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In the last couple of years, with growing tensions in the Eastern Flank of the Alliance, Russia has become more assertive in maritime disputes with its neighbours. Russia’s provocative behaviour have included violations of national airspace and territorial waters, intimidation of planes and vessels in international airspace and waters, an increasing number of military exercises based on aggressive scenarios. For example, on several occasions in March and April 2018 the Russian Federation announced plans to conduct military exercises to tests naval-launched missiles in the Republic of Latvia’s exclusive economic zone (EEZ) in the Baltic Sea. Subsequently, the Russian Federation’s navy demanded to close part of Latvian airspace in an 18-kilometer altitude and 40 kilometres from Latvia’s seacoast in an area of especially busy traffic for at least 36 hours. Sweden and Poland were also requested by Russia to close parts of their airspace for the missile tests. In similar incidents in 2014 and 2015, the Russian Federation navy while conducting military exercises disrupted civilian shipping in the EEZ of Lithuania and demanded the cessation of NordBalt undersea electric cable laying activities.

From the security perspective, Russia uses grey zone tools and techniques to achieve (geo) political objectives. Russia’s goals suggest the need for grey zone revisionism as she seeks to renew Russian dominance of the near abroad, to undermine the North Atlantic Treaty Organization (NATO), and to coerce the foreign policy decisions of neighbouring states by using political, energy, and economic, and maritime intimidation in order to deny their right to align more closely to the West.

In addition, maritime disputes could have implications for energy security since economic cooperation in the region takes place mainly through maritime links, and there is a maritime dimension to almost every commercial activity in the region, including energy supplies. The Baltic Sea routes are used for exports as well as oil and gas supply diversification. In addition, the security of energy supplies could be disrupted by grey zone operations, including military activities, in the maritime domain due to fact that the Baltic Sea hosts some of the important regional energy infrastructure, including submarine cables (e.g. NordBalt, Estlink, LNG terminals).

In addition to security challenges, Russia’s growing provocative behaviour in maritime domain raises important legal challenges for NATO and its concerned allies which have not been adequately addressed from the alliances’ and individual member states’ perspectives. Against the background of growing hybrid threats and grey zone incidents, current international law, largely the United Nations Convention on the Law of the Sea (UNCLOS) mechanisms are not sufficient to ensure the security of critical infrastructure in maritime domain. Critical energy and communication infrastructure, including undersea cables, sea lanes of communication, maritime and air access to ports in Baltic Sea and North Sea could be disrupted by military activities, including naval exercises which might not be unlawful from the legal perspective domain but which could cause serious economic damage, safety hazards as well as to disrupt communication networks, limit or deny neighbouring states access to energy installations and resource extraction areas.

The security of critical infrastructure in the Baltic States faces a number of challenges. Some of the most critical nodes of energy infrastructure do not meet all physical security requirements. Moreover, there is a lack of intra-regional physical security exercises among TSOs in the Baltic States. In addition, there is a lack of regional exercises to test the ability to withstand a major electricity blackout scenario. The existing intra-regional cooperation in CEIP is not sufficient in the context of growing security challenges in the region.

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The intraregional cooperation in energy security first of all is limited by the lack of awareness and understanding of the interconnectedness of threats in the region. The current cooperation on maritime security situational awareness and exchange of information is limited. The level and scope of cooperation within the framework of SUCBAS is not adequate, especially in the context of growing kinetic/non-kinetic threats in the region (e.g. aggressive exercises, dangerous overflights and maritime intimidation of vessels, increasing submarine activity).

In order to mitigate threats to sea lanes of communication and to ensure the security and safety of energy infrastructure in the maritime domain, the national authorities in the Baltic States should work together with the Nordic countries to address some of the following important challenges:

• Establish common coordination mechanisms to link maritime surveillance systems in the Baltic Sea Region in order to maintain 24-hour situational awareness in the entire Baltic Sea.
• Improve coordination and information sharing between national agencies, such as coast guards. In addition, national emergency response mechanisms should be integrated into regional response plans together with improvements in information sharing.
• Facilitate intra-regional cooperation to counter Russian threats and the legal challenges they present by creating a common intra-regional International Maritime Law Centre that could study, address, and respond to hybrid threats in the maritime domain.
• Address incidents at sea before an unexpected escalation occurs by developing additional military-military crisis management mechanisms in maritime domain.

• Increase crisis preparedness by developing and testing contingency mitigation plans for partial/full closure of maritime areas of the Baltic Sea which could also affect energy supplies. Such plans should reflect the mitigation measures, including alternative land and sea lanes of communication. The necessary infrastructure and arrangements for fuel supply/re-supply and distribution operations should be tested in joint regional civilian-military exercises.

• Improve regional maritime training focusing on the most effective counter measures against the intentional/unintentional loss of GNSS signals.

• Develop intra-regional cooperation and share the best practices in raising cyber security awareness among the personnel in energy sector.