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MARITIME SECURITY COOPERATION IN THE MEDITERRANEAN: TOWARDS A COMPREHENSIVE APPROACH

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In the post-Cold War era, the Mediterranean Sea has become increasingly important in terms of maritime security (including anti-terrorism, anti-trafficking and anti-immigration). In this context, maritime security cooperation has become crucial. My chapter discusses the geopolitical shift from the Atlantic towards the Mediterranean, the current challenges in terms of maritime security and the prospects of North-South maritime security cooperation in the region.

THE GEOPOLITICAL SHIFT FROM THE ATLANTIC TO THE MEDITERRANEAN

During the Cold War era, under the threat of an invasion of Western Europe by Warsaw Pact’s land and air forces, the European navies were integrated within the Euro-Atlantic system of defence. In case of war, they would have had to supply Europe for the war effort, i.e. to perform logistic tasks, and to defend Europe’s maritime approaches and the Euro-Atlantic Sea Lines of Communication (SLOCs), i.e. to secure the command of the Atlantic.

To counter the Soviet military threat, the decisive theatre for the naval forces was the Atlantic Ocean. Indeed, in case of conflict, the Soviet submarine fleet might have revealed dangerous for Western logistics. This being said, the importance of the Mediterranean SLOCs for Europe’s economy, notably regarding energy supply, could not be neglected. However, within the global Euro-Atlantic defence structure, the Mediterranean was clearly a sub-space, i.e. a theatre among others, even if since the 1960s the presence of the Soviet Eskadra gave a new strategic importance to this area, and if the US has always maintained a strong naval presence there (the 6th Fleet). As for the Europeans, only France, the UK, Italy, and, to a lesser extent, Spain, gave a certain strategic importance to the Mediterranean. The UK’s interest was due to overseas interests, Italy and Spain due to obvious geographical reasons, and France for both motives.


2. Since 1967, the principal effort of the Royal Navy’s conventional forces had been officially reoriented towards the defence of the Euro-Atlantic SLOCs, and its Mediterranean effort seriously diminished.
During the Cold War, the Mediterranean region had never lost the particularity of being a frontier zone between the North and the South and, thus, the theatre of some conflicts possessing their own dynamics (the Israel-Arab wars, the Suez crisis, the Algerian war, Lebanon war, etc.).

During the Cold War, the Mediterranean had been considered as a geostrategic space among others within the broader Euro-Atlantic defence system resulting from the bipolar division of the world, where issues were global rather than regional. That said, for some actors, the Mediterranean had kept a greater strategic importance: for the coastal States, such as Italy and Spain, but above all, for the UK and France due to their overseas interests and policies. Moreover, the Mediterranean region had never lost the particularity of being a frontier zone between the North and the South and, thus, the theatre of some conflicts possessing their own dynamics (the Israel-Arab wars, the Suez crisis, the Algerian war, Lebanon war, etc.), which also determined the role of naval forces in the area.

However, the East-West rivalry had always complemented and, in a sense, exceeded the North-South antagonism, such as during the Suez crisis or the war of October 1973. Thus, the fact that the Mediterranean was a point of contact between the North and the South was not the main determinant of policies and strategies towards the Mediterranean during the Cold War, for everything was first and foremost dictated by the bipolar division of the world. One can thus state that during the Cold War, the Mediterranean had lost its strategic importance relatively to the Atlantic space, although its importance in terms of line of communication and of space of friction between the North and the South had continued.

Then, the end of the Cold War, that is to say (in military and strategic terms) the end of the permanent risk of a global, total and nuclear (thus apocalyptic) war, engendered the redefinition of the strategic and security policies, given budgetary restrictions and the emergence of "new" risks and threats towards Europe in particular and the "West" – or the "North" – in general. Concretely, all the European States (despite certain differences in the definition and perception of threats, and some differences in the timeline) have evolved from a conception of Europe’s defence based on the territorial defence of the continent and the defence of the Euro-Atlantic SLOCs against an invasion by the forces of the Warsaw Pact, towards a broader concept of security, encompassing terrorism, weapons of mass destruction (WMD) proliferation, transnational criminality, illegal immigration and environmental degradations.

The probability for the European naval forces to be engaged in missions such as coastal defence or defence of the SLOCs has very much decreased, for the threat of a powerful, foreseeable and long-term naval enemy has disappeared along with the Soviet Union. On the contrary, with the broadening of the security agenda, the naval forces, given their basic characteristics that are flexibility, mobility, versatility and interoperability, are naturally engaged in interventions and crises management, but also counter-terrorism, counter-piracy, counter-trafficking and even marine environment protection.

Geostategically speaking, the importance of the Atlantic Ocean tends to decrease, since the Euro-Atlantic SLOCs are not anymore threatened. In contrast, in the eyes of the Europeans, the Mediterranean, whose importance has less to do with SLOCs and more with the crises and instabilities surrounding it, has gained importance in terms of security. In the post-Cold War era, the Mediterranean is at the centre of a security
nexus, where the two shores, although interdependent, have developed a certain antagonism and have developed a feeling of distrust towards each other. The “Northern” States fear the instability that the “South” represents (terrorism, immigration, proliferation of WMD, regional conflicts, etc.), while the “Southern” States fear the growing culture of projection and intervention developed by Europe (and the US) and cannot satisfy with the somewhat neo-colonial economic policies developed by the “North”.

Both NATO and the EU are concerned about security in the Mediterranean. The two organizations have explicitly stated the importance of this area in terms of security. If both actors have developed cooperative tools, such as the NATO Mediterranean Dialogue and the EU Barcelona Process and the subsequent Union for the Mediterranean, their de facto objectives are related to energy security, counter-immigration, counter-terrorism, counter-trafficking, etc.

Since the dissolution of the Soviet Eskadra in May 1991, the Europeans (and the US) control the Mediterranean and can freely deal with two broad categories of issues: regional and internal conflicts (such as in the Balkans, the Gulf, the Middle-East, North Africa, etc.), which call for (naval) interventions, and the transnational threats, which call for efforts in terms of maritime security. Both issues are obviously linked, as the second (criminal activities, terrorists) feed from the first (conflicts, weak States). I will now concentrate on the second aspect, i.e. maritime security.

**MARITIME SECURITY IN THE MEDITERRANEAN**

The very nature of the maritime milieu facilitates the proliferation of transnational threats. Indeed, the sea is uninhabitable and one cannot occupy it in a classical military manner. Thus, it is relatively difficult for the States to control the sea. Consequently, the sea “represents a space of liberty for criminal non-State actors, which can operate in a vast space without facing many police constraints.” Combating transnational threats at sea or coming from the sea, requires day-to-day police activities, sometimes in blue waters. It is mainly a notion of peace-time, as it does not constitute a reaction to an aggression by another State and does not (normally) imply war operations. On the one hand, it is the transposition at sea of Max Weber’s notion of the monopoly on the legitimate use of violence. But on the other hand, it goes beyond this notion and beyond the classical definition of police activities, as it requires operating outside territorial waters, sometime within foreign States’ territorial waters.

Maritime security requires the establishment of rules (normative level) and then the setting up of controls and repression (operational level). It also requires an efficient intelligence network, as the sea is wide and hard to monitor. Indeed, hundreds of ships greater than 100 tons transit through the Mediterranean daily and only some of them may transport illegal cargo/passengers. At the operational level, the naval forces hold a central position, as they enforce law in the territorial waters, the exclusive economic zones (EEZs) and in the international waters (right of hot pursuit, struggle against piracy, control of the ships flying the flag of

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their States and the application of other international rules and conventions). In addition to the repression of illegal activities (enforcement), naval forces carry out presence and surveillance operations in order to deter criminals and terrorists by ostensibly showing the flag.

Traditionally, police and constabulary tasks have been neglected by naval practitioners, strategists and academics, as they do not correspond to the “noble” image, by which navies have been usually represented, i.e. prestigious naval battles on the high seas. However, since the end of the Cold War, due to strategic realities, this perception has changed. Indeed, great naval battles are even less likely to happen than during the Cold War. Then, the current scenarios put the main emphasis on projection operations, but also on counter-insurgency, counter-terrorism and, more generally, on the struggle against criminality at sea and the promotion of good governance at sea (maritime security).

Navies must participate in police operations, but in order to secure the sea, purely military means are not sufficient and the struggle against transnational criminality requires varied means and services (such as coast-guards) to operate at sea.

As discussed above, since the end of the Cold War, the Mediterranean area has been identified as a fundamental security area. In fact, in terms of security, Europe and the Mediterranean are more strongly linked today than during the Cold War era, because most of the “new” security challenges identified by the Europeans are now localized in this area. The Mediterranean constitutes the main route towards Europe for incoming transnational threats, such as illegal immigration, drug trafficking and terrorism. Moreover, the adjacent Horn of Africa suffers a huge increase of piracy and robbery at sea. Consequently, European States, NATO and the EU are strongly involved within the wider Mediterranean area.

**Antiterrorist operations in the wider Mediterranean**

Following the September 11 terrorist attacks and the subsequent “war on terror” (as depicted by the US government), the Europeans have been active with their US partner in the struggle against terrorism at sea. The most significant example is given by two operations taking place in the wider Mediterranean initiated in the aftermath of September 11. Since October 2001, on the fringe of the military operations in Afghanistan, but still in the framework of operation Enduring Freedom, a large international coalition (led by the US) has been acting in the Indian Ocean and at the Horn of Africa to prevent terrorists from using the sea as a means of transportation or making attacks, such as the ones against USS Cole or the French tanker Limburg.

In the Mediterranean per se, from October 2001 until March 2003, operation Active Endeavour (under the aegis of NATO) had a mandate to monitor the ships in the eastern part of the Mediterranean (deterrence) and from March 2003 its mandate was extended to on-board inspections (and from February 2003 until May 2004 to escorting civilian ships through the Strait of Gibraltar). After March 2004 the operation was extended to the whole Mediterranean. This ensures not only deter-
rence, but direct involvement to maintain and exert command of the sea*. These two operations constitute an ideal-type of complex naval cooperation within a multilateral composite network gathering national units, on-call and standing naval forces.

The tangible results of these operations are very difficult to estimate. Officials declare that the deterrent effect is clear, basing their statements on the fact that there were very few cases of terrorism at sea, and attributing to themselves the merit of this positive situation, saying that the allied controls are successful in deterring terrorists*. One has to remain cautious regarding these potential deterrent effects since the correlation seems not to be evident. Nevertheless, one can notice some positive side effects in terms of reducing transnational criminality, notably smuggling activities*. These anti-terrorist operations illustrate that the monopoly on the legitimate use of violence at sea is a comprehensive task, which requires to deal with various threats at once and to operate far away from the territorial waters.

Struggle against transnational criminality (piracy and trafficking) in the Mediterranean

Apart from the case of terrorism discussed above and of illegal immigration examined below, the Mediterranean Sea is used by criminal non-State actors in two main ways threatening European security7.

Firstly, there are acts of piracy*. European waters are not the theatre of such activities, as the coastal areas are sufficiently well policed. This prevents potential pirates to benefit from rear bases, which are essential to prepare and execute attacks at sea*. Close to Europe, however, the Somali coasts are currently challenging in terms of piracy. Recent attacks against European commercial ships and boating have called attention to this region. Piracy and robbery at sea at the Horn of Africa have become a serious problem, since the collapse of the Somali State and the chaotic situation ashore provide pirates with rear bases to support their raids.

Following the increase in the number of raids in 2007 and 2008, the UN Security Council passed three resolutions between May and October 2008. Resolution 1816 (June 2, 2008) authorises States to use "within the territorial waters of Somalia, in a manner consistent with action permitted on the high seas with respect to piracy under relevant international law, all necessary means to repress acts of piracy and armed robbery"74. In the meantime, various States, including Europeans, have sent naval units in the region to deter pirates, as well as to signify their support to the ships flying their flag, and NATO has sent units to protect ships bringing humanitarian aid to Somalia. On 5 November 2008, the Council of the EU launched the first ever European Security and Defence Policy (ESDP) naval operation, operation Atalanta75. It has the mandate to deter, prevent and respond to acts of piracy and robbery at sea, including within Somali territorial waters76.

Secondly, the majority of criminal activities at sea concerns arms and especially drug trafficking. Arms’ trafficking includes small arms, light weapons and weapons of mass destruction (or at least some of their components); it is thus linked to warlordism, civil war, insurgencies

14. NATO Diplomatic Division, Combating terrorism at sea, Briefing, April 2004. Between October 2001 and January 2005, 59,000 ships were identified, of which 80 were subject to control on board, and 488 allied ships were escorted in the Gibraltar Strait (NATO Diplomatic Division, NATO and the fight against terrorism, Briefing, March 2005, p.8).

15. See for example the statement (concerning Enduring Freedom) of Vice-Admiral Xavier Rail, Commander of the French forces in the Indian Ocean, quoted by Agence France Presse (AFP), Cooperation militaire entre les marines française et éthiopienne, 9 November 2004.

16. NATO Diplomatic Division, Combating terrorism at sea, op. cit., p.4.


18. Legally speaking, "piracy" describes actions performed in international waters; actions performed within territorial waters are called "robbery at sea".

19. In fact, the risky zones in terms of piracy and robbery at sea listed by the International Maritime Bureau are located in the waters near China, Indonesia (especially the Strait of Malacca), Nigeria, in the vicinity of some Brazilian ports, and off Somalia and at the Horn of Africa. International Chamber of Commerce, International Maritime Bureau, <http://www.icc-cmc.org>.


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and obviously terrorism. Drug trafficking includes cannabis (from North Africa), cocaine (from South America) and heroin (from Asia, essentially from Afghanistan). The risky zones for Europe are the most remote regions, such as the North of the UK and Ireland, or more likely, the least policed areas, such as the Balkan coasts in the Adriatic Sea or the Black Sea; for geographical reasons (Morocco is the world's main cannabis provider⁴⁶), the Strait of Gibraltar is also a hot spot. In addition, since controls in the Caribbean are more rigorous, the cocaine route tends to go through Africa before redirecting towards France and Spain, thus merging with the cannabis route⁴⁶.

Within the Mediterranean, navies and multinational forces are monitoring the sea on a daily basis and, depending on the information transmitted by the various national and multilateral intelligence mechanisms, can intercept smugglers. These actions are restricted by the fact that, according to the international law of the sea, one is theoretically not authorised, on the high seas, to intercept ships flying foreign flags without flag States' consent. The Europeans thus rely upon multilateral agreements, bilateral agreements or ad hoc compromises with flag States⁴⁷. Multinational forces (such as NATO standing naval forces or EUROMARFOR) and multilateral operations (such as Active Endeavour and Enduring Freedom) also play a role in narcotics interdiction.

Anti-illegal Immigration in the Mediterranean

Although it is still a controversial issue, mass and illegal immigration is considered by the European States and by the EU as a threat to their security. Concerning illegal immigration through the sea, I shall specify that in the majority of the cases, illegal migrants must not be classified as the authors of the criminal activity at sea. The instigators are the human smugglers, who are the real criminals in these affairs. The migrants often die while crossing the Mediterranean on boat people⁴⁸, and smugglers are even ready to throw them into the sea in order not to suffer a flagrante delicto when they see the police forces arriving.

Thus, the daily activities of naval forces (including coast-guards) consist not only in deterring the smugglers and arresting the illegal immigrants, but also in helping endangered small boats and migrants (Search & Rescue – SAR). The areas most concerned by illegal immigration, like for drug smuggling, are the less policed regions, but also more generally the maritime routes towards Spain (the Strait of Gibraltar, the Canaries Islands), France, Greece, Malta and, above all, Italy (the Strait of Otranto and Sicily).

Italy is confronted to massive immigration flows from the Balkans, especially since the fall of communism in Tirana in 1991. In 1997, following the new influx of migrants consequent to the Albanian financial crisis, Italy decided to strengthen its naval device by signing with Albania an agreement authorizing Italian naval forces to operate in Albanian territorial waters in order to intercept and roll back migrants coming from Albania. Since then, Italian naval forces (Marina, Guardia di Finanza and Guardia Costiera) have played an important role⁴⁹. Thus, since 2004, the route from Albania to Italy through the Strait of Otranto has been less frequented, thanks to the intense monitoring activities carried out by

27. In 2002, a quarter of Italian navy's sailing hours were devoted to the struggle against illegal immigration. Derek Luttenbeck, “Policing Migration in the Mediterranean”, op.cit., p.67.
the Italian services and the aid given upstream by Italy to the Albanian services\textsuperscript{28}. Since the middle of the 1990’s, Italy has also faced a serious clandestine immigration flow from North Africa (notably from Libya), via Sicily and notably the island of Lampedusa, where migrants are landing almost on a daily basis. Moreover, due to the efforts in the Adriatic, a great part of the migrants has redirected towards the Sicily route\textsuperscript{29}.

In Spain, since 1995, the phenomenon of illegal immigration from North Africa (via Ceuta and Melilla) has become very important. In this case, the role of naval forces is relatively limited, as the majority of the interceptions are done ashore. Navies’ role is often limited to SAR, as migrants’ skiffs often capsize\textsuperscript{30}. Since 2004, the number of migrants using the Gibraltar route has decreased, thanks to the intensity of controls carried out ashore, notably in Ceuta and Melilla\textsuperscript{31}. On the contrary, as in the case of Italy, this diminution coincides with an increase of arrivals via the Canaries route (from Morocco, Mauritania and Senegal). This route seems to be privileged as the number of controls at sea has been quite low so far\textsuperscript{32}.

Since a couple of years, the Maltese route is also well valued because of the geographical location of the island (close to the African coasts, halfway to Italy) and as Malta is member of the EU since 2004. Greece has also faced a flow of illegal immigration since the end of the 1990s and notably the beginning of the 2000s, via Turkey. France is less affected by the phenomenon of boat people. Officials say that it is due to the deterrent effect of controls at sea, but it seems that the geographical factor is a better explanation\textsuperscript{33}.

To deter, to arrest or to rescue illegal migrants in the Mediterranean, States engage their navy, coast-guards and police forces. But since 2005, the EU is also involved through its specialized agency FRONTEX, which has coordinated various operations conducted multilaterally by European navies in the Aegean Sea, in the Western Mediterranean, off Malta, as well as off Senegalese coasts and Canaries Islands.

Maritime security often requires the States to act outside their territorial waters, sometimes within foreign States’ territorial waters, in order to cope with terrorism at sea, piracy, arms and drug smuggling, as well as illegal immigration. Inter-State coordination and multilateral operations (at the EU or NATO level) are crucial in order to secure the sea. Indeed, criminal actors use the maritime space to their advantage, by exploiting legal disparities, as well as inefficient coordination between services within and between the different countries. Consequently, cooperation in the field of the struggle against transnational threats at sea is an imperative requirement, although not so easily achievable.

**MARITIME SECURITY COOPERATION IN THE MEDITERRANEAN**

In the Mediterranean, maritime security cooperation implies not only intra-European or Europe/US maritime cooperation, but also North-South maritime cooperation, which requires not only technical, tactical and operational cooperation, but also confidence building, coalition building, dialogue, etc. In parallel to bilateral cooperation, NATO and

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29. Lutterbeck, op. cit., p.75.
33. For the official point of view of the French General Staff, see État-major des Armées, Sauvegarde maritime: une dimension de sécurité renouvelée, Paris, 2004, pp.9-10.
the EU are the principal multilateral actors involved in fostering maritime cooperation in the Mediterranean.

As the traditional naval actor in the Mediterranean, NATO has the necessary experience and assets to foster cooperation in the area. With strong capabilities in terms of “hard security”, it has credibility for coalition-building. Moreover, the participation of the US implies more assets, more power and more leverage. Nevertheless, NATO also has some disadvantages: indeed, there is a strong misperception by the “South”, which perceives NATO as a way of (US) domination; the “West” (or the “North”) is perceived as a whole (i.e. non-discrimination) and a whole dominated by the US™. Consequently, NATO has not proved good enough in terms of coalition building in the Mediterranean; for example, only Morocco has agreed to contribute to operation Active Endeavour. Moreover, operationally speaking, NATO has a relative weakness regarding “soft security”; indeed, it has few competences in the field of counter-immigration and marine environmental protection.

Compared to NATO, the EU has some advantages: it has a stronger expertise in “soft security” (counter-immigration and maritime safety); thus, it has a comparative advantage in civilian power projection (i.e. exercising the monopoly on the legitimate use of violence at sea). The EU has developed a comprehensive approach to maritime security; its Integrated Maritime Policy, defined in October 2007, seeks to harmonize the various European policies concerning maritime affairs in order to promote good governance at sea and to struggle against the transnational criminality at sea™.

The EU’s approach is flexible, cross-pillar and interagency; consequently, the EU has a comparative advantage in fostering maritime cooperation between States. That said, as well as for NATO, there is a growing misperception of the EU’s policies by the “South”. This is due to the fact that the EU is developing two geostategies towards its frontier zones and neighbours: the “Fortress Europe” strategy, which seeks to make the EU impregnable by hermetically sealing its external borders (notably illegal immigration), and the “Imperial Europe” strategy, which seeks to project security outside the EU’s external boundaries so as to obtain security inside (interventionism)™. Finally, the EU has a relative weakness regarding “hard security” capabilities (maritime power and forces projection).

Therefore, both actors have advantages, as well as limits. Thus, the two actors clearly complement each other™. Together they can boost maritime security cooperation in the Mediterranean, if they manage to get beyond their divergences, to avoid duplications and concurrence, and to develop a comprehensive and integrated approach to maritime security in the Mediterranean (including “soft security-hard security” integration and civil-military coordination) instead of a sector-based and institution-based approach.

Above all, Europeans and Americans should promote better North-South cooperation regarding maritime security in the Mediterranean. Southern partners should be more involved in maritime security: confidence-building measures should be improved, such as port calls and common exercises; information sharing (on transnational threats) is also very
important, but the exchange of information must be reciprocal and help southern partners as well; participation in Western-led operations (such as Active Endeavour, or the EU-coordinated anti-illegal immigration operations) must increase.

Maritime security cooperation must effectively benefit both sides of the Mediterranean and must be perceived as such by the “South”. Thus, communication must be improved, so as to get better perception and image. The threats (piracy, immigration, terrorism) must be better differentiated from the South: threats are originating in the South but the “South” is not a threat per se.

Emphasizing the regional (Mediterranean) rather than the functional dimension (terrorism, immigration, etc.) may also reveal positive, and forums such as the Union for the Mediterranean (EU) and the Mediterranean Dialogue (NATO) remain effective platforms in fostering maritime security cooperation, although they should be complemented by national/bilateral initiatives. In any case, the US must participate, so as to show the American good will, and de-securitize their discourse (i.e. emphasizing the need for regional cooperation rather than the functional threat of terrorism or else), which seems to be the policy that the Obama administration is likely to pursue. Finally, emphasizing a comprehensive approach rather than a sector-based one could reveal positive, although one has to keep in mind that some States will only agree to cooperate on some aspects (for example terrorism) and not on others (for example illegal immigration).

In conclusion, the importance of the sea for security has tremendously increased in the post-Cold War era. The Mediterranean is a security nexus at the centre of Europe, US, and Southern security interests, whose importance derives from the localization and concentration on its shores and waters of many security problems now considered as priorities (regional conflicts and intra-State crises and instability, transnational threats, etc.). A comprehensive and multilateral approach to maritime security in the Mediterranean is the key, but it must follow some rules, including a better taking into account of the South’s interests and a better implication of the South. This may only be possible if confidence and sacrifices are reciprocal.