humanity's need to protect the oceans has been identified and relegated to responsible states and their navies.³⁰⁴

Ten years after Merkel's *Weißbuch 2006* and its emphasis on an 'expeditionary navy', the *Weißbuch 2016* translated Russia's annexation of Crimea in 2014 into new defence priorities with regard to great-power rivalry and deterrence. As an update or recalibration of the 2006 version, the 2016 *Weißbuch* did not replace or alter the way the utility of the navy was formulated comprehensively a decade earlier. Since 2014, the task for Germany – and its navy – is to combine an evolving role in crisis response and ocean governance with having to deal with great-power rivalry and potential military peer-competitors. In this, the navy's *internal* struggle to strike a balance between constabulary roles and warfighting appears to have been largely resolved, judging by its latest published self-image, the '*Kompass Marine*' from 8th December 2020. In it, the defence of Germany and its allies as a fighting force, is joined by a broad call for ocean governance, intertwining the health and fate of humanity with the ocean.³⁰⁵ As the chapter shows, this is consistent with deployment practice and increasingly comprehensive policing powers authorised by political mandates, while a fundamental reform of the constitutional legal framework for constabulary roles of the navy has not yet been undertaken.

³⁰² See Mann Borgese (1998); World Ocean Review (2021)

³⁰³ For an exception, see Jenisch (2015); Jenisch (2017)

³⁰⁴ See Warner & Kaye (2016), *introduction*, xxxiv,xxxv; Mellet (2014), p. 67

³⁰⁵ See Marinekommando (2020)

Fig. 87, Analytical Map of the Merkel-era Deployments, 2005-2021

Reasons and Aims	Supporting NATO, EU integration, cohesion and prestige Contributing to comprehensive maritime security	Israel's Security	Humanitarian concerns	Responsibility as member of the UN, NATO and EU																			
Missions	Maritime interdiction Presence and surveillance	Protection of international SLOC SAR & countering human smuggling	Facilitating cooperation Evacuation of civilians																				
Characteristics of the Deployments (<i>key points</i>)	<p>Strong European element</p> <p>First-ever counter-piracy deployment of post-1945 navy</p> <p>Shift from collective self-defence NATO Art. 5 in OAE to comprehensive maritime security (SUA 2005) in SEA GUARDIAN</p> <p>Integration on non-NATO EU-member-states in missions</p> <p>Integration of assets of land-locked EU-member-states</p> <p>Integration with German coast-guard & EU FRONTEX</p> <p>Stabilisation of HOA as key region for international, EU and German maritime commercial life-lines</p> <p>Reliance on Djibouti as overseas base for over 19 years; end of German presence, April 2021</p> <p>First-ever 'standing ROEs', 16th December 2016</p>	<p>Using naval commitment to fend off calls for more 'boots on the ground'</p> <p>Mission ROEs no different from those of other EU Navies</p> <p>Mandate and ROE formulation while ships in transit to mission</p> <p>Training and preparations in transit</p> <p>Common NATO operation procedures as foundation of (EU) cooperation</p> <p>Unclear national responsibilities for hostage liberation (<i>Hansa Stavanger</i>)</p> <p>Units with global crisis-response focus enter the fleet (corvettes, F125)</p> <p>Suspension of national draft & recruitment difficulties for the navy</p> <p>Delays in acquisition of new equipment and spare parts</p> <p>Temporary gaps in readiness of the fleet (gaps in domestic SAR coverage)</p> <p>Shortage of units; new missions require shift in assets in other missions (a frigate to SAR in the Mediterranean, corvette to ATALANTA, fast patrol-boat to UNIFIL (June 2015); suspension of EAVs since 2015)</p>	<table border="1"> <thead> <tr> <th colspan="2">Target Audiences (overview)</th> </tr> <tr> <th>Coercive</th> <th>Supportive</th> </tr> </thead> <tbody> <tr> <td>Daesh/IS</td> <td>USA</td> </tr> <tr> <td>Somali pirates</td> <td>Israel</td> </tr> <tr> <td>Human smugglers</td> <td>Lebanon</td> </tr> <tr> <td></td> <td>NATO</td> </tr> <tr> <td></td> <td>UN</td> </tr> <tr> <td></td> <td>EU</td> </tr> <tr> <td></td> <td>Countries & people in regional vicinity (Middle East, Horn of Africa, Mediterranean)</td> </tr> <tr> <td></td> <td>Domestic public</td> </tr> </tbody> </table>	Target Audiences (overview)		Coercive	Supportive	Daesh/IS	USA	Somali pirates	Israel	Human smugglers	Lebanon		NATO		UN		EU		Countries & people in regional vicinity (Middle East, Horn of Africa, Mediterranean)		Domestic public
Target Audiences (overview)																							
Coercive	Supportive																						
Daesh/IS	USA																						
Somali pirates	Israel																						
Human smugglers	Lebanon																						
	NATO																						
	UN																						
	EU																						
	Countries & people in regional vicinity (Middle East, Horn of Africa, Mediterranean)																						
	Domestic public																						
Influences on the Political Process (<i>non-exhaustive</i>)	<p>subject to interpretations of constitutional limitations</p> <p>subject to historical considerations of guilt and responsibility</p> <p>subject to considerations of allied need for support and solidarity</p> <p>subject to considerations of alliance and EU cohesion</p> <p>influence of the Bundeswehr's leadership on government decision</p> <p>influence of the navy on acquiring missions through 'lobbying'</p> <p>cabinet decision in preparation for later Bundestag vote on mission</p> <p>use of the navy in accordance with stated utility in <i>Weißbuch 2006</i></p>	<p>influence of public opinion</p> <p>influence of the shipping community (ATALANTA, SOPHIA)</p> <p>influence of the US</p> <p>influence of European allies (<i>Italy, France, UK</i>)</p> <p>influence of UN; ambition for a permanent seat; temporary membership of SC</p> <p>influence of the opposition in parliament</p> <p>key role of the chancellor</p>																					

VII. The Navy and Germany's New Global Role

With the end of the Cold War, Western navies were liberated from the necessity to be ready to wage major war and became available to deploy as the ‘*global arm of a foreign policy that pursued “order” ... commercial, humanitarian, and even ideological interests, worldwide.*’¹ This is exactly the type of foreign policy, Germany would come to adopt. It is therefore not surprising that, despite cutting its defence budget, Germany, like other countries, continued to invest substantial resources to maintain a navy in a world in which the sea remains a key factor in the global political order.² Indeed, by raising its maritime profile, Germany and its naval missions of the past 30 years confirm the expectation that seapower would preserve its relevance as a key enabler of foreign policy after the Cold War.³ A significant part of this seapower was no longer strictly national, but cooperatively generated by NATO, EU and even the UN.⁴ It is in this cosmopolitan context, that Germany's power played its greatest part at and from the sea – including and beyond the threat or use of force.⁵



Fig. 88, A ‘European navy’? The frigates, *Aquitaine*, *Provence*, *Chevalier Paul* (FRA) *Augsburg* (GER) *St. Albans* (UK), supply vessel *Marne* (FRA), escorting the aircraft-carrier *Charles de Gaulle* (FRA) during operation *Counter Daesh*, 18th January 2016 (source: Bundeswehr/Marine Nationale/Cindy Luu)

Gray was mostly concerned with ‘big’ navies, of which, as Grove estimated at the end of the Cold War, five would come to dominate the 21st century: the US, Russia (USSR), China, Japan

¹ Gray (1994), pp. 181-2

² Grove (1990), p. 241

³ See Gray (1994), p. 3

⁴ See Till (2013), pp. 35-42

⁵ As seapowers would, as Grove predicted in 1999, Grove (1990), p. 241

and Europe.⁶ While a ‘*European navy*’ exists as yet only in the form of the structured cooperation of a number of medium and smaller national navies,⁷ Grove’s assessment proved largely true. Smaller navies are not only relevant as subjects of study in Europe, but also in their own right as contributors to multilateral cooperative seapower and ocean governance.⁸ Beyond a primary focus on how the US navy fared in the post-Cold War era, or how China’s has developed as its main challenger, navies generally are of practical and scholarly importance ‘*both for what they reflect about the contemporary world and for how they affect it.*’⁹ In this regard, it also matters how navies themselves navigate the transition to 21st century seapower. So far, post-Cold War navies generally – and the smaller ones especially – have not been visited much by historians or theorists as potential case studies.¹⁰

While not thought of as a noteworthy seapower abroad or at home, Germany’s contemporary navy is an ideal subject of study in this respect. German power matters, and its warships have supported missions of NATO, EU and UN since the 1990s, promoting national, allied and European security as well as broader interests on an increasingly global scale.¹¹ Leaving the Cold War as a continental and self-absorbed medium power – albeit one with a rich and varied naval history, Germany learned to use its navy to its advantage in addressing key foreign policy challenges it faced in its new global role.¹² With the missions it has undertaken over the past 30 years, the navy was an important instrument of German foreign policy, supporting alliance solidarity, European integration and demonstrating sovereignty as a responsible member of the UN. For example, numerically, its immediate naval contribution to the War on Terror in solidarity with the US was comparable to those of France and the UK, while it was the nation to command UNIFIL, the UN’s first naval peacekeeping mission upon its inception – and has played a key role in it since.

More than any of its major allies, Germany seized on globalisation’s maritime opportunities by becoming one of the world’s leading shipping nations and exporter. As the American, French and British merchant fleets largely stagnated, Germany’s rapidly ascended in proportion with its expansion of trade and export-related economic growth. While its navy

⁶ Gray (1994), pp. 181-2; Grove (1990), p. 240

⁷ See Germond (2015), pp. 191-3; McCabe et al. (2020a), pp. 199-200

⁸ On cooperative seapower, see Rahman (2009); Till (2013), pp. 35-42; on ocean governance, see Mellet (2014), p. 67; on European navies or seapower, see Germond (2015); McCabe et al. (2020); Stöhs (2019)

⁹ Till (2013), *preface*

¹⁰ On the US Navy, see Schneller (2007); Barlow (2013); Heynes (2015); Japan, see Patalano (2015); Canada Chamberlain (2021); on ‘small navies’, see Mulqueen et al. (2016); McCabe et al. (2020)

¹¹ In concert with and part of European seapower, see Germond (2015), p. 192

¹² On Germany’s ‘*New Global Role*’, see Steinmeier (2016)

suffered budget cuts as a result of the ‘peace dividend’, it also came to grow in relative significance within the Bundeswehr. Cuts to its capabilities were far less severe than those to army and airforce, and its overall diminished personnel rose to more than double its 1990-share within the Bundeswehr’s total from 6.7 to almost 15 %.¹³

Neither ‘big’ nor particularly ‘small’ as a naval power and clearly a key European actor, Germany receives comparatively little attention in naval, seapower or maritime security literature. To be sure, Germany has featured in the recent works on naval or maritime diplomacy by Rowlands and LeMière, and in Germond’s and Stöhs’ engagement with European naval power and maritime security.¹⁴ This has though either focussed on older examples or remained brief in the context of the more general focus of their respective research. A more detailed analysis is merited, particularly with an interest in cooperative allied and European seapower. Germany is economically, demographically and geographically the pivot of the EU,¹⁵ while most of its major naval missions in the past thirty years have a strong European dimension.

It is furthermore important to note implications of the use of its navy for the scholarly debate on German power. On the one hand, there is the view, as expressed in 2016 by its then foreign minister Steinmeier, of Germany as a ‘*reflective power*’ conscious of its own history,¹⁶ placing the rule of law above power and striving to uphold universal human dignity in a multilateral international order. On the other, there are those that see it as a ‘*free rider*’ on its allies security guarantees.¹⁷ Or, like Oppermann, who see Germany on a trajectory towards a ‘*normal foreign policy*’ comparable to other nations and guided by national self-interest rather than altruistic goals.¹⁸

By providing a new analysis of and perspective on contemporary Germany’s navy as a foreign policy instrument, this thesis contributes to the study of post-Cold War navies, 21st century seapower and German power. The inquiry covers the policy-level, the navy and its missions since 1990. In this, it draws inspiration both from Stöhs’ methodological approach to European navies, and on Rowland’s model of a complex multi-layered and multi-directional

¹³ 24,436 service members in naval uniform across a Bundeswehr of roughly 182,000. See Marinekommando (2021), p. 70; Bundeswehr (2022)

¹⁴ Germond (2015); leMière (2014); Rowlands (2015); Stöhs (2019)

¹⁵ See dpa (2018)

¹⁶ Steinmeier (2016)

¹⁷ See Giegerich & Terhalle (2021), p. 9

¹⁸ Oppermann (2016)

approach to naval diplomacy.¹⁹ On the basis of the case studies presented, this chapter seeks to draw together this thesis' main findings and is split into two parts. Firstly, the policy-level responsible for integrating the navy and seapower with other elements of national power and directing it towards its overarching aims. Secondly, the navy provides the force and expert advice to the policy level to support its aims. In this, the mission experience since the Cold War serves as an abundant reservoir of practical expressions of German foreign policy in its use of the navy.

VII. 1 The Paradox of German (Sea)Power

Reunified Germany has considerable (sea) power potential. It is the EU's most populous country, Europe's leading and NATO's second strongest economy and – after Greece – the country with the biggest merchant fleet among its allies. However, rather than following a 'traditional' or Mahanian approach to power and geopolitical competition, it better fits the paradigms of Cooper's *'post-modern'* or Beck's *'cosmopolitan'* state.²⁰ With its reluctance to commit to using force in international relations, its emphasis on multilateralism, human rights, the rule of law and generally renouncing *Machtpolitik* (power politics),²¹ Germany has identified itself as a *'reflective power'* (Steinmeier), been called a *'civilian power'* (Maull) or *'post-heroic'* (Münkler).²² Most importantly and as a fundamental emancipation from its history, Germany is strategically saturated, *'benign'* in geopolitical terms and firmly committed to democratic values.²³ Its *'semi-hegemonic'* economic position in the EU, paired with what Kundnani called its *'new nationalism'* or *Sonderweg* centred on peace and exports, paradoxically assertive economically within the EU and (seemingly too) passive in facing geopolitical risks abroad,²⁴ make it an indispensable but challenging partner to its allies.

While economic power is not yet being translated into military power on comparative levels to its key partners and competitors, Germany is essential to the EU and the European pillar of NATO.²⁵ Given the relatively small priority post-Cold War Germany accorded military expenditure, coupled with its growing economic strength and a focus on commercial

¹⁹ Stöhs (2019), pp. 8-9; Rowlands (2015), p. 417

²⁰ See Beck (2001); Cooper (2002)

²¹ See Kundnani (2015), p. 4

²² Maull (1990); Muenkler (2007); Steinmeier (2016)

²³ See Kundnani (2015), pp. 107-113

²⁴ See Kundnani (2015), p. 6, pp. 107-114

²⁵ At the time of completion of the thesis, given Chancellor Scholz' announced reaction to Russia's invasion of Ukraine, this is bound to change.

activity, it has been derided as a ‘free rider’ on allied security by successive US presidents.²⁶ However, among peers fearing the ‘decline of the West’,²⁷ Germany also shows hallmarks of a ‘rising power’ little troubled by such feelings associated with a heightened desire for military security as described by Kennedy in the 1980s.²⁸ In this, including its remarkable ascent to a major maritime economic player in the new ‘Columbian Age’ of the 21st century,²⁹ Germany displayed many parallels with Asian nations like Japan, South Korea or even China, rather than with its European or American partners.³⁰

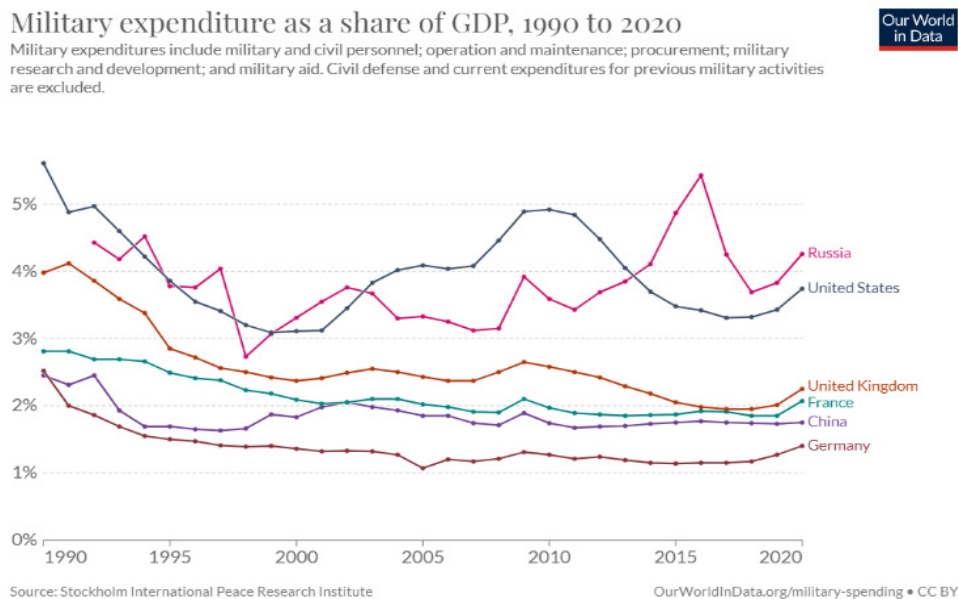


Fig. 89, Translating economic into military power (source: OurWorldinData)³¹

In discussing seapower – *Seemacht* in Germany, the greatest problem is not with the *See* (‘sea’)-bit, it lies with the *Macht* (‘power’)-part. While ‘*seehaftes Denken*’, maritime thought, awareness and culture are hard to cultivate in most nations,³² it is likely more so in a country which has, despite widespread individual love for the sea,³³ traditionally predominantly seen itself as a continental power.³⁴ As Admiral Ruge deemed NATO as embodying the

²⁶ See Sanders (2017); Galbert (2016)

²⁷ See Fawcett (2018)

²⁸ Kennedy (1987), pp. 22-3

²⁹ Till’s term, Till (2013), *preface*

³⁰ See Kennedy (1987), p. 652, pp. 677-8; UNCTAD (2011), p. 168

³¹ Roser et al. (2021)

³² See Lambert (2018), pp. 295-6

³³ Over 2 million German passengers on cruise ships per year (pre-pandemic), *worldwidewave.de* (2017), substantiate the private love of the sea of Germans, see Ruge (1955), p. 77

³⁴ See BMVg (1992), Art. 8 (3)

Mediterranean and Anglo-Saxon maritime heritage,³⁵ it is a fascinating question, as to how that reflected from NATO into Germany over more than 65 years of membership. However, what also likely had a lasting effect, is the outsourcing of the hard-power-side of national strategy to NATO during the Cold War. This may have contributed to Germany's reluctance to come to terms with great-power competition in the 21st century, while also keeping the discussion of the navy's role mostly in naval professional circles.³⁶

In addition to reasons rooted in history or strategic culture, Germany's political system facilitates politicisation of the use of the navy in foreign policy. Coalition governments since the 1960s have reliably entailed differing party affiliations at the head of the ministries of foreign affairs and defence,³⁷ creating a cross-party nexus which – absent other influences – may seriously aggravate the difficulty to debate the role of the Bundeswehr in foreign policy. This may explain why the vast majority of writings that use the term 'foreign policy' (*Außenpolitik*) scarcely mention the navy, and *vice versa*. As the debate is often influenced by experts or academic institutions affiliated with one of the concerned ministries, the terms' joint discussion not only infringes upon the other ministry's responsibilities, it also crosses into the 'territory' of another political party or dominant ideological preferences.

While the minister of foreign affairs tends to be more influential in domestic politics than the minister of defence, this critically depends on the role of the Chancellor. Foreign affairs has always been headed by a politician of a coalition party other than the Chancellor's since the days of Adenauer.³⁸ More often than not, this was tied to the position of Vice-Chancellorship, held by one of the most influential politicians in the coalition party. With the ministry of defence consistently held by a (less influential) politician of the same party as the Chancellor, it could hardly attain parity in cross-party or inner-cabinet politics with foreign affairs unless backed by the head of government. Accordingly, when in the immediate post-Cold War period, Rüge appeared to dominate the debate on the use of the Bundeswehr abroad, this was indicative of Kinkel's and his party's standing in the government.³⁹ Equally, when, more recently, Kramp-Karrenbauer failed in cross-party politics with her initiatives on a no-fly-zone in Syria, a naval mission in the Strait of Hormuz or the acquisition of armed UAV for

³⁵ Ruge (1962), p. 16

³⁶ i.e. Duppler (1999); Jopp (2014); Mahnke & Schwarz (1974); Nimitz (1982); Ruge (1955); Ruge (1962); Ruge (1968); Wegener, E. (1982)

³⁷ See the party allegiances of past and present ministers, Auswärtiges Amt (2020); BMVg (2020)

³⁸ See the party allegiances of past and present ministers, Auswärtiges Amt (2020); BMVg (2020)

³⁹ See Perger (1993)

the Bundeswehr,⁴⁰ this also hinged on the role Chancellor Merkel played – or refrained from playing.⁴¹

Germany is often criticised for its alleged inability to integrate and direct various strands of national power coherently towards an overarching goal.⁴² One can almost be excused for this judgement, given the complex puzzle of different ministerial strategies and mixed record of communication by leading politicians. Long-standing foreign minister Genscher was reputed to abhor all uses of power – particularly military power – in foreign policy in the early 1990s.⁴³ Even more recently, Chancellor Merkel presented the gas-pipe-line venture of *North Stream II* between Germany and Russia as a mere economic endeavour of no foreign policy relevance.⁴⁴ Regardless of whether this represented mere political communication or expressed sincere conviction, the disassociation of economic activities from national power and strategy seems to be still quite commonplace in Germany.⁴⁵

However, as Fig. 91, the map depicting naval missions together with development partnerships of the BMZ and recipient states of naval arms sales illustrates, contemporary Germany is capable of integrating various instruments of foreign policy. The focus on Africa, especially East and West Africa, is obvious. Even more so, if compared with Germond's map of the 'spatial dimension' of the EU's maritime policies and seapower (Fig. 90),⁴⁶ Germany clearly identifies itself with the broader European maritime geopolitical outlook. Furthermore, navy and BMZ represent contributions to comprehensive approaches formulated in German strategy for crises in Somalia, Lebanon and the central Mediterranean (Libya, respectively). The navy also plays a role in facilitating arms sales and benefits from interoperability as well as networks of spare-part-supply that go with industrial partnerships.

The navy further supports capacity building and Security Sector Reform (SSR) initiatives that follow the broader goal to enable regional partners to strengthen their ability to prosper and contribute to stability. A key example of such 'co-operative maritime diplomacy' is the US-led annual exercise *Obangame Express* in the Gulf of Guinea, aiming at creating greater outreach and capacity building and preventing the development of ungoverned

⁴⁰ See SPIEGEL (2019); ZEIT (2019); ZEIT (2020)

⁴¹ See Casdorff (2019)

⁴² For a particularly harsh judgment, see Matlary (2018), pp. 151-5

⁴³ Heumann (2012), p. 309

⁴⁴ See Wolfsperger (2020)

⁴⁵ As also expressed by former director of the federal security policy academy, Hans-Dieter Heumann, during a presentation at 'La Redoute'-International Club in Bonn, 14th September 2020

⁴⁶ Germond (2015), p. 188

spaces.⁴⁷ Germany has annually contributed ships or training personnel since 2014 to the major regional and international endeavour to increase the local players' capability to address the volatile maritime security situation in these waters.⁴⁸



Fig. 90, Germond's map of the EU and the 'global maritime frontier' (Source: Germond (2015), p. 180)

⁴⁷ leMière (2014), p. 85

⁴⁸ For the first one in 2014, see Drechsel & Kriesch (2014), and for the latest 2019 one (2020 was cancelled because of the COVID-19 pandemic), see US Navy (2019)

German Development Cooperation and Partnerships, Naval Arms Exports and Missions of the German Navy

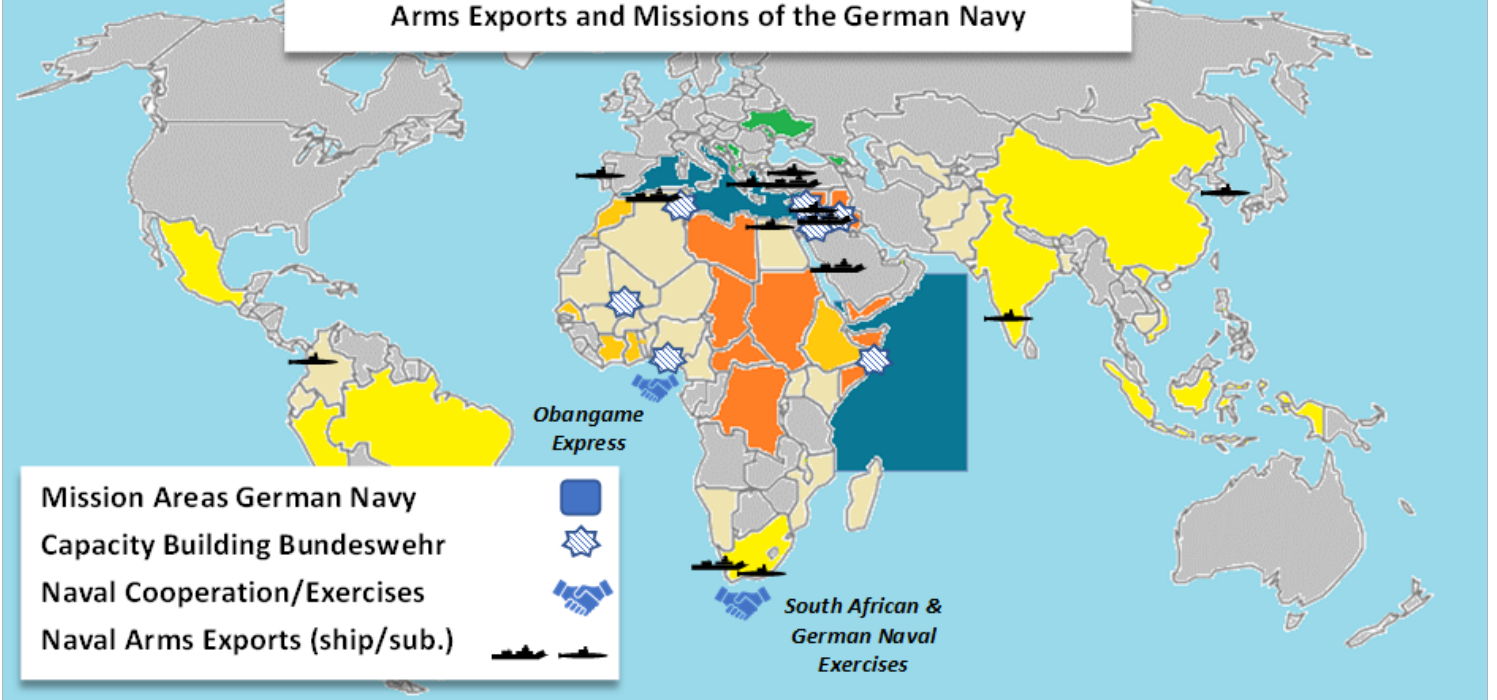


Fig. 91 design by author

Partners for Peace

addressing structural causes of conflict, migration and violence – peacekeeping support

Iraq	Libya	South Sudan	Central African Republic
Yemen	Somalia	Syria	
Congo (DR)	Sudan	Chad	

Global Partners for Strategic Protection of Common Goods and Future Challenges

mainly support with loans

Brazil	Indonesia	South Africa
China	Mexico	Vietnam
India	Peru	

Development Partnership

bilateral

Afghanistan	Burkina Faso	Kenya	Mali	Nigeria	Tanzania
Egypt	Ecuador	Columbia	Mauretania	Pakistan	Togo
Algeria	Jordan	Lebanon	Mozambique	Palastinian Territories	Uganda
Bangladesh	Cambodia	Malawi	Namibia	Rwanda	Uzbekistan
Benin	Cameroon	Madagascar	Niger	Sambia	

Partnership for Economic and Political Reform

special funding and increased allocations – tied to success

Ethiopia	Ghana	Senegal
Cote d'Ivoire	Marocco	Tunesia

Partnership for Transformation in EU neighbourhood

Albania	Georgia	Moldavia	Ukraine
Bosnia and Herzegowina	Kosovo	Serbia	

Destinations of Exports of Surface Vessels and Submarines since 1992 (excluding old NVA equipment)

Turkey	India	South Africa
South Africa	Rep. Korea	Portugal
Algeria	Greece	Colombia
Israel	Turkey	Egypt
Saudi Arabia	Israel	

Constitutional Limitations and the Parliamentary Prerogative

Most naval deployments require more than just a government decision in Germany. The government needs a majority vote in parliament to deploy the Bundeswehr abroad – except for humanitarian roles or where only a very limited risk of involvement in any hostilities is to be expected.⁴⁹ Furthermore, any such mission would also have to be part of a multinational effort under the mandate of an international organisation, unless in pressing emergencies, such as liberating hostages or evacuating German citizens from a war-zone. Therefore, for a German government to act within the constitutional boundaries, using the navy as a part of its foreign policy in any coercive way, as a credible threat or even with a mission to actively defend its interests, requires not only domestic parliamentary support, it also depends on an international organisation like NATO, the EU or the UN with whom to carry this out.

As demonstrated by the mere three days it took to pass the vote on Germany's participation in operation *Counter Daesh* on 4th December 2015 at the side of its allies,⁵⁰ parliamentary consent is not necessarily a delaying factor. However, it introduces a greater need for debate and risk of turning deployments into issues subject to political bargaining unrelated to the matter at hand. Illustrated by substantial political backing for veteran care,⁵¹ involving parliament in missions also holds politicians accountable across party boundaries. The necessarily much broader public support base for deployments is also a matter of pride for the deployed service-members and gives them added trust in their mission.⁵²

In cases requiring rapid emergency intervention, the government is not required to obtain parliamentary consent beforehand.⁵³ At the earliest possible opportunity, parliament needs to be informed and – in case the measure is still ongoing – has to be given the possibility to vote on its continuation.⁵⁴ While this point has been clarified by the *Bundesverfassungsgericht* in its ruling on 23rd September 2015, with regard to the military evacuation of European and German citizens from Libya in operation *Pegasus* in 2011,⁵⁵ it might just as well apply to potential encounters with piracy or other maritime crimes by the navy on the high seas outside of a specific mandate to address them.

⁴⁹ Bundesrepublik Deutschland (2005), §2

⁵⁰ See Bundestag (2018)

⁵¹ EinsatzVG (2004)

⁵² See Krause, Andreas (2016b), p. 2

⁵³ Bundesrepublik Deutschland (2005), §5

⁵⁴ Bundesverfassungsgericht (2015)

⁵⁵ Bundesverfassungsgericht (2015)

In peacetime, beyond immediate self-defence or defence of third parties in an ongoing attack, the navy has no legal authority to fulfil constabulary functions, such as counter-piracy, counter-narcotics or counter-terrorist tasks.⁵⁶ Only within the framework of international mandates are German warships permitted to do what their peers and historic predecessors have commonly been expected to do in providing good order at sea.⁵⁷ Nevertheless, through mission practice, engaging with its allies and broader maritime interests – including environmental ones, the navy – just like the government – has come to identify itself with comprehensive maritime security and global ocean governance.⁵⁸

The constitutional legal debate concerning the military as an instrument of foreign policy must not distract from the fact that from the very beginning, the debate has been political. The fact that a court-ruling resolved remaining doubts about the constitutionality of Bundeswehr out-of-area deployments, is more of an indicator for the willingness of the judges in Karlsruhe to stray onto political terrain,⁵⁹ than for the matter to have been merely judicial in nature. As the judges removed what had often amounted to a mere legalistic fig-leaf in the out-of-area-debate, the political discussion has to focus much more on priorities, political obligations and interests, rather than on legal scholarship.⁶⁰

Starting with its mission *Südflanke* in 1991, the navy played a central role in the process of adaption and reinterpretation of Germany's constitution with regard to the use of force. Naval missions marked important stages of the debate on constitutional legality of 'out-of-area' missions, leading up to its culmination in the *Bundesverfassungsgericht's* ruling in 1994. Furthermore, as the failed attempt for a comprehensive maritime security law in the wake of 9/11 indicates, there are still existing gaps in the legal foundation for the use of the navy. This affects its domestic role in maritime security as well as its international one. However, with the big constitutional and procedural questions resolved, political reasons take their place in the debate, the mandates given to the navy, as well as their practical application on scene.

⁵⁶ See Sax (2018), p. 379-80

⁵⁷ Bundesregierung (2020b)

⁵⁸ See, for the navy, successive Jahresberichte des Flottenkommandos/Marinekommandos, and its self-image '*Kompass Marine*', Marinekommando (2020); for the government, Bundesregierung (2008); Bundesregierung (2017)

⁵⁹ As also acknowledged afterwards by judge Limbach in her account, as quoted by Krause von (2013), p. 194

⁶⁰ See Teltschik's interpretation of the constitutional debate in the late Cold-War Kohl-era, as quoted by Hippler (1988)

Germany's National Maritime Cluster

After the Cold War, the German merchant fleet became one of the most significant in Europe and even worldwide (see fig. 20, Chapter III). In 1990, Germany's 899 vessels ranked slightly behind the UK's and the US's. By 2000, it had more than doubled to 1,943 vessels and far outranked the UK and France.⁶¹ At the last count, Germany ranked 6th in the world by merchant fleet tonnage, almost 90 Mio. tdw., with 2,504 vessels (US 10th, UK 11th, France 27th rank in 2021).⁶² Therefore, even as Germany is not on equal footing in terms of naval capabilities with its American, French or British allies, its shipping interests far exceed theirs. Nevertheless, while the navy engages with the commercial element of seapower and has been publishing its annual report on German maritime dependency for decades,⁶³ it does not typically feature as a strategic asset, but as a purely economic interest to foster and guard.⁶⁴

With specifically ear-marked and chartered civilian ships for military transport tasks, as well as the reliance on reserve officers from the merchant service for shipping competence, the navy made some use of this particular strength. Indeed, given the less substantial merchant shipping community of the other NATO partners,⁶⁵ Germany appears to have provided this specialised knowledge through reserve officers sharing their expertise for convoy operations and boarding, as well as the so-called *NATO Cooperation and Guidance for Shipping* (NCAGS) framework with international partners.⁶⁶

Concerning its role in the evolution of maritime security law, it is noteworthy that after 9/11, Germany has sided with the ship-owning nations sceptical of weakening the flag-state position, rather than the US in expanding the powers of third-party enforcement of maritime security. This is evident by its late signature under SUA 2005 (29th January 2016), almost ten years after it opened for signature in February 2006,⁶⁷ and its rejection of counter-terrorist boarding operations without flag-state consent during OEF from 2002 until 2010.

Even before the navy became Germany's preferred military crisis response tool, the naval arms industry became Germany's key driver of arms exports. The reasons for this are probably similar: the chances of collateral damage, diplomatic and domestic political cost can

⁶¹ See UNCTAD (1991), p. 12; UNCTAD (2021), p. 28

⁶² 5th, with Hong Kong as a de-facto proxy of China, see UNCTAD (2021), p. 41

⁶³ See the latest one, Marinekommando (2020)

⁶⁴ Bundesregierung (2017), p. 4; BMVg (2016), p. 90

⁶⁵ See data quoted above

⁶⁶ Interview Ralph Jacobsen, 8th October 2021

⁶⁷ IMO (2022a)

be kept at a minimum, while at the same time substantial benefits derive from the practice. Judging by the geographic correlation of arms exports, development cooperation and naval missions (see Fig. 91), there is some indication that naval arms exports were used strategically – other than just to secure the domestic industrial base. Furthermore, for strategic – not economic – reasons, there have been no German submarine exports to Taiwan. There also is Germany’s privileged subsidised provision of submarines to Israel – covering more than two-thirds of the cost of three delivered in 1999/2000, and a third of the cost of any further orders since.⁶⁸ In addition to historic guilt and a strong interest in Israel’s security, this also has to be seen as compensation for the role, German manufacturers played in furnishing Iraq with the missiles that struck in Israel in 1991.⁶⁹

Facing formidable competition from Asia, the key to keeping shipyards in Germany in operation after 1990, and even more so after 2008, was naval. Judging by the numbers published by the industry, naval construction accounts for roughly one third of the revenue, while exported vessels cover two thirds of this.⁷⁰ The government appears to have hit on a profitable ‘business venture’ – every Euro in tax money spent on warships multiplied threefold into taxable income. At a 30% corporate tax rate, exports roughly paid for the ships of the navy, which in turn served to develop the technology and showcase it internationally.⁷¹ Shipyards are also cornerstones of the industrial landscape in the coastal regions of Germany. This includes the related labour organisations’ political clout – especially with the SPD.⁷² However, since 1990, competing with state-sponsored shipyards and national maritime clusters in Asia, particularly China, all European shipbuilders combined have dwindled in significance to less than 1% of the global construction capability.⁷³

Submarine construction is the jewel in the crown of German naval shipbuilding. Due to the technological advantage Germany still had in building conventional submarines even after 1945, and its specialisation on small cost-effective units required by post-war restrictions, they quickly became attractive export commodities.⁷⁴ As early as the 1960s, the first *U-Boats* were sold internationally. There is a downward-compatibility of the high skills-level and

⁶⁸ See Bonn International Center for Conversion (2012)

⁶⁹ See Hippler (1991); Stuwe (2005), p. 211

⁷⁰ See Verband für Schiffbau und Meerestechnik (2021), p. 19, p. 20; Verband für Schiffbau und Meerestechnik (2019), p. 19

⁷¹ On taxes, see Bundesfinanzministerium (2020)

⁷² i.e. Schröder went to address workers in shipyards, see Metall (2005); on the union’s influence on naval exports, see Stuwe (2005), p. 210

⁷³ See Krüger-Kopiske (2017), pp. 94-5

⁷⁴ See Bonn International Center for Conversion (2012)

infrastructure needed for naval shipbuilding to standardised run-off-the-mill civilian vessels, which does not work the other way around. While the engineering-problems in using civilian shipyards to build surface warships are manageable, this is very difficult for submarines – something, at which Germany succeeded for decades.⁷⁵ Overall, profit margins in naval shipbuilding were much higher than in constructing the much easier to build commercial vessels.⁷⁶ This led to a system in which naval contracts guaranteed the profits of a shipyard, whereas the commercial ones merely ensured a continued use of otherwise idle capabilities until the next military deal was closed.

Given the advantages of secrecy in technology and operational characteristics, it makes sense to build submarines domestically – if a country can afford it. Models of similar built available in other navies increase the risk of letting potential rivals in on their secrets, thereby reducing their utility in conflict. This, for example, is part of Israel’s arrangement with Germany since 1991. Not only does Germany keep covering one third of the cost of the boats, their design is unique and specific to Israel.⁷⁷ No other nation could buy these submarines in Germany.

For decades, a large part in Germany’s substantial international arms exports was naval, while at the same time submarines have long since made up a prominent share of these (see Fig. 29, 30, Chapter III; Fig. 91 above). Unless there is a refined system in place which combines naval construction with something else profitable enough, a state interested in domestic warship construction, needs to either subsidise capabilities, order sufficient numbers or permit their export. In addition to providing the navy with capable ships, gaining influence, partners for cooperation and an increased network of spare-parts, maintenance and technical interoperability, naval shipbuilding expenses can be covered by tax-returns on exports. As long as exports are circumspectly handled and facilitated with commissioning state-of-the-art vessels for the navy, economic profit goes hand in hand with strategic advantages.

However, official support of naval arms exports has declined in the past years for a number of reasons. Because of strain on its resources, the navy’s support to the industry with defence-diplomatic exercises and voyages has not taken place on a larger scale since 2015. It was then that the last EAV (task-groups that also acted in diplomatic representation and as

⁷⁵ See Stuwe (2005), pp. 210-1

⁷⁶ See Stuwe (2005), pp. 207-11

⁷⁷ NDR (2022)

sales-platforms) had been re-tasked to address the refugee crisis in the Mediterranean.⁷⁸ Furthermore, the practice of relatively unrestricted sales of naval arms abroad has come under domestic political pressure in the wake of Saudi Arabian uses of German-built warships to blockade Yemen – including the civilian suffering induced by this.⁷⁹ Looking at the numbers, it is also striking that after 2014, non-naval arms exports began to far exceed naval ones – just as Germany and NATO re-focused on territorial defence in Europe. It is therefore open for speculation, whether under the current geopolitical conditions, the past practice of naval industrial cooperation will resume in a similar fashion, even as naval resources become available again and the domestic discussion moves on from the civil war in Yemen.

Geopolitical challenges also combine with environmental ones to raise the importance of another element of Germany's maritime cluster: offshore wind-energy. As announced in reaction to Russian aggression against Ukraine, Germany plans to increase its offshore-wind capacity ninefold until 2045, to effectively cover more than half of its current electric power need at sea.⁸⁰ This not only adds a new dimension to maritime security, it also has a further naval link. The *Nordseewerke* in Emden, once experts at combining commercial shipbuilding with submarine construction, went bankrupt and were split up successively over the past decade. Submarine construction under Thyssen-Krupp Marine Systems has moved to Kiel and part of the old facilities are being used for the construction of offshore wind turbines.⁸¹ With substantial government resources directed both towards defence and offshore wind, this invites the exploration of synergies as once offered by commercial and naval shipbuilding.

VII. 2 The Complexity of Challenges and the Increasing Relevance of the Navy

Not only because of the complexity of German domestic politics, it is inherently difficult, if not impossible, to discern and trace *all* the motives, influences on or intended and unintended consequences of the German navy's deployments since the end of the Cold War. As LeMière put it, '*the multiplicity of effects arising from just one voyage given the number of actors that may be influenced makes it impossible to calculate all the effects.*'⁸² This applies to the foreign policy dimension of the missions, as much as to their roots in and effect on the domestic political situation. Nevertheless, based on this thesis' analysis in Chapter III on the policy level and the navy, as well as on the deployments, as summarised and mapped at the end of Chapters

⁷⁸ The last EAV was the one re-tasked in 2015, Presse- und Informationszentrum Marine (2015)

⁷⁹ LINKE (2015)

⁸⁰ See Schultz (2022); Deutsche WindGuard (2022), p. 11

⁸¹ See WELT (2011); Jiang (2018)

⁸² leMière (2014), p. 13

IV, V and VI, it is possible to derive meaningful insights from the navy's past almost thirty years of deployments.

The case studies concerning naval missions cover three overlapping phases of foreign policy themes, largely correlating with the three chancellors Kohl, Schröder and Merkel.⁸³ Firstly, the Kohl years, from 1990 until 1998, saw Germany's planful expansion of its *peacekeeping and crisis response* commitment under the influence of a perceived global responsibility. Secondly, the Schröder years, from 1998 until 2005, included the culmination of Germany's crisis response in the Balkans in 1999, and the beginning of the participation in the US-led *War on Terror* in 2001. Thirdly, under Merkel, from 2005 until 2021, Germany continued and expanded the naval component of the earlier commitment to peacekeeping and collective defence against international terror, but also began to assume broader responsibility for *maritime security and ocean governance*. This period further saw Russia's annexation of Crimea in 2014, with the subsequent re-balancing towards territorial defence in Europe.

Clearly, this process within the phases was not linear, and the challenges foreign policy had to deal with were accumulating and often interacting, rather than neatly succeeding one another. For example, the navy's participation in the War on Terror continued until 2010 off the Horn of Africa, and until 2016 in the Mediterranean – albeit in both cases with limited assets. Germany's commitment to UNIFIL in 2006, while being the first-ever naval peacekeeping mission, is inseparable from the War on Terror and – later – the refugee crisis in the Mediterranean in the years after 2015. Equally, the regional security and broader maritime security aspect of OEF did not disappear, but shifted in 2008 from counter-terrorism to providing good order at sea through counter-piracy with the EU-mission ATALANTA.

⁸³ The election of Chancellor Olaf Scholz on 8th December 2021 came after the completion of the research for this thesis and has furthermore not yet played itself out in new deployments of the navy, see Bundesregierung (2022)

Fig. 92, Deployments and NATO Commitments of the German Navy after the Cold War⁸⁴			
Mission	Location	Type/Character of Mission	Multilateral Framework
1991 <i>Südflanke</i>	Persian Gulf	mine-sweeping, post-conflict	National/WEU (later)
1992-1996 <i>Sharp Guard</i>	Adriatic, Mediterranean	UN embargo enforcement	WEU/NATO
1994 <i>Southern Cross</i>	Somalia, Horn of Africa	evacuation of army peacekeepers	National
1999 <i>Allied Force</i>	Adriatic, Mediterranean	Naval aviators and vessel in support of allied air campaign	NATO
2002-2010 OEF	Horn of Africa	Counter-terrorist patrols, maritime security operation, MDA	NATO
2002-2016 OAE	Mediterranean	Counter-terrorist patrols, maritime security operation, MDA	NATO
2005 HumHiSOA	Banda Aceh	Humanitarian aid	National
2006- UNIFIL	Lebanon, Mediterranean	MDA, training of navy & coast guard	UN
2008- ATALANTA	Horn of Africa	Counter-piracy, maritime security operation, MDA	EU
2011 Evacuation Tunisia	Tunisia, Mediterranean	Evacuation of Egyptian citizens from Tunisia in wake of Arab Spring	National
2014 <i>Cape Ray</i>	Mediterranean	Escorting USS <i>Cape Ray</i> (destruction of Syrian chem. weapons)	National
2015-2020 SOPHIA	Mediterranean	SAR and counter-human-trafficking	National/EU
2015- <i>Counter Daesh</i>	Mediterranean	Support of FRA carrier group <i>Charles de Gaulle</i>	EU/NATO
2016 SNMG2	Aegean, Mediterranean	MDA, liaison between GRE and TUR coast-guard	NATO
2016 <i>Sea Guardian</i>	Mediterranean	Maritime Security, MDA	NATO
2020 IRINI	Mediterranean	Embargo enforcement, MDA	EU
<i>throughout the period</i>	SNMG ½	North Atlantic, Baltic Sea, Black Sea, North Sea, Mediterranean, Indian Ocean	NATO
	SNMCMG ½		

First, a learning process, an evolution in how the navy is used is discernible from 1990 until today. It began with allies convincing Germany to use its navy in situations deemed too risky or untenable for ‘boots on the ground’ (*Südflanke*, *Sharp Guard*). Soon Germany followed their example (*Southern Cross*) and then increasingly took the initiative in using the options the navy offered (from OEF onwards).

The progression in realising the utility of the navy can also be traced along key strategic documents published since the 1985 *Weißbuch*,⁸⁵ and is illustrated by the fact that the number

⁸⁴ See Bruns (2020), p. 136; Brake & Walle (2016), p. 80, pp. 84-5, p. 88, pp. 94-5, pp. 104-9

⁸⁵ BMVg (1985); BMVg (1994); BMVg (2006); BMVg (2016)

and variety of missions of the navy steadily increased since the end of the Cold War. As fig. 93 below illustrates, plotting the missions of the navy in Booth's triangle of the functions of navies – as adapted by Grove and coded by colour to further emphasise predominant characteristics,⁸⁶ provides an idea of the breadth of its tasks. The change is further evident in the decrease in the significance of caveats in ROEs, the self-imposed restrictions on using the navy during multilateral missions. Early on, German warships were kept out of the missions of its allies (1987 Tanker War, *Südflanke* – national deployment) then were increasingly integrated (*Südflanke* – WEU part; *Sharp Guard* until the July 1994 *Bundesverfassungsgericht*-ruling) and progressively became part of the effort (*Sharp Guard* after July 1994; OEF) until national caveats or restrictions in mission areas no longer played a role (UNIFIL, ATALANTA, SOPHIA).

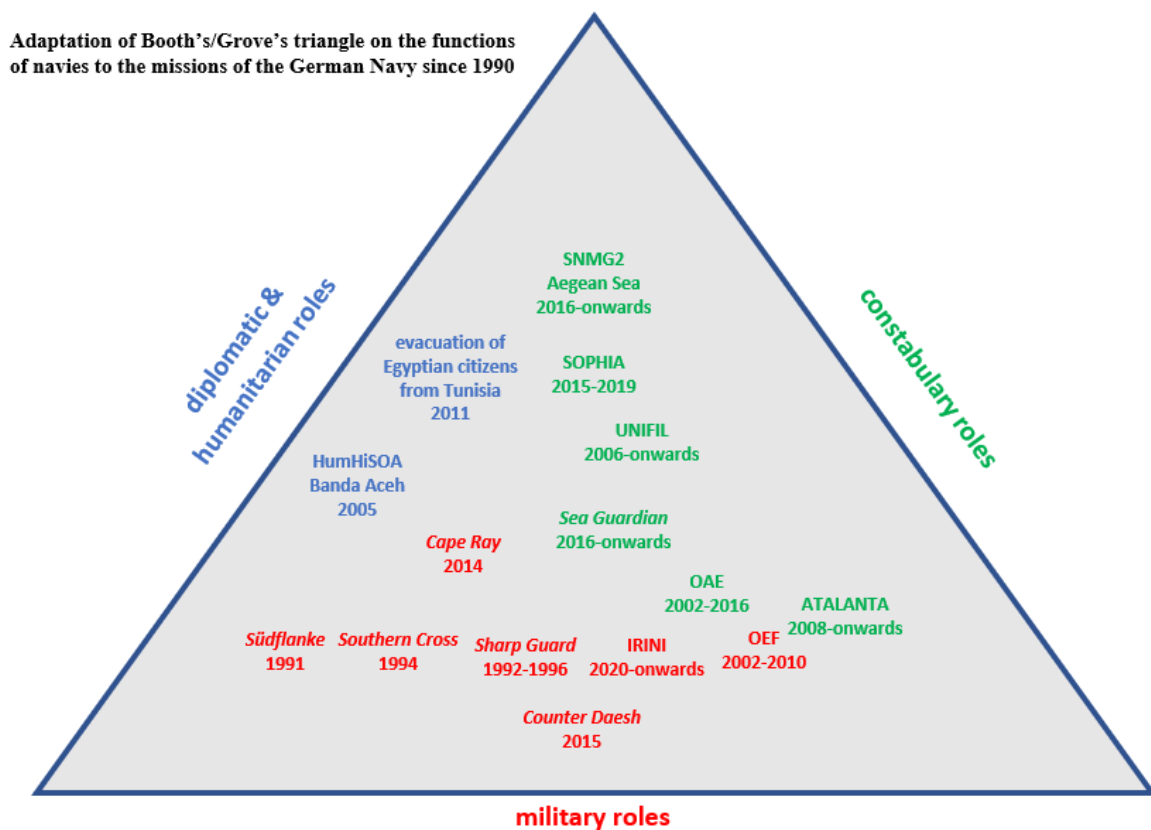


Fig. 93 (author)

‘Out-of-area or out of business’

As its allies and the UN struggled with responding to an increasing number of armed conflicts after the end of the Cold War, reunified Germany was called upon to shoulder part of the burden

⁸⁶ See Booth (1977), p. 16; Grove (1990), p. 234

– and the navy was in this from the start. Early on, from offsetting Germany’s unwillingness to participate in the UN’s intervention against Iraq in 1991 with *Südflanke*, via enforcing a UN weapons embargo in the Adriatic from 1992 until 1996, to evacuating an over 1,200-strong peacekeeping detachment of the army from Somalia, the navy proved valuable to demonstrate and support German responsibility internationally.

Leaving the Cold War, the navy was better disposed than army or airforce to address the new challenges. While the Bundeswehr’s equipment was generally neither designed for tropical climates, nor its command structures geared to nationally lead joint operations abroad, the navy had ships of the required endurance and was the first of the services to reorient itself with regard to likely peacekeeping and crisis response missions. Over the past thirty years, the army contributed the majority of personnel deployed on missions, while participation in NATO’s Kosovo campaign, marking the end of Germany’s self-absorbed ‘*unworldly provincialism*’ (Schröder),⁸⁷ was predominantly an airforce mission. To be sure, the navy supported operation *Allied Force* with a reconnaissance vessels and a frigate in the Adriatic,⁸⁸ while many of its specialists have also seen service in Afghanistan. More importantly, despite its limited public visibility, as polling shows, the navy came to prove itself as a cost-effective instrument of foreign policy coming with much reduced risks compared with increasingly undesired ‘boots on the ground’.⁸⁹

Have you ever heard of any of the following missions of the Bundeswehr? (percentage of positive responses)															
mission/year	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
ISAF/RS Afghanistan	47	47	43	51	56	67	52	52	61	39	33	30	30	29	25
KFOR Kosovo	43	36	34	30	37	56	35	40	45	34	34	32	32	33	29
UNIFIL	34	23	21	15	19	17	16	20	18	25	18	14	17	17	13
ATALANTA				32	37	54	27	25	26	30	27	25	24	24	20
SOPHIA										47	47	40	20		
MINUSMA Mali											14	12	15	15	14

Fig. 94, public visibility of select missions of the Bundeswehr in Germany (source: Graf (2021), ZMSBw)⁹⁰

Less domestic public visibility also came with less scandals and the navy’s missions were much more controllable in cost and risk to life of service-members than those of the army. Cost and risk of army missions varied substantially with the region concerned, ranging from roughly €70

⁸⁷ Schröder (2006), pp. 83-4

⁸⁸ See Keßelring (2010b), p. 73

⁸⁹ See Bruns (2020), p. 135

⁹⁰ Graf (2021), p. 74; annual reports of the ZMSBw

million a year for ~900 soldiers in Kosovo (2012), to €1,200 million for 4,400 in Afghanistan (2012). By comparison, two major warships (~230 crew each) continuously on scene – typically involving six vessels or crews on rotation for four-month-spells – cost around €60-70 million a year, regardless of whether they were deployed in the Mediterranean or the Horn of Africa.⁹¹ Of the 115 service-members who lost their lives on missions since 1992, only one casualty came from the navy (*Sharp Guard*, 1995),⁹² even though – at times – naval personnel made up more than a fourth, and overall roughly 10-11% of all forces deployed on missions.⁹³

Fig. 95, Personnel in Missions of the Navy until 2018⁹⁴	
ATALANTA (2008 -)	11,018
<i>Counter Daesh</i> (maritime, 2015 -)	481
SOPHIA (2015 – 2020)	3,216
HumHiSOA (2005)*	708
Escort Mission <i>Cape Ray</i> (2014)	386
NATO Aegean Sea (2016 -)	1,307
<i>Allied Force</i> (Kosovo, 1999)*	584
OEF*(2002-2010)	9,249
OAE (2002-2016)	<i>no numbers available</i>
UNIFIL (2006-)	11,643
<i>Sea Guardian</i> (2016 -)	<i>no numbers available</i>
<i>Südflanke</i> (1991) <i>estimate</i>	1,000
<i>Sharp Guard</i> (1992-1996) <i>estimate</i>	4,000-6,000
<i>Southern Cross</i> (1994)	550
Total	44,142-46,142
Total Bundeswehr 1992 – 2018 (without <i>Sharp Guard</i> , <i>Südflanke</i> , <i>Southern Cross</i>)	417,511
	<i>Percentage of personnel, navy: ~10-11%</i>

*also contains significant numbers of personnel from army, airforce or the medical service (OEF was predominantly naval, with only limited deployments of special forces to Afghanistan between 2001 and 2005)

The relative significance and breadth of geographic range of the navy’s contributions to Germany’s foreign policy becomes clear, when taking into account that almost two thirds of the Bundeswehr’s total since 1990 are roughly evenly spread across only two missions of the army: KFOR in Kosovo and ISAF in Afghanistan.⁹⁵ The navy provided breadth and variety of missions not only with singular or short-term deployments, but with several long-standing commitments like *Sharp Guard*, OEF, OAE, UNIFIL, ATALANTA and SOPHIA.

⁹¹ See Bundesregierung (2013), p. 10

⁹² See BMVg (2021c); WELT (1995)

⁹³ See Marinekommando (2016), p. 190; figures below

⁹⁴ Numbers 2018 until 2021 not publicly available, others based on Bundesregierung (2018), pp. 2-4, and the accounts of the missions *Südflanke*, *Sharp Guard* and *Southern Cross* in this thesis

⁹⁵ See Bundesregierung (2018), pp. 2-4

Furthermore, the scant treatment of the navy’s missions in official representations, as illustrated by patchy official numbers, is probably at least partially due to the preponderance of the army in the ministry of defence.

It is not unlikely, that – on a personal career level and concerning ministerial influence – the army felt ‘threatened’ by the navy’s disproportional operational experience. While the army statistically rotated much more personnel – including officers – through its missions than the navy (i.e. 135,538 just in ISAF by 2018),⁹⁶ army battalions also have a larger head-count than a battalion-level command in the navy (frigate or combat-supply vessel). Only roughly every 600 soldiers permitted one battalion-level commander the experience of leadership abroad. The navy achieved the same with a third of the personnel. Higher up in rank, this disproportionality is even more pronounced. An army commander of the entire 5.000+ ISAF-mission might easily have the same rank and command level as the navy’s commander of the 600-strong UNIFIL force in the Mediterranean. Depending on context, sending a third or even a tenth of the army’s force levels into missions abroad still yielded similar potential for top-brass joint leadership later on down the line to the navy.

Fig. 96, List of Commanders of Select Missions of the Navy⁹⁷

<i>Südflanke</i>	<i>Sharp Guard</i>	OEF	OAE	UNIFIL	ATALANTA
Wolfgang Nolting	Frank Ropers 09/1995-09/1996	Rainer Brinkmann 01/2009-04/2009	Jörg Klein 06/2015-06/2016	Axel Schulz 12/2020-09/2021	Wilhelm Tobias Abry 01/2020-07/2020
		Heinrich Lange 08/2006-12/2006	Georg von Maltzan 01/2013-05/2013	Jürgen Mannhardt 09/2009-12/2009	Jan Christian Kaack 03/2016-08/2016
		Henning Hoops 12/2004-04/2005	Thorsten Kähler 06/2012-11/2012	Hans-Christian Luther 09/2007-02/2008	Christoph Müller-Meinhard 07/2015-01/2016
		Manfred Nielson 05/2003-09/2003	Wolfgang Kalähne 04/2005-01/2006	Karl-Wilhelm Bollow 03/2007-09/2007	Jürgen zur Mühlen 04/2014-08/2014
		Rolf Schmitz 01/2003-05/2003	Hans-Jochen Witthauer 09/2003-08/2004	Andreas Krause 10/2006-03/2007	Jean Martens 07/2013-01/2014
		Wolfgang Kalähne 06/2002-12/2002			Rainer Endres 01/2012-07/2012
		Gottfried Hoch 01/2002-06/2002			Thomas Jugel 08/2011-12/2011
					Thomas Ernst 06/2010-01/2011
					Thorsten Kähler 06/2009-12/2009

⁹⁶ See Bundesregierung (2018), pp. 2-4

⁹⁷ As taken from announcements on changes of command published in the *MarineForum* over the years

National career opportunities are tied to mission experience, as are international military top-jobs. For example, the Admirals Nolting, Krause and Kaack became Chiefs of the Navy, Nielson became a full Admiral and Deputy Supreme Allied Commander of NATO's Allied Command for Transformation.⁹⁸ Furthermore, Admiral Krause, who retired in 2021, could have been a strong applicant for high-ranking UN positions in New York, had he wanted to go on. As a former commander of UNIFIL, he fulfilled the UN's requirement that top-level officials have to come with significant leadership experience within the UN-system (not NATO, EU or national command).⁹⁹ With the long-past exception of UNOSOM II, only after 2013, the commencement of MINUSMA, did army officers start to build comparable experience.

Accordingly, UNIFIL not only helped to raise Germany's peacekeeping profile, it also provides Germany with valuable potential to propose national candidates to influential UN positions. Still, as the numbers show below, after the UNOSOM II disaster in Somalia, the West carefully avoided sizeable peacekeeping commitments – no matter how grave the outlook. Rwanda in 1994 and the civil war in former Yugoslavia were only the two immediate examples.¹⁰⁰ To this day, as the included example of Bangladesh shows in the graphic, the vast majority of the UN's peacekeepers come from non-Western countries. At the same time, Germany ranks fourth among the countries that pay for UN peacekeeping,¹⁰¹ payments that remunerate the generally financially weaker troop-contributors directly for their peacekeepers.

⁹⁸ The Joint Analysis & Lessons Learned Centre (JALLC) (2016)

⁹⁹ Interview Ekkehard Griep, 3rd May 2019

¹⁰⁰ See Best (2008), p. 496

¹⁰¹ Figures for 2019 given by UN DPKO (2020)

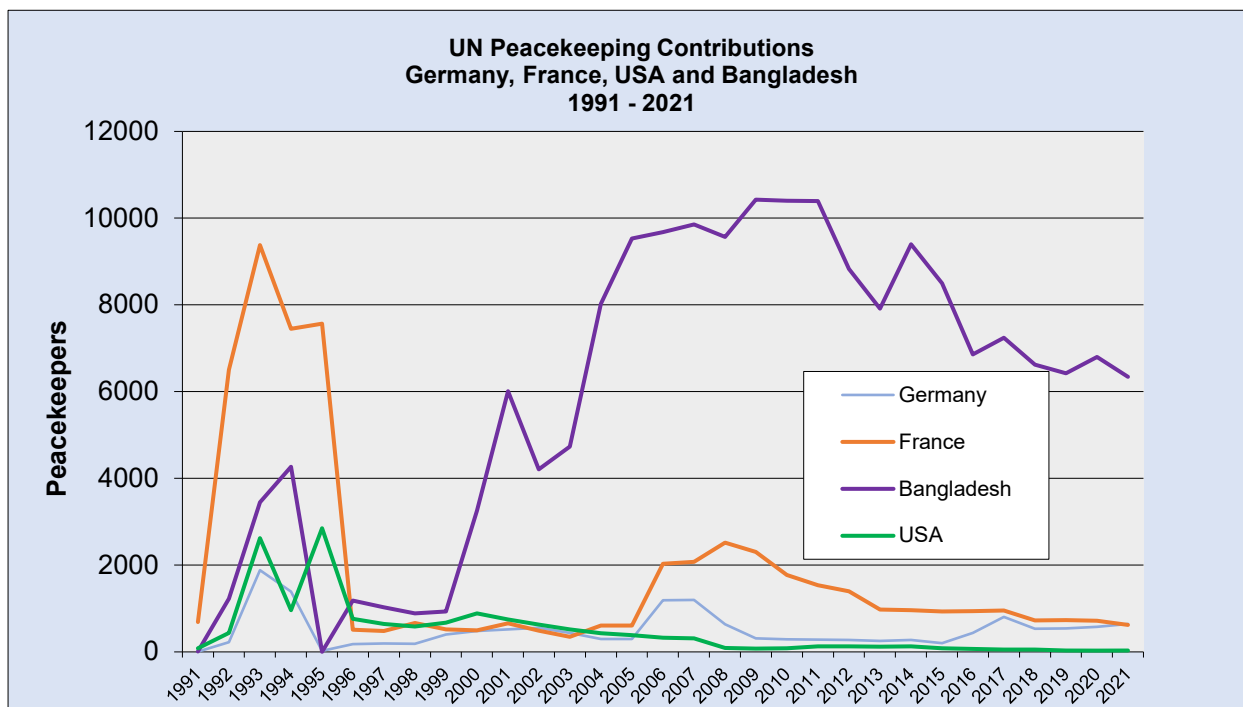


Fig. 97, (author, data source UN)¹⁰²

The initial peacekeeping experiences in the 1990s also yielded an important ‘lesson learned’ for Germany and the navy. The American withdrawal from Somalia in 1994,¹⁰³ came as a shock to many and – as the graphic above shows – also had a lasting influence. It caught the German government completely off-guard and left a feeling of having been deserted by their major ally. This shock apparently led to a reconsideration of the previous agenda of advocating and preparing for greater international peace-keeping responsibility with the Bundeswehr – at least with ground forces.¹⁰⁴ The American unwillingness to see the mission through not only affected the perception of potential opponents,¹⁰⁵ it also harmed the future willingness of Germany to commit to missions it might have difficulty extracting itself from.

It is noteworthy that the ad-hoc evacuation of the German peacekeepers from Somalia in *Southern Cross* has not led to the acquisition of more suitable capabilities for the transport of troops and support of land operations. Had a joint logistics support vessel or dock landing ship existed in the navy at the time, it would have made things easier. Subsequent plans for one – or several of a class together with the Netherlands, the project dubbed ‘*Arche Naumann*’,

¹⁰² UN DPKO (2021)

¹⁰³ Best (2008), p. 495

¹⁰⁴ Interview Gottfried Hoch, 24th April 2019

¹⁰⁵ See Bowden (1999), p. 355

never came to fruition. Only in recent years has Germany acquired partial access to allied capabilities, through the navy's close link with the Royal Netherlands Navy and their joint logistics support vessels of the *Rotterdam*- and *Karel Doorman*-class.¹⁰⁶

In addition to political leadership having lost the appetite for distant missions involving 'boots on the ground' after the failure of UNOSOM II, the success of *Southern Cross* may also have contributed to thwarting an '*Arche Naumann*'. Succeeding without a specialised vessel and facing severe budget cuts ahead, the navy was not very fond of acquiring units it did not associate with its core combat-mission, but rather considered as a type of '*ferry for the army*'.¹⁰⁷ It is therefore quite likely that the project of a German joint support vessel died its long inner-institutional death also due to inter-service rivalry and the navy's reluctance to overemphasise crisis-response.

Counter-Terrorism and National Self-Defence

It is striking, how much naval forces mattered in Germany's response to 9/11. Almost half of the total number of personnel sent in the initial response of collective defence against international terrorism came from the navy. In January 2002, 12 vessels, 1,800 crew,¹⁰⁸ the largest fleet Germany ever deployed beyond the North and Baltic Sea since 1945, sailed for the Horn of Africa. As discussed in chapter V, only during the days of the pre-war *Kaiserliche Marine* did German warships ever deploy in greater numbers to distant waters. The decision was made by the Chancellor personally, but advice came from the navy and had been coordinated with French and American allies through military diplomatic channels.

Clearly, diplomatic effect – solidarity with the USA – was the German government's priority for participating in OEF,¹⁰⁹ while predominantly relying on the navy allowed it to avoid the most controversial aspects of the War on Terror. Within the resulting need to act against Al-Qaeda, and to be doing it in a credible and substantial way by the side of its American and European allies, the details and whereabouts of Germany's response left room for manoeuvre. It was clear that some involvement on the ground in Afghanistan was expected, while – once there – Berlin also committed itself to the diplomatic peace and stabilisation process.¹¹⁰ Additionally, as Schröder expressed years later, significant participation in OEF – which to

¹⁰⁶ See Wiegold (2016b)

¹⁰⁷ Interview Gottfried Hoch, 24th April 2019

¹⁰⁸ See Hoch (2005), p. 693

¹⁰⁹ Bundesregierung (2001), p.1

¹¹⁰ i.e. organising the *Petersberg Conference* 27th Nov. – 05th Dec. 2001, Deutsche Welle (2001)

almost half its strength was naval – allowed him to say ‘no’ to Iraq,¹¹¹ a contingency he by all accounts prepared for right after 9/11.

Remarkably, as soon as Merkel took over from Schröder in October 2005, she focussed the army on the stabilisation mission ISAF in Afghanistan, and turned Germany’s participation in the War on Terror into an exclusively naval affair. Staying on board, even with reduced force levels off the Horn of Africa, made sense. Dealing with the transnational threat of terrorism called for international cooperation and a multilateral framework, while beyond this and in its best enlightened self-interest, Germany depended and continues to depend on a strong alliance with the USA – at almost any cost. Accordingly, as intangible as the results of fighting terrorism were, the political mandates for the armed forces, as well as the choice to continue to keep the Bundeswehr in Afghanistan, made it clear that fighting international terrorism at the side of its allies became a key focus of German foreign and security policy over the decades following 9/11.¹¹²

Comprehensive Maritime Security and Ocean Governance

It was through OEF, collective defence in a ‘war’ on terrorism, that Germany’s hitherto exclusively ‘*high-end*’ focussed ‘warfighting’ navy began to engage with comprehensive ‘*low-end*’ maritime security and providing good order at sea – including first encounters with piracy.¹¹³ These experiences included the 2002 case of the *Panagia Tinou*, a Greek freighter hijacked by Somali pirates, with German warships responding and involved in securing its release for ransom. In addition to the practical familiarisation with providing good order at sea, OEF also brought with it intimate regional experience. From climatic challenges, to the various forms of ‘negotiations’ that were inevitably part of ship-shore interactions, once the Suez Canal was approached, OEF prepared Germany and its navy for what followed with the EU-mission ATALANTA in terms of a comprehensive approach to regional stability and hands-on counter-piracy.

When it came to assuming responsibility for the constabulary side of maritime security, the navy had less problems with this than the government. While defence minister Jung still excluded any counter-piracy role of the navy as unconstitutional as late as July 2008,¹¹⁴

¹¹¹ See Schröder (2006), p. 85

¹¹² See Bundesregierung (2001), renewed annually, see also Bundesregierung (2008b; Oppermann (2016, p. 121)

¹¹³ On ‘*high-end*’ and ‘*low-end*’-missions, see Benbow (2016), pp. 33-4

¹¹⁴ As quoted by Frankfurter Allgemeine Zeitung (2008)

Admiral Hoch had no doubt about his authority to act during OEF in 2002: ‘*To me the Law of the Sea was directly applicable. I had its authorization to act against piracy.*’¹¹⁵ Even today, after two decades of providing good order at sea off the Horn of Africa the German domestic legal framework does not generally permit the navy to conduct law-enforcement. Countering piracy is deemed legal only with an explicit mandate and within an international organisation’s mission, or when acting in self-defence or extended self-defence of others.¹¹⁶

Admiral Hoch had good grounds to claim authority to intervene. However, UNCLOS is not the direct solution. While adopted into German law, it does not come with law-enforcement powers for the navy in the domestic legal framework.¹¹⁷ Especially with its piracy provisions pre-dating the 1982 treaty,¹¹⁸ they might credibly be cited by a sailor as constituting universal or conventional ethical standards to live up to – even if not codified in German law. To be sure, intervention in an ongoing violent criminal attack to prevent harm to others is relatively uncontroversial.¹¹⁹ Going further, given recent constitutional interpretation and government practice, even the pursuit and arrest of suspects, as well as the interdiction of a merchant ship no longer under attack but already taken by pirates, would be legally possible as an emergency measure without an explicit parliamentary or international mandate. In emergencies, ministerial or cabinet-level decision, as for operation *Pegasus*, the evacuation of European citizens from Libya in 2011 under national authority, are deemed legal.¹²⁰

It is worth considering, whether a commanding officer of a warship might even directly exert the government’s authority for on-scene emergency law-enforcement action. As stated in the 2018 standing ROEs of the navy, a commanding officer needs an ‘order’ or ‘mission’ (*militärischen Auftrag*) to act against maritime crime.¹²¹ The standing ROEs merely have the character of an ‘order’ and the Bundeswehr has a strong tradition of independent command and the right and duty to disobey orders if their application is pointless, violating moral standards or illegal.¹²² It is therefore – citing UNCLOS, like Hoch – not unthinkable for a naval officer to base an urgent intervention against pirates on ethical or moral convictions while remaining within the scope of German law.

¹¹⁵ Interview Gottfried Hoch, 2nd July 2019

¹¹⁶ Sax (2018), pp. 379-80; pp. 387-8

¹¹⁷ See Sax (2018), pp. 284-89

¹¹⁸ See Kraska, James & Pedrozo, Raul (2013), p. 698

¹¹⁹ See Deutsche Marine (2018), 206

¹²⁰ See Bundesverfassungsgericht (2015)

¹²¹ Deutsche Marine (2018), 2/201

¹²² Soldatengesetz (1956), § 11

In consequence, in such an on-scene-decision on emergency intervention – preventing for example the escape of perpetrators of violent crimes, or the trafficking of narcotics – the government’s legal authority to use the military in roles otherwise mandated by parliament would merely be exerted further down in the chain of command. This is a question of hierarchy, not legality. Accordingly, in a justified emergency, even if for whatever reason, communications to higher command, the minister or cabinet were impossible, a German warship can still intervene against piracy – or other forms of maritime crime – without breaking domestic law (while potentially violating a standing order). Clearly, any such decision would have to be well justified – regardless of whether taken on the scene or by the government. Even if entirely legitimate, a subsequent inquiry under domestic law to ensure proportionality of the use of force might be initiated, while parliament would have to be informed and – if the operation were still ongoing – given the opportunity to vote on its continuation as soon as possible.¹²³

Illustrated by the situation in the Mediterranean in 2015, beyond countering maritime crime, reliable SAR is a part of maritime security and the framework states provide for maritime commerce to flourish. Weaknesses in states’ fulfilment of their SAR-responsibilities, lack of demonstration of a clear commitment or the provision of harbours for disembarkation not only endanger lives, they can overburden merchant vessels and deteriorate their willingness to fulfil their obligation to rescue people in distress.¹²⁴ Indeed, Germany’s most prestigious shipping company, *Hapag-Lloyd*, was accused in parliament of cautioning its masters against risks when dealing with boat migrants in May 2015.¹²⁵ The combined risk of loss of migrant lives, dangers to crews and ships, and harming the business interests of shipowners as well as regional ports through delays or detours was significant in 2015. Far more than just representing a humanitarian measure, using the navy to fill gaps in SAR in the Mediterranean served Germany’s and European interests more broadly.

The example of *Obangame Express* illustrates very well the integration of development policy and navy in support of maritime security. It offers combining a permanent anchor in the region with naval capabilities deployed only at certain times. The former is likely to provide leverage and sustainability for the latter’s efforts in contributing to the comprehensive approach from both sea and shore. By participating annually in the US Navy’s *Obangame Express* in the

¹²³ See Bundesverfassungsgericht (2015)

¹²⁴ See Ghezelbash et al. (2018), p. 338

¹²⁵ See Bundesregierung (2015d)

Gulf of Guinea, Germany could draw on the existing development partners of the BMZ in the region, as well as rely on the ministry's tool-set in addressing root causes of crime and violence at sea.¹²⁶ Therefore, the development partnerships and programs of the BMZ do not just complement the navy in comprehensive approaches in all of its present missions, they can also form an established regional foundation for naval cooperation and capacity building when needed.

While the navy has come to see itself as a comprehensive maritime security provider, integrating national and allied defence with ocean governance,¹²⁷ only amending gaps in the legal framework or providing a network of comprehensive maritime security mandates would relieve individual commanders of the burden to decide on extraordinary measures.¹²⁸ *Sea Guardian* in the Mediterranean could serve as an example for an intermediary solution. The mission NATO launched in November 2016, came to supersede OAE and completed its evolution towards comprehensive maritime security. It no longer draws its justification from allied self-defence in response to 9/11, but rather refers to UNCLOS and SUA 2005 which address ocean governance and comprehensive maritime security.¹²⁹ SUA 2005 very broadly covers any serious crime at sea 'likely to cause death or serious injury or damage' – including 'substantial damage to the environment'.¹³⁰ German units are also not further restrained by their parliamentary mandates within the mission. Accordingly, even though this has not been exercised yet, a German warship mandated under *Sea Guardian* has the full range of policing powers needed to help close the enforcement gap in ocean governance.

VII. 3 Emancipating the Navy from its Cold War Role

The expansion of the erstwhile exclusive wartime-focus to peacekeeping abroad, out-of-area missions 'other than war' of the entire Bundeswehr, has also led to a gradual emancipation of the navy from being simply seen as an extension of the army. The differences in character and utility are also evident in how the services evolved. Roughly doubled in relative importance within a still army-dominated Bundeswehr, the navy suffered far less under the peace-dividend than army or airforce. Post-Cold War Germany not only became more global and reduced its overall defence expenditure, its military also became more naval.

¹²⁶ Bundesregierung (2013), 1], 14.] c], 15.] a]

¹²⁷ See Marinekommando (2020)

¹²⁸ On persisting gaps in domestic law, see Sax (2018), pp. 387-8

¹²⁹ See Bundesregierung (2016)

¹³⁰ SUA (2005); Art. 1 a), c) iii, e), Art. 4.5; see, Kraska, James & Pedrozo, Raul (2013), pp. 822-6

As post-Cold War Germany quickly adapted to using its military to actively support its foreign policy, it also began to realise that many of the extraordinary circumstances an army battalion finds itself in on deployment in a foreign country, already apply to the navy as vessels leave Wilhelmshaven – certainly, when leaving the effective range of Germany’s civilian law-enforcement agencies.¹³¹ Furthermore, the government is committed to comprehensive maritime security and global ocean governance – as evident by the adoption of UNCLOS into national law, its first national ocean governance strategy from 2008, and the holistic view of Germany’s dependence on the sea expressed in the *Maritime Agenda 2025*.¹³² While regulation and sustainable management of human uses of the sea is still incomplete, gaps in enforcement pose one of the most pressing challenges.¹³³ Accordingly, for the navy to comprehensively contribute to ocean governance consistent with the government’s and its own ambition,¹³⁴ it needs law-enforcement powers – either through amending domestic law, by relying on parliamentary mandates like the one for *Sea Guardian*, or based on extraordinary emergency powers in singular cases.

Furthermore, by its constitution, Germany might be called a compulsively multilateral or cosmopolitan seapower.¹³⁵ Not only is it sworn to uphold universal human dignity and refrain from any Machiavellian exclusive self-interestedness, in most cases that Germany might deem fit to use the navy, it needs a multilateral framework to do so.¹³⁶ Beyond mere presence or humanitarian aid, and the scope of national self-defence the government first has to acquire an international mandate. Therefore, in many ways, the military element of German (sea) power is contingent upon the consultative processes of NATO, the EU and the UN.¹³⁷ While compulsory multilateralism concerning the use of force in foreign policy has its roots in history and is derived from the constitution, court decisions of 1993, 1994 and 2015, as well as the law on parliamentary participation from 2005, underscore that deployments of the Bundeswehr are the result of political – rather than historical or legalistic – discussions and decisions. This includes the question of whether German forces should become part of a fully integrated ‘European Army’ – or navy.¹³⁸ A development which then requires the

¹³¹ As evidenced by the navy’s standing ROE, first-of-its-kind in the Bundeswehr, Deutsche Marine (2018)

¹³² See Bundesregierung (2008); Bundesregierung (2017); Bundesrepublik Deutschland (1994)

¹³³ Warner & Kaye (2016), introduction, pp. xxvii-i

¹³⁴ As expressed in Marinekommando (2020)

¹³⁵ What Till called ‘post-modern’, see Till (2013), pp.35-41

¹³⁶ See Grundgesetz (1949), Art. 1, Art. 24 [2]

¹³⁷ See Steinmeier (2016), p. 113

¹³⁸ See Schaeuble (2021)

discussion on whether this were to entail an ‘uploading’ of Germany’s preferences and caveats to the EU-level, or whether Germans have to ‘download’ those of their allies.

VIII. Concluding Remarks

Over the course of thirty years since the end of the Cold War, reunified Germany has become Europe's indispensable power,¹ performed a marked shift in its European and global role, and, as this thesis has shown, increasingly came to rely on its navy as an instrument of foreign policy. This ranged from international crisis response and contributing to comprehensive maritime security, to supporting EU and NATO collective defence. The shift in the political utility of the navy was significant both in effect and as an expression of Germany's change. By tracing and analysing this development through missions, within the navy and related policy, this thesis adds its original findings based on hitherto unexplored case-studies to the wider understanding of navies in the 21st century, as well as to the role of German power in Europe and globally.

Until reunification in 1990, Germany's economic power was less pronounced and its population size on par with its major European allies.² Its post-1945 foreign policy priorities had also centred on its immediate neighbourhood. The utility it accorded the navy was consequently limited and focussed on covering NATO's '*Northern flank*' against the Soviet Union. Since 1990, not only has Germany's power grown relative to its European partners, it also changed in its character, outlook on the world and its role in it. This change also expressed itself in deployment-practice and official strategy in relation to the navy. Ships designed for anti-submarine warfare in the North and Baltic Seas in the 1980s have come to police tropical waters to counter Somali piracy, while the vessels that gradually replace them are built with increased capabilities and global deployments in mind.

In the wake of European integration, Germany has also become more maritime – and the navy played a part in this process. From *Südflanke* via *Sharp Guard*, to OEF, UNIFIL, ATALANTA, SOPHIA, IRINI and *Sea Guardian*, the navy deployed with European partners. It supports European integration, protects the community's interests and, from providing training facilities, running exercises, furnishing essential capabilities and acting as a framework-nation for smaller member-states to 'lean on'. Germany, with its navy, its economic and maritime commercial potential, is a key component of wider European seapower. That this is not a one-way-street, is substantiated by Merkel's acknowledgement that Germany's borders

¹ See Giegerich & Terhalle (2021), p. 11

² See World Bank (2022b)

are the borders of Europe,³ a globally engaged and interconnected sub-continental headland with a much more maritime cultural and strategic outlook than Germany ever had historically.

Germany's post-Cold War entry onto the world stage has been accompanied by naval missions of the UN, EU and NATO far beyond its familiar waters in the North and Baltic Sea. The navy's tasks are no longer limited to the old Cold War focus on warfighting and great-power deterrence. While immediately after 1990, Germany had to be 'nudged' by its allies to send the navy into out-of-area deployments, its reaction to 9/11 marked a turning-point in taking greater initiative for naval missions. Following the navy's largest ever deployment, in 2002 to OEF at the Horn of Africa, Germany began to use its warships increasingly as 'enablers' and 'servants' of its foreign policy.⁴ As a consequence of the navy's own recognition of and strategic self-positioning to the trend towards expeditionary crisis response, the fleet by the mid-2000s was more capable to carry out a variety of missions at greater range from home than before – despite being numerically much smaller.

However, the long-term effects of budget cuts, difficulties in recruiting after the end of conscription and the force's preoccupation with low-intensity constabulary missions began to affect the navy's readiness. This occurred at the moment when the resurgence of geopolitical competition in Europe and beyond returned the old deterrence and warfighting focus back on the agenda. It is therefore noteworthy that since Russia's annexation of Crimea in 2014, the navy strove to grow again and rebalance its force-allocation. It did not give up crisis-response missions, but placed greater emphasis on exercising high-end warfighting skills with its allies.⁵ Nevertheless, especially due to the navy's role in the refugee crisis in the Mediterranean – by all indication a Chancellor-level political priority after 2015 – the training of crews for high-end warfare often fell short.⁶ Delays in the delivery of new vessels and the mid-life updates of older ones made matters worse, while in the medium term the navy is planning for a 30% larger fleet by 2031.⁷

Mirroring Germany's changes, striving to be a *cosmopolitan* power of international relevance and recognition,⁸ the navy also evolved its self-image and capabilities to suit the foreign policy it serves. Accordingly, this thesis delivers a comprehensive thirty-year case-

³ Merkel (2017)

⁴ On this role of post-Cold War seapower, see Gray (1994), pp.162-3

⁵ See Krause (2016), pp. 1-5; Krause, Andreas (2019), p. 10; Schönbach (2021), pp.8-11

⁶ See Krause (2016), p. 5

⁷ See Krause (2019), pp. 18-21

⁸ On '*cosmopolitan states*', see Beck (2001)

study of an ideal candidate to test the concept of Till's 'post-modern navies' in practice.⁹ As scholars seek to determine what German power is for,¹⁰ this thesis also offers deductions to aid their efforts. Its findings highlight very specific parameters of policy that justified the considerable economic resources spent on maintaining and using a navy, and guided the way it was used. Confirming Rowlands' hypothesis, crisis-response and constabulary duties, providing good order at sea – or maritime security, have generally taken up much larger room in day-to-day peacetime practice than exercising for deterrence and warfighting did.¹¹ Equally, as Gray expected for the US Navy, the main budgetary justification for the German navy after 1990 was its utility to peacetime foreign policy – not its ability to fight major wars.¹² Given that the navy had no previous record of preferential treatment in domestic politics and still suffered significantly less under the 'peace-dividend' than army or airforce, its specific qualities must have appealed to policymakers. Furthermore, European integration, increased economic dependency on trade, globalisation and its rise as a world shipping power changed the maritime character of Germany and also affected the navy.¹³ The '*maritime turn*' in the foreign policy of the EU, as explored by Riddervold,¹⁴ interacted with Germany, the most powerful member-state. European sea or naval power rises and falls with Germany's commitment, its strategy, (naval) resources and willingness to act.¹⁵

As postulated at the outset of this thesis, the analysis of the case studies has shown that throughout the period under consideration, the navy has proven to be an important instrument of foreign policy. In confirmation of the second original hypothesis, the Bundeswehr has measurably become more naval and Germany more maritime after 1990. Germany no longer fits Germond's paradigm of a navy '*ill-prepared*' and reluctant to carry out constabulary functions.¹⁶ In step with growing deployment experience, both Germany and the navy have come to see its mission much broader than at the end of the Cold War. Despite persisting but manageable gaps in the legal framework and concerning some of its capabilities, the 21st

⁹ See Till (2013), pp.35-41

¹⁰ See Giegerich & Terhalle (2021), p. 21

¹¹ Rowlands (2015), p. 37

¹² Gray (1994), pp. 161-5

¹³ As i.e. postulated by Mahan, Mahan (1899), *introduction*

¹⁴ Riddervold (2019)

¹⁵ On EU Sea- or naval power, see Germond (2015); Stöhs (2019)

¹⁶ Germond (2015), p. 78

century German navy combines its traditional warfighting-image with a comprehensive commitment to maritime security and ocean governance.¹⁷

For the purpose of answering the questions that guided its inquiry, this thesis analysed post-Cold War German strategy, changes in the navy, its legal framework and deployments to trace its use in foreign policy in the 21st century. Accordingly, by analysing the recent history of naval deployments, domestic political, economic, as well as geopolitical changes, this thesis covers an important dimension of the profound shift from a predominantly self-absorbed ‘continental medium power’,¹⁸ to a much more maritime nation, whose navy’s flag regularly flies as far afield as the Horn of Africa and whose warships’ crews have for many years probably had more routine experience in sailing in and out of Limassol, Djibouti or Mombasa, than of Wilhelmshaven, Hamburg or Kiel.¹⁹



Fig. 98, drawings left by crew of the frigate Köln on the harbour wall of Djibouti, the Horn of Africa port the vessel also visited in 1994, participating in operation Southern Cross (source: author)

¹⁷ See Marinekommando (2020)

¹⁸ BMVg (1992), Art. 8 3)

¹⁹ Something, which applies to the author's own experience, but seems to be a more general phenomenon. For a first overview of past and present missions see (in German), BMVg (2020)

Some Principles of German Maritime Strategy

The function of the fleet, the object for which it was always employed, has been three-fold: firstly, to support or obstruct diplomatic effort; secondly, to protect or destroy commerce; and thirdly, to further or hinder military operations ashore.

Sir Julian Corbett²⁰

In Corbett's sense, the German navy fulfils all the functions of a 'normal' fleet – with an important caveat. For the first thirty-five years of its existence, beyond exercises, it was thought to only ever have to contribute to maritime security in the case of war. It has never been seen as anything but the seagoing extension of an army-dominated Bundeswehr solely focussed on national defence and deterrence. Therefore, despite its own varied history and allied experience to draw on, a certain political and internal blindness to the full spectrum of peacetime utility of navies has accompanied the navy for more than half its existence. This also applies to the comprehensive successive expansions upon Corbett's principles in Booth's and Grove's representations, translating the '*protection of commerce*' to constabulary roles, providing good order at sea – or maritime security – and peacekeeping.²¹ Therefore, while the navy and top-level military strategists were well aware of the three-fold mission of the navy, engaged with national policy, shipping and Germany's manifold maritime dependencies,²² they thought this would only ever come to require any real action on their part in the event of war.

Due to the limitations set by diminished resources as a divided country and the restrictions imposed on the vanquished Second World War aggressor,²³ Germany did not possess long-range power-projection capabilities or an independent national strategic command level. From comprehensive military contingency planning to commanding its troops beyond the level of a corps of the army, in national defence and internationally securing its interests, Germany depended on NATO and its seapower allies.²⁴

Moreover, whenever the German navy, as capable, technologically advanced navies are liable to do, looks somewhat disdainfully upon '*low end*' constabulary tasks and emphasises

²⁰ Corbett (2010), p. 6

²¹ See Booth (1977), p. 16; Grove (1990), p. 234

²² See the successive annual reports published by the naval command since 1987, *Fakten und Zahlen zur maritime Abhängigkeit der Bundesrepublik* (facts and figures on Germany's maritime dependency)

²³ Until 1980, Germany was restricted in type and tonnage of warships constructed, see WEU Council (1954)

²⁴ BMVg (1992), Art. 8 3)

its pedigree as a warfighting navy,²⁵ it will likely do so with a slightly bleary eye cast on the Cold War, the era when it had more ships and sailors and was exclusively maintained for national and allied defence. What proponents of this view forget, is that outside of this singular historic situation, normal navies of comparable power have much broader contributions to make to maritime security and their nation's foreign policy. Today's navy actually has *more* globally deployable capabilities than it did in the 1970s and 80s, and contrary to Bruns' notion of the navy having '*shrunk ... intellectually*',²⁶ the number of its officers has increased from 4,263 (1970) to 5,524 (2021) – of whom the vast majority today also hold university degrees.²⁷ From its share in total personnel to allotted budget as reflected in the ratio of tanks/combat-aircraft/warships, its relative significance in the Bundeswehr has grown considerably since 1990. A return to the Cold War situation, in terms of practical and intellectual engagement with maritime affairs and the wider world, and its relative position in the Bundeswehr, would mean a much diminished role for the navy.

Despite the lopsided Cold War view of what navies are for, and despite the fact that the navy's equipment had never been designed for anything but high-end warfare in the North and Baltic Sea, German warships quickly saw deployments out-of-area, beyond their climate zone and in missions they had not been prepared for. Indeed, the navy covered a broad range of missions – including with comprehensive maritime security and ocean governance mandates, while it rose in relative importance in the Bundeswehr and consistently made an overproportioned contribution to international deployments.

The experience of the missions over the past 30 years, taken together with developments at the policy level and within the navy, permits the deduction of a number of principles or key characteristics of how Germany sees and uses its navy. Despite a general scholarly interest in navies and foreign policy, this sort of detailed, case-studies-based analysis has not been undertaken before with regard to Germany's navy. As necessarily incomplete as they must remain,²⁸ these principles may assist in better understanding more than just the navy or Germany. Representing the result of careful evaluation and analysis of diligent research into Germany's use of the navy as an instrument of foreign policy, these principles facilitate an

²⁵ On this tendency of some navies, see Germond (2015), p. 78

²⁶ Bruns (2020), p. 148

²⁷ BMVg (1970), p. 89; Marinekommando (2021), p. 70; university degrees for officers only became part of their training from 1973 onwards, see Bundeswehr (2020)

²⁸ As Corbett was well aware, see Corbett (2004), pp. 7-8

assessment of how Germany might continue to use its navy, and serve as a starting point when comparing it with other navies.

No. 1, When in doubt, check the naval option first.

*Lutz Feldt, Chief of the Navy (2010-2014)*²⁹

After the experience of the navy's utility in the 1990s and the significant diplomatic effect Germany's largest-ever post-1945 fleet achieved with OEF, this principle apparently took hold in relation to military deployments abroad: Whenever the use of military force seemed to be called for, whenever German responsibility or other interests seemed to benefit from the using the Bundeswehr, 'check the naval option first.' As the experience of the past 30 years has shown, the navy is far less likely to incur casualties, get involved in scandals or has to resort to using deadly force. It has also proven more cost-effective to send a warship than to send an army battalion. Additionally, ships come with an inbuilt 'exit strategy'. While the ad-hoc evacuation of roughly two battalions of peacekeepers of the army from Somalia caused considerable headaches in 1994 – and was successfully solved by the navy – ordering warships home or quietly scaling down their presence causes little trouble.

Naval assets are largely self-sufficient, can be easily integrated into a multinational force but are just as easily kept away from tasks or areas that entail undesired risks. Furthermore, units in missions and the annual EAV (suspended in 2015) serve as prepositioned forces. For example, reacting to the 2004 Tsunami catastrophe in Indonesia, Germany was able to re-task a combat-supply vessel from OEF at the Horn of Africa, and relied on EAVs to evacuate Egyptian citizens from Tunisia in 2011 and establish its SAR intervention in the Mediterranean in 2015.

No. 2, Alles was schwimmt, geht. – Anything goes, as long as it floats.

*Hans-Dietrich Genscher, Minister of Foreign Affairs
(1974-1982, 1982-1992)*³⁰

Originally coined with respect to otherwise easily politicised arms exports, this principle may also be applied to deployments of the Bundeswehr. The navy's missions have not been as widely noticed by the public as those of the army in Afghanistan or the Balkans. The favourable position of the navy relative to army and airforce after 30 years of out-of-area missions

²⁹ As related by Karsten Schneider, interview, 8th February 2021

³⁰ *Bonmot* attributed to Genscher, as related by Hans-Dieter Heumann, personal correspondence with the author

demonstrates that diminished public visibility does not necessarily correlate with diminished political attention. Those that decide on budgets have favoured the navy nonetheless – or partially because of this. In conjunction with the first principle, Cable’s insight that states ‘*can expect to get away with much more at sea than on land*’,³¹ can work to the advantage of a navy in a country in which military deployments are likely to invite controversy.

With regard to arms exports, Genscher’s principle has come to be contested in the past years, but is still likely to hold true. Traditionally, naval arms exports have invited much less public and political controversy as compared to those of weapons deemed of potential utility to suppress populations and commit atrocities among civilians. Still, since Saudi Arabia used its German-built patrol vessels to blockade Yemen and thereby aggravate the humanitarian crisis, naval exports are receiving a greater share of critical attention.³² At the same time, high individual unit cost can further invite the question of whether Germany is behaving responsibly by profiting off the scarce resources of developing or economically struggling countries – as when it sold submarines to Greece on the brink of bankruptcy in the Eurocrisis.³³ Nevertheless, as with its ongoing agreement with Israel, given the choice which type of weapon to supply – if put to the test in any future strategic dilemma – Germany is more likely than not to pick a submarine over a tank any day.

No. 3, ‘Use it or lose it’

Military wisdom of the post-Cold War era of ‘peace dividends’

The navy constantly needs to demonstrate its utility to its political masters. Towards the end of the 1990s, the situation reached a critical watershed moment which was positively decided for the navy by Schröder substantially relying on it in reacting to 9/11. With the airforce capturing the headlines during the 1999 Kosovo campaign and the army deploying in large numbers in KFOR afterwards,³⁴ the navy had been side-lined by the end of the 1990s. Struck recalls that during his tenure as head of the parliamentary fraction of the SPD, the influential and frugal minister of finance Hans Eichel even seriously suggested to disband the navy.³⁵ Indeed, in the first decade of the new millennium, as Stöhs points out, European navies suffered under the ‘*most drastic cuts in recent history*’.³⁶ The navy had to endure some painful cuts, such as losing

³¹ Cable (1994), p. 94

³² See LINKE (2015)

³³ See Bockenheimer & Simantke (2015)

³⁴ 8,000-plus mandate for KFOR, Bundestag (1999)

³⁵ Struck (2010), p. 40

³⁶ Stöhs (2019), p. 432

its erstwhile substantial naval strike wing in 2005. Like with fast patrol boats, that were also phased out, their use in the new type of missions was very limited. However, when compared with army and airforce, the navy came through this period in a better state. The army has no more than a fifth of its 1994 tanks, the airforce lost almost two thirds of its combat aircraft, while the navy still has more than half of its warship strength, with more ocean-going vessels of much greater tonnage and capabilities than 30 years ago.

No. 4, Make it up as you go

Warships' inherent flexibility allowed for control of the involvement when deciding on deployments, as well as during participation. Depending on political will or (perceived) constitutional limitations, Germany later flexibly adjusted proximity to potential risks. During *Sharp Guard*, until clarification of the constitutional legality of a full involvement, the navy was kept out of areas where it might have had to use force. In OEF, the Germans deployed close to the Horn of Africa and stayed away from the North Arab Sea, where the US Navy was conducting controversial opposed boardings of merchant vessels and air-strikes on Afghanistan. Similarly, with controversy about the distribution of refugees heating up in Europe, vessels deployed in SOPHIA were placed further away from the main refugee routes.

Regularly, mandates were discussed and mission preparations made *en route*, while ships were already underway to an intended deployment (*Southern Cross*, OEF, UNIFIL, SOPHIA). The voyage time is typically sufficient to obtain a parliamentary vote (i.e. 4,120 nm Wilhelmshaven to Port Said, northern entrance of the Suez Canal, in roughly ten days at 18 knots; *Counter Daesh* mandated in three days in December 2015).³⁷ Recalling vessels would cause no harm if parliamentary majority were withheld. At the same time, training certain procedures or making minor improvised changes in equipment can be done while underway (*Southern Cross*, OEF) – or during brief port visits (i.e. provisionally equipping vessels to save boat-migrants in Souda Bay, Crete in 2015).

No. 5, 'Der Fisch stinkt vom Kopf her.' – 'The fish smells from the head'

Unknown German sailor

Senior leadership matters – not only when things go wrong and the fish starts smelling. In trying to understand German foreign policy or how the navy is being used, look to the Chancellors first. Their role in the navy's deployments of the past decades is consistent with

³⁷ Bundesregierung (2015)

the strong influence they are accorded on foreign policy generally.³⁸ At times, the head of government directly negotiated details of force levels (Kohl for the post-Cold War Bundeswehr), the composition of military contributions (Schröder for OEF) or even set priorities for the presence of certain classes of vessels (Merkel in the Aegean Sea). To be sure, minister of defence, *Generalinspekteur* and Chief of the Navy play influential roles, while, as Till points out, strategic decisions are rarely the result of top-down linear processes.³⁹ As the tug-of-war between ministers Kramp-Karrenbauer, Maas and Scholz over the deployment of a warship to the Strait of Hormuz in 2019 and 2020 shows, domestic inner-coalition power-struggles affected the navy and, absent a decisive involvement of Chancellor Merkel, prevented a deployment.⁴⁰ Accordingly, any analysis of influences on naval missions needs to cast its net widely. Still, given the experience of the past three decades, Chancellors have a direct bearing on how the navy is used. Conversely, patterns discerned in naval deployments are strong indicators for overall government – and ultimately a Chancellor’s – priorities.

No. 6, (No) Germans to the front!

Reversal of an imperial German point of pride

For various reasons, Germany is reluctant to commit to ‘boots on the ground’ – especially in combat missions. Reunified Germany has been described as a ‘*post-heroic*’ or ‘*civilian power*’,⁴¹ and likely in more drastic terms by Canadian, American or British soldiers fighting in Afghanistan’s most dangerous regions, while Germans remained in their relatively safe districts and camps. The choice to avoid risky combat missions was – at least initially – only thought to be a temporary part of a strategy to gradually ease Germans into accepting the same type of military commitments and burdens of its allies.⁴² However, the failure of the UNOSOM II peacekeeping mission in Somalia in 1994 appears to have put a stop to this early ambition. Failure of the US-led UN coalition to see the mission through and a sense of abandonment by its American ally shocked German defence politicians at the time.⁴³ Later sizeable army deployments in Kosovo (1999 onwards), Afghanistan (2001-2021) and Mali (2013 onwards) –

³⁸ See Bierling (2014), p. 13

³⁹ See Till (2020), p. 13

⁴⁰ See ZEIT (2019); Casdorff (2019)

⁴¹ See Muenkler (2007); Maull (1990)

⁴² See Rühle (2012); interview Klaus Naumann, 9th August 2019

⁴³ Interview Klaus Naumann, 9th August 2019

by their character – confirmed the principle to keep risks to own forces low.⁴⁴ Indeed, given the results of the withdrawal from Afghanistan in August 2021, Germany is not likely to develop more political appetite for the risks involved in deploying ground-forces.

Instances of reluctance to risk its soldiers' lives may mean that Germany is not afraid or concerned enough to make the investment – and that it, like an offshore-balancing seapower of the past, has a choice about where and how deeply it wants to commit itself. While the jury is out on whether this approach has to be assigned to *naïveté* or imprudence in the unfolding 21st century, concurrent with it fulfilling other hallmarks of a '*rising power*' for the post-Cold War decades,⁴⁵ Germany may simply be more confident about the future than its more bellicose peers struggling with (relative) decline. This may help explain why it refuses to revert to heightened states of national alert after terrorist attacks (as France did in 2015), and is reluctant to put its soldiers' lives on the line. Consistent with this and in conformity with Gray's struggle of pressures on navies,⁴⁶ lacking a big enough diplomatic, security- or *fear*-related rationale, domestic and seemingly unrelated issues are liable to have substantial bearing on the navy and its missions (Strait of Hormuz 2019/2020).

The navy's relative increase in importance in the Bundeswehr and outsized role in shouldering international missions is also an expression of military risk-aversion. However, there is no firm rule on whether or how far Germans will go '*to the front*'. Here again, Chancellors and their decisions matter. As polls have suggested over decades, the population is prepared to accept a much more far-reaching involvement of the military than political elites have implemented.⁴⁷ Accordingly, the fact that deployments of the Bundeswehr have shown substantial, but varying degrees of restraint, is rather due to political choices than to any supposed inherent German 'pacifism' founded on historic experience.

Even though political mandates and ROEs for the navy no longer come with a *Sonderweg* of caveats as in the early 1990s, there still is a considerable degree of restraint-by-design. After 30 years of expeditionary deployments, the persisting lack of certain capabilities signifies a continuing reluctance to assume the tasks they are designed for. Once, restrictions

⁴⁴ In Mali, for example, the counter-terrorist combat operations are carried out by French troops, whereas the Bundeswehr provides support to UN peacekeepers and trains local security forces. France lost 53 soldiers in combat since 2013, Germany lost 2 – in a helicopter crash. See Angevin (2022; Bundeswehr (2022j))

⁴⁵ Kennedy (1987), pp. 22-3

⁴⁶ Gray (1994), p. 161

⁴⁷ On the broad support for using the Bundeswehr in cases ranging from '*defending Germany*' and '*defending allies*' to '*protecting trade*', see Bulmahn et al. (2008), p. 115; Steinbrecher et al. (2016), p. 69; Steinbrecher & Wanner (2021), pp. 265-8

on strategic reach and offensive operations in an enemy's territory were imposed to reassure allies and to avoid escalation in the Cold War.⁴⁸ But as if in the voluntary continuation of the old limits – except in the increasing tonnage of existing vessel classes – Germany still does not aspire to own aircraft carriers, ship- or submarine-based cruise-missiles, as well as amphibious or joint-support vessels. With regard to limited land strike and amphibious capabilities, change is underway.⁴⁹ Germany, for the foreseeable future, does not appear too eager for direct involvement in allied force projection ashore or deploying sizeable land-forces via the sea. Rather than procuring aircraft carriers and competing in sorties with its allies during missions of force-projection, Germany is more likely to contribute air defence assets, supply-ships and submarines, to support a carrier strike-group.

Finally, '*post-heroic*' Germany's popular maritime hero of the new millennium was no naval officer, but a civilian NGO captain, Carola Rackete. However, what she did, disobey orders that she deemed inhumane or illegal in order to save lives,⁵⁰ is also consistent with the navy's principles of leadership and line of tradition building on the military resistance to Hitler on 20th July 1944.⁵¹ The navy sees itself proudly as a warfighting navy, but what it fights for substantially differs from its historic predecessors' aims. As also one of Rackete's noted mentors had been a naval officer,⁵² the thought may be permitted that the 21st century German navy's idea of heroism has more in common with a life-saving dread-locked NGO captain, than with submarine commanders sinking merchant vessels with all hands or officers ordering pointless fights to the last man in the World War era.

No. 7, 'Men fight, not ships.'

*Albrecht von Stosch, first Chief of the Navy of the Imperial German Navy (1872-1883)*⁵³

While paying tribute to the fighting spirit, initiative and can-do attitude of sailors, this principle also painfully highlights that the navy persistently lacks personnel and – throughout the period observed – crews shone as excellent improvisers, because they often lacked the proper equipment for the missions they were given. Just three examples underline the point. First,

⁴⁸ See BMVg (1970), III. 59., p. 37; 63., p. 39

⁴⁹ With RBS 15 missiles on corvettes and multi-role VLS systems on the F126 class of frigates currently under construction, as well as the close cooperation with the Netherlands and its joint-logistics support vessels. See Bundeswehr (2022; Bundeswehr (2022); Wiegold (2016)

⁵⁰ Rackete (2019), pp. 39-52

⁵¹ See BMVg (2018a)

⁵² Rackete (2019), p. 57

⁵³ As quoted by Herwig, Herwig (2014), p. 233

frigates initially lacked speedboats for boarding operations, small self-defence armament and protective enclosures for machine-gunners on deck. Second, deployed abroad until 2016 with considerable strain for crews, fast patrol boats had no air-conditioning and relied on improvised watch-keeping systems to manage fatigue during patrols for several days in hot climates on vessels designed for short raids in the Baltic Sea. Third, mobile toilets were rigged on deck and helicopter hangars of billion-euro-warships transformed into make-shift shelters to accommodate hundreds of boat-migrants during the navy's SAR intervention in the Mediterranean in 2015.

Until the arrival of K130 corvettes in 2008 and F125 frigates in 2019, the navy's units were essentially of Cold War design. Nevertheless, frigates and supply vessels of the *Berlin*-class were suitable for global deployments even in tropical climates. Units with a very specific Cold War Baltic Sea focus like small coastal submarines, fast patrol boats, or naval jet aviation were gradually phased out. While fewer in number, the new class of larger, ocean-going 212A submarines replaced the older coastal submarines, just as larger corvettes replaced the fast patrol boats. In both cases, a quantitative reduction in vessel numbers actually meant a qualitative improvement in terms of endurance, capabilities and utility to Germany's foreign policy.

By now, the navy appears to be through the worst of the consequences of decades of budget-cuts combined with an abundance of new tasks – but the turnaround is slow. Difficulties kept piling on one another after the suspension of the national draft in 2011. Persisting failure to meet recruitment levels severely haunts the fleet. However, at least the navy's men no longer fight alone – more than 10% of the navy's personnel are women, a higher percentage than in the army or airforce.⁵⁴ Drastic drops in personnel entailed the early decommissioning of most of the F122 frigates. Combined with delays in the delivery of the F125 class frigates and mid-life upgrades of the F123 frigates, this left the navy with precious few ships to furnish its missions.⁵⁵

At the same time as scarce specialists in the fleet were handed from ship to ship and mission to mission, whole crews sat idle waiting for the delivery of their delayed vessels.⁵⁶ The European Working Time Directive, introduced on 1st January 2016 in the Bundeswehr, not only cut short the possibility to stop gaps with overtime, it forced the navy to forbid crews to

⁵⁴ See Bundeswehr (2022c)

⁵⁵ See Schönbach (2021), pp. 10-1

⁵⁶ See Krause (2019), pp. 18-9

sleep aboard vessels in port – it could no longer justify the extra hours needed to provide the watch-crews for manned ships alongside.⁵⁷ With crews no longer living together aboard, being patched together from various ships, and ultimately rotating across a smaller number of vessels in a new system that detaches crews from units, the navy’s traditional identification of crews and sailors with their ships has completely changed over the past decade. Nevertheless, judging by the arrival of the F125 frigates, a further incoming batch of five corvettes, and two submarines, the fleet is growing.

No. 8, ‘We stand by you!’

Crew of destroyer Lütjens, saluting a US warship a day after the 9/11 attacks

Germany is compulsively cosmopolitan – multilateralism, European integration, NATO and the UN are essential to German foreign policy. Not only is a multilateral value-based approach mandated by its constitution, the EU and NATO ensure that Germany’s situation in the centre of Europe is strategically tenable. Furthermore, the transatlantic alliance with the USA provides Germany – and Europe – with an indispensable security umbrella. American power also underpins the liberal rules based international order Germany depends on for prosperity. Germany feels indebted to especially America and France for accepting it into the political ‘West’ after the Second World War. In the light of its violent history, UN membership is seen as constituting a special responsibility to contribute to peace and human development internationally.⁵⁸ Reunified Germany has voiced its ambition for permanent membership in the UN Security Council – a foreign policy aim it also seeks to advance with peacekeeping contributions.⁵⁹

The will to demonstrate commitment, to be perceived as a reliable ally and responsible international actor directly affects naval deployments. All these motives are regularly given when missions are justified in parliament. Furthermore, German accession to EU Council chairmanship or a non-permanent seat in the UN Security Council has led to additional deployments of warships in the past.⁶⁰ This form of naval diplomacy has become so habitual, the navy’s leadership has learned to prepare for it.⁶¹

⁵⁷ See BILD (2015)

⁵⁸ See Brandt (1973)

⁵⁹ See Kinkel (1993)

⁶⁰ i.e. *Köln*’s deployment to ATALANTA in 2011

⁶¹ See Krause (2019), p. 10

For Germany to use its navy for anything but the most benign purposes, it not only has to gain parliamentary consent, it also needs to act within a multilateral framework of collective defence.⁶² Over the past thirty years, the navy deployed in NATO, (W)EU and UN missions. Accordingly, the navy is not only an important instrument for Germany to demonstrate commitment in these organisations, the ability to influence their mandates also matters to its navy's utility. If, for example, in lieu of an amendment of the domestic legal framework, the authorisation for the navy to carry out constabulary roles is seen as tied to specifically mandated missions,⁶³ Germany's ability to protect its maritime interests and contribute to global ocean governance hinges on missions mandated by NATO, EU or UN.

No. 9, 'The flag follows trade'

Modern reversal of the old imperialist logic⁶⁴

Defending Germany's considerable economic and shipping interests is part of the navy's missions.⁶⁵ In turn, the maritime economy makes up an important part of German (sea)power. By contributing specialised knowledge, information, maritime awareness and its global networks, the shipping industry has been an important asset of German foreign policy during the period observed. Illustrated by ATALANTA in 2008 and SOPHIA in 2015, the shipping industry plays an influential role in drawing political attention to maritime security risks – piracy in the first, excessive need to render assistance to boat-migrants on the part of overstressed merchant ships in the second. Furthermore, long-range logistics of the Bundeswehr crucially depend on reliably available chartered merchant-ship-tonnage.

Confirming the old seapower adage of the significance of a country's merchant fleet,⁶⁶ global maritime commercial networks supported German power and military operations in the post-Cold War era. For example, the evacuation of Bundeswehr peacekeepers from Somalia in 1994 benefitted from the fact that the port manager of Mogadishu was a German expert brought in by the UN.⁶⁷ Furthermore, Germany has a capable national shipbuilding industry which not only ensures a domestic supply of high quality units to the navy, it also – through its internationally competitive products – furnishes the government with the instrument of arms exports to support its foreign and security policy. The customers and partner-nations in naval

⁶² Bundesrepublik Deutschland (2005)

⁶³ Sax (2018), p. 388

⁶⁴ See Speake (2015)

⁶⁵ BMVg (2016), p. 90

⁶⁶ As postulated by Mahan, Mahan (1899), *Chapter One*

⁶⁷ Kammerhoff (2000), p. 121

technology can also help to make up for a lack of overseas bases for the navy, as friendly relations also come with networks of maintenance and spare-part supply for similar units. It also adds to the navy's resources that Germany's highly developed maritime industry yields reserve officers with uniquely valuable expertise. These, among them ECLOs – a German specialty, are held in high esteem among the allies and have served on deployments, international training programmes and during NATO exercises.⁶⁸

No. 10, 'Germans have their backs to the sea and their face to the mountains.'

*German proverb*⁶⁹

'*Surrounded by friends*' after the Cold War, for the first time in history, post-Cold War Germany no longer had to focus its attention on enemies '*beyond the mountains*' – or rivers – at its borders. According to classical seapower theory, its geopolitical situation, its *Mittellage* in the centre of Europe, explains why Germany did not develop into a particularly maritime nation.⁷⁰ This also – as resources and attention are no longer primarily focussed on land-based threats – would explain why after reunification it was able to capitalise on maritime economic and foreign policy opportunities.

Rather than just following any supposed inherent geopolitical logic, Germany's 21st century '*maritime turn*' had a very strong individual component.⁷¹ The personal maritime networks, openness for maritime thought and opportunities that Schröder brought from his governorship of Niedersachsen to the Chancellery, prepared him to capitalise on the changed geopolitical context and put Germany on the path to its ascent to a major shipping nation. The same personal predisposition may have also played a role when he decided on the substantial naval component of Germany's military contribution to the US' War on Terror.

For obvious historic reasons, Germany lacks overseas bases and a global maritime presence – but has come to largely rely on its network of allies in significantly adopting and interacting with the European maritime strategic outlook. For long periods of time Germans were based in Djibouti (2002 – 2021) and still use Limassol (since 2006) in addition to the facilities of allies i.e. in Souda Bay, Greece. European integration – and using its navy in a common framework of foreign policy – is a further driver of Germany's greater openness towards global and maritime affairs. Increasingly identifying with Europe rather than with the

⁶⁸ See Mohr (2018)

⁶⁹ As quoted by Fromm, Fromm (1983), p. 11

⁷⁰ See Mahan quoted by Gray, Gray (1994), p. 40; Lambert (2018), pp. 196-8

⁷¹ See Riddervold on the '*maritime turn*' of the EU, Riddervold (2019)

old national confines, Germans no longer have the sea in their backs – it almost surrounds them and is their vibrant connection to the world as they look towards their troublesome neighbour Russia.

Over the Horizon

Strategically, the emancipation of the navy from its Cold War role as a mere maritime extension of the army offers a number of opportunities to German policymakers. In many ways, it is a ‘normal’ fleet, but – just like Germany itself – it is clearly cosmopolitan, rooted in humanitarian values, committed to the rules-based international order and multilateralism. The navy and Germany have come a long way since 1990. Expressed in government strategy and in the published self-image of the navy, there is no longer a large ‘blind spot’ with regard to peacetime functions. To be sure, there are gaps between ambition and capabilities – and in the legal framework for the missions Germany and its navy think that need doing – but these are not insurmountable or prevent the navy from delivering substantial value as an instrument of foreign policy.

Navies offer not only options in support of policy, their effect is often intangible, can at times be very limited and comes with its own set of risks. There is a potential danger that their availability influences policy domestically and abroad in undesired ways. On the one hand, politicians may too readily resort to military means instead of more suitable options, simply because they have a capable navy. On the other, the presence of warships on forward deployments or missions may invite unsought commitments. Equally, the broadening of the security agenda after the Cold War may lead to unsuitable ‘securitization’ of issues – and related use of military instruments.⁷² However, as this thesis’ analysis of case studies over 30 years has shown, under critical scrutiny of parliament and the media, Germany managed these risks successfully, rather erred on the side of caution and instead derived considerable benefits from the use of naval power. Confirming the utility ascribed to navies generally by many political leaders, naval professionals and scholars, the navy provided Germany in various ways with what Booth called ‘*insurances against unknown contingencies*’ without regional confinement and without incurring the cost and risks that missions of army and airforce have.⁷³

Not just because geopolitical rivalry with China has a substantial maritime dimension, the ‘*maritime turn*’ of Germany and Europe will survive past the effects of Russia’s aggression in its immediate neighbourhood. Judging by NATO’s reaction to Russia and Germany’s re-emphasis on national and collective defence in the 2016 *Weißbuch*,⁷⁴ land-borders of EU-member-states have risen in importance once again. Russia is not primarily a maritime, but a

⁷² Buzan et al. (1998), pp. 26-7

⁷³ Booth (1977), p. 281

⁷⁴ See North Atlantic Council (2014); BMVg (2016), p. 31-2

land-based challenge. At the same time, in addition to international crisis-response requiring global reach and naval capabilities, increasing rivalry between the US, the Western allies and China will have a substantial maritime dimension – indeed, given the consequences of major war involving nuclear powers, it would be in the interest of humanity, if it were to stay as maritime, as ‘offshore’ as possible.

When many contemporary Germans still reflexively think of the Kaiser’s *Kanonbootdiplomatie*, whenever the navy’s role in foreign policy is discussed, they forget that since 1990, governments have used their fleet in a variety of hard- and soft-power functions in largely benign, cooperative ways in pursuit of a value-based cosmopolitan agenda. While sovereignty is still the foundation of statehood and its defence naturally remains a core interest,⁷⁵ the overall pursuit of international human development – as expressed in the UN Sustainable Development Goals (SDGs) – is the guiding principle of Germany’s foreign policy.⁷⁶ This is clearly quite different from Imperial or Nazi-Germany’s bid for *Weltgeltung*.

Finally, the last of the principles derived from this thesis’ analysis calls attention to the role of the geopolitical context of Germany’s foreign policy – not only with regard to the navy. The more German leaders have to worry about threats in their proximity, the less intellectual and material resources they likely dedicate to maritime and global affairs. Bismarck’s famous exclamation that his ‘*map of Africa was in Europe*’ – signifying the confinement of his foreign policy ambitions,⁷⁷ fits this paradigm just as the Cold War West-German focus on the pressing Soviet threat along its Eastern border. With its versatility and cost-effectiveness as an instrument of foreign policy, especially with a resurgence of geopolitical threats in Germany’s vicinity, the navy permits a presence in the world even as army and airforce are bound to focus on national and allied defence in Europe. Given the preoccupation with geopolitical rivalry not just in the near abroad, it would be a substantial strategic opportunity wasted, to merely return to the Cold-War pattern of reducing the navy to territorial defence in Europe. At no point in time has German foreign policy ever lent itself more to benefit from the influence of seapower than in the 21st Century.

⁷⁵ See BMVg (2016), p. 24

⁷⁶ United Nations (2015); Chancellor Merkel’s foreword in, *Auswärtiges Amt* (2017)

⁷⁷ As i.e. quoted in, Eckert (2014)

Appendix

Interviews

Althaus, Uwe, legal advisor at BMVg, advisor to Admiral Hoch for OEF 2002, involved in drafting the navy's first standing ROEs (2016). Interview on 15th June 2020.

Eichel, Hans (SPD), Minister of Finances (12th Apr. 1999 – 22nd Nov. 2005), interviewed on 3rd December 2020.

Feldt, Lutz, Vizeadmiral (Vice Admiral), Inspekteur Marine (27th Feb. 2003 – 27th Apr. 2006), Commander of the Fleet (2000 – 2003). Interview on 12th August 2019.

Ganns, Harald, head of the Africa department at *Auswärtiges Amt* at the time of *Southern Cross*. Interview on 4th April 2019.

Griep, Ekkehard, Oberstleutnant (Lieutenant-Colonel), expert on UN missions at the BMVg, interviewed on 3rd May 2019.

Hoch, Gottfried, Konteradmiral (Rear Admiral), former aide de camp to Generalinspekteur Naumann, commander of *Southern Cross* and the first January 2002 OEF deployment. Interviewed on 24th April 2019 and 2nd July 2019.

Jacobsen, Ralph, Fregattenkapitän (Commander senior grade) (reserve), master mariner and former ECLC in Sharp Guard, supporting staff-work with NATO during the early phase of OAE, drafted NATO's first boarding hand-book. Interview on 8th October 2021

Kempf, Thomas, Flottillenadmiral (Rear Admiral), head of the planning and strategy department (*Stabsabteilungsleiter 3*) in the BMVg in Bonn when 9/11 happened. Interview on 13th September 2019

Kujat, Harald, General (four star), *Generalinspekteur* (1st Jul. 2000 – 30th Jun. 2002), Chairman of the NATO Military Committee (2002-2005), interviewed on 12th January 2021.

Naumann, Klaus, General (four star), *Generalinspekteur* (1st Oct. 1991 – 8th Feb. 1996), Chairman of the NATO Military Committee (1996-1999), interviewed on 9th August 2019

Schaadt, Jens, Fregattenkapitän (Commander senior grade) and German Liaison Officer at FOST at the time of the interview on 2nd September 2019.

Schimpf, Axel, Vizeadmiral (Vice Admiral), Inspekteur Marine (28th Apr. 2010 – 28th Oct. 2014), deployed in Mediterranean in 1987. Interview on 17th June 2019.

Schneider, Karsten, Konteradmiral (Rear Admiral), former Chief of Staff at the Marinekommando in Rostock (1st Oct. 2018 – 29th Sep. 2020), former deputy commander at the Führungsakademie in Hamburg and currently president of the *Deutsches Maritimes Institut*. Also deployed in *Sharp Guard*. Interview on 8th February 2021.

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