

“TOO MANY COOKS IN THE KITCHEN? EU-NATO OVERLAP IN SAFEGUARDING EUROPEAN CRITICAL ENERGY INFRASTRUCTURE POST - 2022”

Dimitar Dimitrov Atanasov¹⁷

Ph.D. student ISCTE-IUL, Lisbon, Portugal

Abstract: Until 2022, European citizens had not faced any direct physical threat to their Critical Energy Infrastructure (CEI) for generations. However, in September of that year, everything changed with the sabotage of the Nord Stream 1 and 2 pipelines, which connected Germany to Russia. The research begins from this period due to the significance of both the year and the event. That year saw the outbreak of the conflict in Ukraine, introducing a new (in)security landscape for Europe. The event was also unprecedented, emphasizing the importance of this starting point. This shifted CEI protection to a top priority for both the EU and NATO, prompting action from both international organizations to prevent similar incidents in the future. However, the October 2023 Balticconnector incident – damage to an underwater gas pipeline and communication cable between Finland and Estonia – revealed inefficiencies in the synergy between NATO and the EU regarding CEI protection. This raised the research question: is there any overlap between the two organizations in CEI protection, and if so, in which areas?

Through an in-depth case study using the analytical tool of organizational overlap, it was found that there is significant overlap between the EU and NATO in their efforts to protect European CEI, particularly in the areas of division of labor and mandate. The study examined their strategies, discourse, methods, and intentions, concluding that coordination remains insufficient. Although steps have been taken to address the issue—such as the creation of the EU-NATO Task Force on CEI resilience and the “Coherent Resilience 2023 Baltic” tabletop exercise—progress in 2024 remains limited, leaving much to be desired from both organizations in this field.

Keywords: Organizational Overlap, NATO, EU, Critical Energy Infrastructure

Introduction

Critical energy infrastructure (CEI) is essential to the daily lives of European citizens, as it underpins the provision of goods, services, and basic necessities. Until 2022, European citizens, for generations, did not experience any direct physical danger to their CEI, with cyberattacks being the primary concern. However, this changed in September 2022 with the Nord Stream 1 and 2 explosions in the Baltic Sea, which disrupted gas flows from Russia to Germany (De Jong, 2023). The research begins from this period due to the critical nature of both the year and the event. The year marked the onset of the conflict in Ukraine, which introduced a new (in)security paradigm for Europe. The event itself was unprecedented, further

¹⁷ Contact address: Dimitar_Atanasov@iscte-iul.pt

underscoring the significance of this starting point. The incident elevated the protection of CEI to a top priority for both the EU and NATO. The EU prioritized energy infrastructure due to its central role in maintaining peace and prosperity, while NATO focused on its importance to military operations. Despite these efforts, in October 2023, the Balticconnector incident—damage to an underwater gas pipeline and communication cable between Finland and Estonia (Ringbom & Lott, 2024)—revealed continued vulnerabilities in CEI protection. These events, both in the Baltic Sea, demonstrated a clear problem in the EU and NATO’s efforts to protect this type of infrastructure. Through the lenses of the Organizational overlap concept, the research question that will be answered will be in what areas, if any, do the two IOs overlap in their attempts to protect European CEI?

Using the strong conceptual mechanism of Organizational Overlap, a detailed case study of the EU and NATO’s approaches to safeguarding CEI revealed a lack of clear division of labor and mandate between the two International Organizations (IOs) because of the significant overlap, which in fact does exist between them on the issue. The study examined their strategies, discourse, methods, and intentions, concluding that coordination remains insufficient. While efforts have been made, such as the creation of the EU-NATO Task Force on CEI resilience and the “Coherent Resilience 2023 Baltic” table-top exercise, these initiatives were evidently not enough to make a difference. Because two incidents of damaged underwater infrastructure in two years, coupled with the absence of significant progress in 2024, suggest that these efforts fall short of addressing the problem effectively and the overlap between the IOs continues to be present.

The first part of the article presents the methodological approach, followed by a literature review on critical energy infrastructure and its protection, and by an outline of the conceptual framework of organizational overlap. It then reviews previous research on the issue and concludes with an analysis, leading to the final conclusions.

The Methodological approach

This article conducts a detailed analysis through a case study of NATO’s and the European Union’s approaches to the protection of critical energy infrastructure in Europe through the lenses of the powerful explanatory instrument of organizational overlap. The conclusion is drawn by examining these approaches through the lens of key stakeholders within both organizations, assessing the methods and strategies employed by NATO and the European Defense Agency (EDA) (here considered a representative of the EU), and exploring their broader intentions in addressing this critical issue. In addition, the study highlights the intersections and divergences between the two entities’ policies, providing a comprehensive understanding of how both institutions contribute to securing Europe’s Critical energy infrastructure amidst evolving geopolitical challenges.

Literature review on Critical energy infrastructure and its Protection

In academic literature, critical energy infrastructure is often discussed within the broader context of various types of critical infrastructure at risk, such as food and medicine supplies (Church et al., 2004). The term “critical infrastructure” is used by governments to

encompass all essential resources for a nation's economic, financial, and social systems, whose protection is vital since any disruption can harm society and endanger lives (Di Pietro et al., 2020:157). CEI, however, plays a particularly crucial role in safeguarding national security and ensuring economic stability. It includes key facilities responsible for electricity generation, transmission, and distribution, as well as gas processing plants, pipelines, and strategic storage systems (Truscott, 2009). Identifying critical infrastructure involves assessing which facilities, if compromised or rendered inoperable, would cause significant disruptions to service delivery (Church et al., 2004), a criterion that applies to CEI.

Its protection as already stated should be the priority of the states (Kruszka & Muzolf, 2022), and in recent years, cyberattacks were identified as the main method of the disruption of CEI (Pléta et al., 2020; Kumar et al., 2018), with the most prominent and evident example in Europe being the devastation of Ukraine's critical energy infrastructure by Russian forces (Davydiuk & Zubok, 2023). Nonetheless, the sabotage of the Nord Stream 1 and 2 pipelines in September 2022 (De Jong, 2023), along with the Balticconnector incident which happened in October 2023 (Ringbom & Lott, 2024), both in the Baltic sea, were physical rather than digital in nature. The acts, which by themselves were unprecedented before, are a clear indicator of the shifting focus of threats to CEI. This way, offshore critical energy infrastructures, to which the upper mentioned incidents happened in recent years, becomes more and more central in academic literature, too (Georgescu & Gurău, 2024).

Organizational Overlap – An elusive notion?

The approach of this article stands on the basis on the concept of organizational overlap. Instances of organizational overlap between the EU and NATO in regard to threats to critical (energy) infrastructure in Europe after 2022 will be identified. For the sake of this work, institutional and organizational overlap are regarded as close synonyms and, therefore, carry the same weight as terms.

Organizational overlap is a slippery concept on which there is no general consensus in academic literature. Schuette (2022) states that the growing complexity of transnational problems leads to the expansion of already existing institutions domains, which leads to more institutional interactions, and as a result, there are more and more cases of institutional overlap, which occurs mostly in terms of mandate, membership, and the geographic realm of cooperation (Schuette 2022: 1, 2). Galbreath and Carmen (2010) explain overlap in terms of "functional convergence" of "norms, interests, and objectives" of regional organizations that previously "provided niche functions" in clearly delineated and separate spheres during the Cold War but then had to adapt to the post-Cold War environment (Galbreath & Gebhard, 2010:1, cited in Koops, 2017). The four fields of overlap, that are differentiated by Peters (2003), are membership, policy areas, general functions, and problem areas (Peters, 2003). Hofmann (2009) distinguishes between three institutional dimensions of overlap: membership, mandate, and resources, and for her, through them, overlap can be understood. According to the her, in another article (Hofmann, 2010), "the degree of institutional overlap varies along these three dimensions". Membership includes all members that make up the International Organizations; Mandate implies the functions and responsibilities of each institution; and Resources suggests the common resources pooled in each institution (Hofman, 2010:103). Schleich (2014), on the other hand, takes a different approach towards overlap, which is only

the division of labor, specifically between IOs. Koops (2017) brings some light into the picture, too, stating that there is more work to be done on organizational overlap so as to turn it from a “powerful descriptive tool into a useful explanatory and predictive concept” (Koops, 2017:327). Yet, Young (1996) gives us a clearer view of the concept: “organizational overlap describes situations in which institutions partly intersect, in many cases accidentally” (Young, O. 2009:14, cited in Brosig, 2011). This description of the concept, combined with the one of the three dimensions of overlap (mandate), presented by Hoffman (2010), and the division of labor presented by Schleich (2014) will be the one that I use in this article.

State of the Art

Previous works (Zyla, 2011b; Mayer, 2017; Hofmann, 2018; Hoeffler & Hofmann, 2024) have discussed the idea of EU-NATO overlap, but none of them has ever touched on their intersection on critical energy infrastructure protection. Zyla (2011b) discusses the EU’s and NATO’s inter-organizational relationship, and not their material overlap, but rather their pursuit for organizational identity and role in the domain of foreign and defense policy, along with ideational structures that affect both institutions’ social behavior, and behavior towards each other takes central stage. As a consequence, he makes the argument that there is a significant normative overlap between them (Zyla, 2011b). Mayer (2017) focuses on the EU’s and NATO’s regional strategies in regards to Georgia, and assesses their complementarity and overlap across three sets of tasks: defense and empowerment, crisis management, and security reform. The author concludes that there is no overlap in the first two sets, but that cannot be said about the third, where overlap is more than visible. Furthermore, the IOs do not show inter-organizational cooperation over Georgia (Mayer, 2017). Hofmann (2018), explains how organizational overlap between the EU and NATO can affect the execution of organizational mandates while introducing the concepts of hostage-taking, forum-shopping, and brokering that are used by the member-states of these organizations to achieve their goals (Hofmann, 2018). Hoeffler and Hofmann (2024), basing their research on interviews and primary documents, show that the EU-NATO overlap enables the European Commission to use its position with the EU to its advantage and further impose itself on the EU’s security and defense activities (Hoeffler & Hofmann, 2024).

This highlights a gap in academic literature addressing the overlap between the EU and NATO in the realm of critical energy infrastructure. Despite the limitation posed by the scarcity of existing research on this topic, this article aims to contribute to closing this gap and advancing scholarly discourse in this area.

The Overlap between NATO and the EU in the protection of European CEI

In this part of the article, which is the analytical one, I identify cases of organizational overlap between NATO and the EU in their approach to the protection of CEI in Europe post 2022. As already established, I will use Young’s (2009) description of organizational overlap, which is “situations in which institutions partly intersect, in many cases accidentally” (Young, O. 2009:14, cited in Brosig, 2011). This description of the concept, along with the one of the three dimensions of overlap, specifically mandate, presented by Hoffman (2010), and the division of labor with which Schleich (2014) works with, will be the one that I use in this article. EU Member States prioritize protecting critical energy infrastructure since a disruption or

the destruction of a part of it might have adverse effects on a number of key infrastructure sectors in an economy. Critical energy infrastructure is a subject both of national and EU legislation (Melchiorre, 2018:35).

For example, the European Union claims that “the primary and ultimate responsibility for protecting European critical infrastructures falls on the Member States and the owners/operators of such infrastructures” (Council of the European Union, 2008).

NATO is dedicated to assisting the Allies in safeguarding their national infrastructures because governments view the problem as important to their national security. For this, the Alliance organizes trainings and exercises, which are helpful in boosting awareness and information exchange both among the Allies and its partner nations (Melchiorre, 2018:35). In connection with the Nordstream 1 and Nordstream 2 sabotages, NATO reaffirmed its stance that “the protection of critical undersea infrastructure on Allies’ territory remains a national responsibility, as well as a collective commitment”, stating that it is ready to support its Allies by request (NATO, 2023, paragraph 65), but in the following year, in the Washington summit declaration, the Alliance stated how it will enhance its “ability to deter, detect, and respond to threats” towards its critical undersea infrastructure, while at the same time strengthening its protection of it (NATO, 2024, paragraph 7). It could be argued that this was a delayed reaction to the damaged Balticconnector pipeline incident in 2023, in NATO waters. The EU’s focus on protecting critical infrastructure plays a central role in countering hybrid threats (Pillai, 2023:8). Protecting critical infrastructure was even one of the key areas in the European Strategic Compass that needed improvement. The five-point plan of Commission President Ursula von der Leyen, too, advocated for the enhancement of preparedness, especially in the energy sector. But the main problem with the EU’s engagement in protecting critical (energy) infrastructure is hindered by the lack of trust between its members (Pillai, 2023:8). Evidently, there is no clear division of labor or mandate, although, while both IOs transfer the responsibility for the protection of critical energy infrastructure to their members, they both want to increase resilience against coercive action against energy infrastructure by both state and non-state actors.

Cases of organizational overlap were also noted in the official positions of NATO and the EU on the defense of critical energy infrastructure. On NATO’s website, in the section “Topic: Energy security”, (NATO, 2022), we read “Protecting energy infrastructure is primarily a national responsibility. However, since NATO forces are dependent on civilian energy infrastructure, it is important that Allies strengthen their infrastructure to account for NATO’s resilience baseline requirements”, and also that “Since infrastructure networks extend beyond borders, attacks on complex energy infrastructure by hostile states, terrorists, or other malign actors can have repercussions across regions” (NATO, 2022).

At the same time, in the Fact Sheet of the third working group from the Consultation Forum for Sustainable Energy in the Defense and Security Sector (Phase III) (EDA, 2020), implemented by the European Defense Agency, which deals with the protection of Critical Energy Infrastructure, it is stated that “Although national authorities are predominantly responsible for the protection of critical infrastructure, related disruptions can have a negative impact across national borders, thus requiring an EU dimension” (EDA, 2020:1). It is apparent that NATO and the EU want to engage to some extent with the defense of critical (energy) infrastructure of their Members on the Old Continent while at the same time using almost the exact same rhetoric, which contributes to their overlap in the area since there

is no exact specification on who has the mandate to do so, with the exception of delegating this responsibility to the national governments, which contributes to the perplexity of whose responsibility actually is it. Likewise, in order for the Alliance to increase its awareness and that of Allied countries on the topic, it organizes “specific events, such as workshops, table-top exercises, and briefings by external experts” (NATO, 2022). The third phase of the EDA’s project also organizes workshops in order to “enable more in-depth consideration of project development and upscaling in defense”, as well as “plenary conferences, table-top exercises, and joint defense-energy meetings” (EDA, 2023). It is noticeable that the two organizations not only overlap on their stance on the protection of critical energy infrastructure but also on the ways to get there.

Coming from the evidence above, which indicates that a clear division of labor and mandate on defense of critical energy infrastructure on the part of NATO and the EU is not present, it could be argued that progress towards this division was made with the creation of the EU-NATO Task Force on resilience of critical energy infrastructure, on which the two IOs released a Final Assessment Report at the end of June 2023 (European Commission, 2023). Right in the beginning of the document, it is stated that “NATO and the EU will continue to work towards making critical infrastructure, technology, and supply chains more resilient in the face of continuously evolving threats and risks, based on parallel and coordinated assessments, and to take action to mitigate potential vulnerabilities” (European Commission, 2023:1). Within the context of the Nordstream pipelines sabotage, it is said that “the seabed is a field of growing strategic importance due to increasing reliance on undersea infrastructure and the particular challenges in protecting it from hybrid threats and physical damage” (European Commission, 2023:4, 5).

With the promise of that “the two organizations will continue to cooperate in a complementary and mutually reinforcing manner to build resilience and be prepared to manage disruptions from any source”, the staffs of the EU and NATO identify some key recommendations with the goal of building more cooperation between them, from which, for the purpose of this study, the most important are the following: “ensuring swift engagement between high level EU and NATO officials in the case of an identified major hazard to critical infrastructure or a significant change in the security context”; “making full use of synergies between respective processes deriving from EU and NATO critical infrastructure policies and programs”; “promoting engagement among Allies, Member States and the private sector, including on security by design for critical infrastructure”; and “identifying synergies and potential areas of cooperation in security research activities related to critical infrastructures” (European Commission, 2023:8, 9). These specific recommendations were highlighted in the research because they show the clear will of the IOs to work more closely together and synergize better, which, if implemented correctly, could lead to a clear separation of roles regarding the protection of critical energy infrastructure in Europe, which, to this point, is not seen. Furthermore, the European Commission Joint Research Centre and the NATO Energy Security Center of Excellence did execute, in November, 2023, the table-top exercise “Coherent Resilience 2023 Baltic” in Riga, Latvia. The protection of critical energy infrastructure in the Baltic States, specifically focusing on maritime and offshore energy installations in the Baltic Sea, was a key aspect of the exercise. It addressed hybrid threats, terrorism, and maritime operations targeting these installations and related facilities in the region. The primary objective of the exercise was to assist national authorities, regulators,

and infrastructure operators in the Baltic States in enhancing their resilience and response capabilities (European Commission et. al., 2024).

Nonetheless, during the analysis It was noticed that since 2023, there was virtually no further progress on the EU-NATO task force, which shows how much more work can be done in that field between the two IOs and possibly the lack of will to do so. Furthermore, only a single tabletop exercise after two incidents with critical energy infrastructure in two years is clearly not enough to help with the division of labor or mandate between the EU and NATO in the protection of CEI. Still, the report and the exercise show some commitment, and they could be accepted as small steps towards reaching this seemingly unreachable goal for NATO and the EU, which could increase Europe's energy security and the well-being of its citizens, but there is much more work to be done.

Conclusions

After identifying the acute problem of the lack of safeguarding of European CEI by the EU and NATO, this article set out to find an answer to the question of whether there are areas in which both IOs overlap in their attempts to protect European CEI, if any overlap between them exists at all. During the research, it was identified that NATO and the EU do in fact significantly overlap in their engagement in ensuring the protection of critical energy infrastructure in Europe, especially in the areas of mandate and division of labor. This arises from their similar roles regarding the issue, their similar approaches, and even their similar discourse on it. Adding to the vagueness of who can provide more security is the fact that both IOs claim that the responsibility for protection of critical infrastructure should be held by national governments, which could lead to doubts on why the political will of both institutions towards securing these infrastructures is so strong? Steps towards the division of labor and a clearer division of mandate are evident, though. They come from the EU-NATO Task Force on Resilience of Critical Infrastructure, which, at least theoretically, sets clearer boundaries and makes suggestions on how the two organizations can proceed in reaching their goal on critical infrastructure. If followed, these recommendations may solve the problem of "too many cooks in the kitchen" and could facilitate national governments and the institutions themselves in separating who has which responsibility for the infrastructure's defense. The "Coherent Resilience 2023 Baltic" tabletop exercise, conducted between the two organizations also shows some commitment in walking in the right direction. But it must be said that since 2023, virtually no progress is made on both of these attempts to divide labor and mandate, and it must be underscored that for two years, they are simply not enough.

NATO and the EU both talk about how the security of CEI on the Old continent must be strengthened, but they present similar approaches to doing so. It could be argued that the Alliance tries to ensure energy flow for its military capabilities and secure civil energy infrastructure for the same reason, while the Union tries to ensure security of supply and diversification of energy resources mainly because of its citizens, and the market. And yet, there is still much more work to be done by both IOs if their political will permits is.

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