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## **Regional Analysis Wider Mediterranean**

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# **1 Description of the Region**

## **1.1 How is the region defined geographically/politically/culturally?**

The Mediterranean Sea is an enclosed or semi-enclosed sea being completely surrounded by land, including Europe to the North, Africa to the South, and Asia to the East. It is connected to the Atlantic by the Strait of Gibraltar and to the Black Sea – another enclosed sea – by the Turkish Straits of Bosphorus and Dardanelles. The artificial Canal of Suez connects the Mediterranean to another enclosed or semi-enclosed sea: the Red Sea, which finally opens to the Indian Ocean.

The Mediterranean is also a narrow basin which includes the Black Sea and which it is also broken into other smaller seas. Its coasts are very articulated and indented and its waters include numerous islands of different dimensions. The distance coast to coast never exceeds 400 nautical miles. Its coastal States present strong differences under various points of view: their history, their population, their political structure, and their economic development. One of the most critical areas in the world partially faces the Mediterranean: the Middle East.

As stated, 21 Nations have a coastline on the Mediterranean Sea, offering a wide range of economical, political, cultural and religious perspectives that hamper the reach of a common overarching agreement but, on the other hand, strength the needs for bilateral and multilateral arrangement on specific requirements and topics.

## **1.2 Physical features of the region (geography, climate etc.)**

The Mediterranean climate, being characterized by warm to hot, dry summers and mild to cool, wet winters, do not really hamper operations at sea or demand specialized capabilities for navigation. On the other hand the relative short distances between different sides of the basin makes some illegal activities, such drugs and human smuggling easier. As already reported, Mediterranean is connected with other seas and ocean with narrow straits, both natural or artificial (e.g. Suez Canal): this represents a vulnerability, being the access depending on few choke points easily subjected to the outcomes of possible crisis.

### **1.3 Resources in the region**

The Mediterranean waters are poor in biological resources due to a long-lasting exploitation and evidence of important concentration of mineral resources (oil and gas) in its sea-bed and subsoil does not emerge. On the other hand, recent undersea explorations seem to have found new mineral deposits that, due to the short distances between different nations, have started disputes and frictions among claiming states.

Lastly, Mediterranean is ecologically very fragile because it is very populated, very attractive for tourism, and industrial in the northern part; moreover its waters change very slowly.

But the Mediterranean Sea specificity is connected to economic and socio-political factors also. This basin presents a very high internal activity linked to different factors such as commerce, trade, fishing, transport and tourism. Even more, it is a very important transit path, concerning either merchant or war shipping: every year 12.000 ships cross the Mediterranean: what mentioned highlights the importance of Mediterranean for both local and external nations and economies.

## **2 Actors in the Region**

The Mediterranean basin is a region with a high level of human activity, mainly coastal, that may can pose itself a potential threat both in terms of indirect environmental impact and in terms of disruption of the overall balances engendered by social instability. In fact on this Basin overlook 21 countries populated by about 465 million people 40% of which belong to the EU, around 17% belonging to the countries that aspire to enter, including Turkey, and a considerable 42% belonging to the group of North African countries and the Middle East.

## **3 Security order of the region/level of institutionalization**

### **3.1 Political**

#### **3.1.1 Assess the patterns of conflict and cooperation in the region**

The geomorphologic characteristics of the Mediterranean Basin makes this a very special space. Although very small in terms of geographical size, if compared to the ocean space, this "*sea between the lands*" has global

significance. Its small geographical size could prelude to a maritime space primarily associated with coastal seas and related to the sovereignty of the riparian countries. On the contrary, there is an analysis perspective of the Mediterranean area including portions of the high seas outside the exclusive sovereignty of the riparian states. Despite a general worldwide tendency to hoard maritime spaces, in the Mediterranean there is a "shared" renunciation of territorial claims on the basis of a viable maritime geopolitical balance. The latter assumes a particular character in relation to the existence of strong interdependence of economic, political, social and then security and safety issues between all the actor-states in the area and its access. Borrowing from the theory the concept of "*security complex*"<sup>1</sup> is it possible to assess that the Mediterranean is something very similar. In essence, each individual Mediterranean area, both on sea and on land, must necessarily be imagined as closely connected to all others.

This premise makes easier the identification of the crucial elements in the Mediterranean that can be generally sketched in **resources** and **flows**. The first set includes both the living resources related to the integrity of the marine environment in a biological perspective and the non-living ones (oil, natural gas and minerals).

The flows are to be understood according to a broader sense covering sea lines of communication (SLOC's), energy flows (power lines, pipelines, sub sea pipelines) and telecommunications.

Starting from this point of view, it must be specified that are identifiable as a crucial elements not only the physical but also intangible items such as the guarantee of free access to streams and their use in terms of cost-effectiveness.

### **3.1.2 What is the status of current security arrangements within the region?**

While the spread wide differences and interests insisting in the region hamper the reach of an overall and comprehensive accord, making complicate the findings a common solution, many different bilateral or multilateral

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<sup>1</sup> According to the Buzan Weaver's theory, the security complex is "*a group of states whose primary security concerns link together sufficiently closely that their national securities cannot realistically be considered apart from one another*".

agreement have been established among different political authorities in the Mediterranean in order to cope with issues affecting two or more states.

### **3.1.3 Foreign policy orientation of states in the region**

According to the strong interdependence of economic, political, social, security and safety issues between all the actor-states in the area, and despite some different crisis spots surrounding the basin, the overall posture of regional countries is aimed to a multilateral cooperation, principally intended to approach and solve on a legal basis the existing range of frictions and disputes.

Regional most proactive actors, such as European countries, are involved in a positive effort to promote among the Mediterranean dialogue and cooperation, seen as the best enabler for global peace, stability and prosperity.

### **3.1.4 Assess the level of trust among entities in region and their willingness to act**

Trust is a key enabler in developing security process: it is hampered by the wide spectrum of existing differences and discrepancies among the participating actors; nevertheless many initiatives are arisen to build confidence and cooperation among the different sides of the sea. Areas of endemic crisis (firstly in the middle east), that hinder the achievement of a more extensive safety and cohesion at regional level, remain as well.

### **3.1.5 What is the current level of comprehensive approach in the region?**

The specificity of the Mediterranean also means that resources are concentrated in restricted and limited marine areas, often close to coastal areas characterized by instability; moreover highly vulnerable focal points, such as international straits and choke points, are presents as well. In terms of threat, any form of direct or indirect attack by terrorist groups or criminal organizations can easily undermine a more than significant flows and access to resources. On the other hand also an uncontrolled exploitation of these resources such as, for example, unregulated fishing, is seen as a potential threat to the conservation of fish stocks, well indispensable for many of the riparian countries.

The existence of such different realities that interact in a network of precarious balance, within a limited space and finite resources, makes possible that the lack of responsibility sharing for safeguarding the global commons of the Mediterranean, becomes itself a potential threat to them.

It can therefore be concluded that the delicate balance of "*security complex*" in the Mediterranean is guaranteed by a high balance between cooperation and competitiveness. The in-homogeneity related to the geopolitical and geo-economic in the whole basin makes extremely difficult any form of cooperation between fronts at different speeds of development: in the northern side there are economies with high transformation rates, high energy needs, with high growth rates despite negative demographic balances; in the southern part there are countries with intermittent economies, uneven development with endemic pockets of poverty, but with very positive demographic balance.

This imbalance, destabilizing in itself, is one of the most important dangers for the stability of the entire Mediterranean basin. In a scenario like this one, once the confidence in the security of the entire Mediterranean area is compromised, the step up to a significant penalty in terms of use and access to the network flow is short. According to the hypothesis, therefore, and reversing the perspective of analysis, is the overall stability of the geopolitical Mediterranean basin that become the more important element for the sake of maritime global common and therefore should be protected with priority attention. The performance of "Earth" dynamic becomes the main display for evaluating the index of the danger to which even the "physical" *global commons* on the high seas would inevitably be exposed. In this sense a high level of awareness, among the riparian countries, of what we might call the "*burden sharing*" about the *global commons*, assumes special significance and value, making this network more protected from outside attacks as well.

## **3.2 Military Capability**

### **3.2.1 Assessment of capabilities**

The Mediterranean region encompasses a wide spectrum of military capabilities ranging from some European Navies with global interests and power projection capabilities passing through regional services able to

warrant the national interest in metropolitan waters till minor navies composed by small boats able to patrol limited areas for restricted duration. Equally technologies, skills and readiness vary a lot. Recently some north African navies started a fleet renewal program anyhow dependent by the European industry.

### **3.2.2 Assessment of operational ability**

As stated before, broad capabilities are located inside European navies, first of all the French one and then Italian, Spanish, Turkish and Greek. The US Navy is considered as well, since her continuous and massive presence in this area, while other western countries maintain an almost continuous presence with their own assets. Other navies have few frigate/corvette sized vessels suitable for some limited offshore tasks, while the remaining means owned by minor services can basically cope with local and reduced responsibilities.

### **3.3 Economical**

The economic impact of maritime activities within the Mediterranean area and the recognition of Region's centrality to developments taking place in the larger international context, can be best appreciated by conceptualizing it as a "transit space" at the intersection of several geopolitical and geo-economical regions. Indeed, Mediterranean countries and a growing number of external actors in Europe, the Middle East, and Africa, as well as Asia, intensively use this "inland sea" as a means of transport and communication and as an instrument of power projection.

In this context, maritime commerce and maritime security have emerged as key issues in the Mediterranean policy and economic debates. They can be seen as two faces of a larger question: how to preserve access to Mediterranean routes and maximize their use as their value is increased by the Mediterranean basin's growing interdependence with global economics and geopolitics<sup>2</sup>.

#### **3.3.1 Economic well-being of the region**

Economical situation in the region reflects the wide spread between the actors involved, spacing from the well being European nations, even if a stagnation

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<sup>2</sup> Source: documenti IAI 10 | 26 – December 2010 Maritime Commerce and Security in the Mediterranean and Adjacent Waters SUMMARY REPORT Emiliano Alessandri and Silvia Colombo



phase is underway at the moment, till areas of deep poverty and scarcity of resources where the demographic rate is increasing fast. Those discrepancies led to a heavy pressure towards northern shores that generated a huge illegal traffic o human smuggling.

### **3.3.2 How dependent is the region on the maritime environment for economic activity? – Resources, trade etc.**

The wider part of European countries heavily depends on trade for its development and well being; raw material are imported and finished products are exported all over the world trough the seas. Almost all European countries have of course big interest in maintaining a safe environment in the fundamental basin of the Mediterranean sea. Others countries, some more, some less, depend on sea trade as well (oil pipes, fishery, trade, etc.).

#### **3.3.2.1 Heritage and “fragmentation” of the Mediterranean economy**

The lives and cultures of the peoples living on the shores of the Mediterranean – to the south and to the north, and on the countless islands – have been always strongly linked and influenced by their common maritime heritage.

Despite this long history of interactions, the Mediterranean area, today, is still fragmented, politically divided and conflict-ridden; this fragmentation also involves the economic sphere; indeed the region is still stuck into an “economic backwater” that is characterized by a low level of trade integration.

#### **3.3.2.2 Assessment of the regional maritime economy: policy and perspectives; conditions for good performance and growth**

Within the Euro-Mediterranean area, a wide range of sea-related commercial activities and the sustainable use of marine natural resources represent an important component of the overall regional economic well-being which is highly dependent on maritime economy’s prosperity.

Maritime economy’s prosperity, for its part, passes through two fundamental premises:

1. A careful “Neighborhood policy” – aimed at enhancing stability, continued growth and good governance in the countries neighboring the

EU, through closer political relationship and a deeper economic integration;

2. Unity of purpose and efforts – within the wider Mediterranean community – to ensure a safe and secure maritime environment – as fundamental condition for the “smooth running” of sea-related economic and commercial activities, particularly in those (high risk) areas beyond the sovereignty of coastal states (i.e. “international waters”).

In the field of the European Neighborhood Policy (Eastern and Southern dimensions) – the EU has taken several important initiatives focused, among other things, on promoting economic cooperation and integration between Europe and other Mediterranean areas, even if the results of these agreements, in real economic activity, have still room for improvement.

Even more problematic than managing a careful “Neighborhood policy” – due to the complexity of the Mediterranean environment – is proving to be the creation of a safe and secure maritime environment, as a prerequisite for the smooth running of the sea-related economic activities.

**This ambitious intent go through a composite process consisting in identifying the issues and challenges for Mediterranean maritime security from an economic security and development perspective. The key question is if a lack of maritime security has a real impact on economic development, well-being and the stability of the entire region.**

In order to answer the question we must first understand how the region’s economy is dependent on marine-based activities by providing a preliminary analysis of these activities within the Mediterranean Region.

### **3.3.2.3 Economic impact analysis of maritime activities within the Mediterranean region**

Despite the described geo-political regional fragmentation today, the “sea between the lands”, at the cross-roads of three continents, remains the scene of an intense and vital maritime economy by serving as an artery of trade and commerce, and as an important source of employment for those who live along its shores.

Fisheries in the Mediterranean yield significant catches of sardines, anchovies, and tuna. A sunny climate, magnificent scenery, and many historic attractions make some sections of the Mediterranean coast major resort areas.

Home to over 450 ports and terminals, the Mediterranean basin is also one of the world's major waterways for sea-borne transport, with a quarter of the world's seaborne oil traffic transiting through this area.

Large gas deposits have been recently found in the Levant Basin Province (Eastern Mediterranean) and in the Adriatic, and petroleum has been discovered off Malta, Spain, France, and Tunisia. Exploration is continuing, particularly off the coast of Israel and in the Aegean and Tyrrhenian seas.

### **1. Major maritime traffic flows within the Mediterranean Sea:**

Maritime traffic is a traditional sector for the Mediterranean Region and has been gaining importance over time taking into consideration that some of the world's busiest shipping routes are in this Sea. It is estimated that:

- approximately 220,000 merchant vessels of more than 100 tons cross the Mediterranean Sea each year — about one third of the world's total merchant shipping.
- 90% of the EU's external and 40% of internal trade is via shipping - transporting 3.5 billion tons of cargo per annum and 350 million passengers;

There are several dimensions of maritime traffic in the Mediterranean, which can be considered on three levels:

- As a '**maritime route**' that, as such, is one of the world's major trade routes, through which nearly a third of world trade 'passes', from the mouth of the Suez Canal to the Straits of Gibraltar or the Bosphorus, from the Atlantic to the Black Sea;
- As a '**crossroads**' of continents – European, Asian and African – whose trade is growing with globalization.

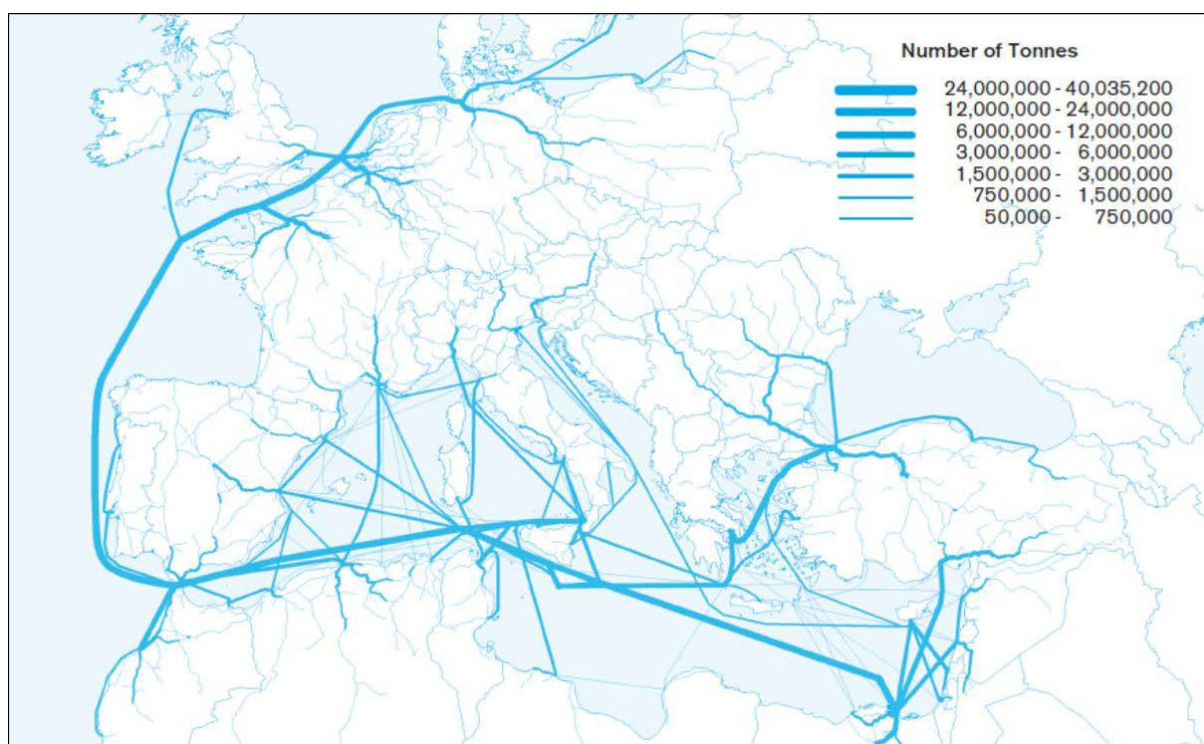
- As a **‘landlocked sea’** through which coastal countries develop their trade<sup>3</sup>.

## 2. The Mediterranean as a landlocked Sea

In this area, three types of flows can be identified:

- Trade between the EU and Southern Mediterranean Countries (SMCs).
- Trade among the SMCs themselves.
- Trade among EU Member States bordering on the Mediterranean.

The following picture provides an overview of this regional dimension



Source: NESTEAR, 2008; Eurostat COMEXT, 2006.

## 3. Economic assessment of natural resources and biodiversity

In terms of economic analysis of natural resources, the Mediterranean Basin may be seen as natural capital composed of environmental assets, biological or non-biological, providing economic benefits.

Indeed, whilst this Sea represents a mere 0.3% of the volume and 0.8% of the total surface area of the World Ocean, its position between three continents, its semi-enclosed basin and its range of seasons, have made this region a melting pot for biodiversity and marine resources, that include over 400 varieties of fish.

<sup>3</sup> Source: Med. 2009 – panorama – The Components of Maritime Transport in the Mediterranean- Christian Reynaud.

This ecosystems and natural assets, represents a huge economic potential as regards the sustainable development of the riparian states, particularly in the Southern Mediterranean area, as shown by various economic assessments looking at the value of the flows produced by these assets, constituting the “marine natural capital”, without making any attempt to estimate the value of the stock of this natural capital.

For the Purpose of our analysis we will divide Mediterranean’s natural assets into two categories:

- **Biological natural assets:** encompassing marine animals, plants, and any other kind of living organism;
- **Non-biological natural resources:** such as fossil fuels and mineral deposits.

#### 4. The economic value of biological natural assets:

In order to provide a rough idea of the economic value of these assets, we need to think of them as elements of complex natural ecosystems having their own processes and delivering ecosystem functions. For each of this functions various services and consistent benefits provided by the ecosystems under consideration can be identified in respect to of the human uses they allow or to which they contribute to<sup>4</sup>.

As set out in the table below, the benefits assessed fall into three groups of services provided by these resources.

| Categories of Ecosystem Services | Ecosystem Services                 | Benefits assessed                                                              |
|----------------------------------|------------------------------------|--------------------------------------------------------------------------------|
| Provisioning services            | Provision of food resources        | Resource rent relating to the provision of food resources of marine origin     |
| Cultural services                | Amenities                          | Resource rent relating to the provision of amenities and recreational supports |
|                                  | Support of recreational activities |                                                                                |
| Regulating services              | Climate regulation                 | Value of man-made CO2 sequestration                                            |
|                                  | Mitigation of natural hazards      | Value of protection against coastal erosion                                    |
|                                  | Waste processing                   | Value of waste treatment                                                       |

Source: Plan Bleu

<sup>4</sup> The economic value of the benefits rendered by ecosystems are assessed either as a more or less important part of the value added created in various economic activities or as an equivalent to avoided expenditure or even as a reference value, when facing collective benefits.

### **3.3.3 How dependent is the world economy on the maritime region in terms of export and import to the region and the region as a transit point?**

As already mentioned, the Mediterranean region does not offer abundant natural resources; nevertheless it is a crucial crossroad for the global economy that involves coastal states as well. Once more it is easy to demonstrate that security and safety of Mediterranean Sea is a major concern of a wide amount of external states and organizations as well.

## **3.4 Legal**

### **3.4.1 Are there any excessive maritime legal claims in the region?**

Up to now Mediterranean coastal States have not manifested excessive claims on maritime spaces and extended their respective sovereign rights far in the high seas following UNCLOS 1982. Therefore Mediterranean Sea has been less territorialized than other enclosed or semi-enclosed seas.

### **3.4.2 Are there any maritime legal disputes in the region?**

Some tensions have been recently raised between Israel and Lebanon, two countries without diplomatic relations, due to a legal dispute concerning new natural oil and gas reserves newly discovered in the Mediterranean Sea. Additionally these two nations never agreed on a delimitation of their maritime boundaries.

Another dispute refers to the political incident and confrontation between the Republic of Cyprus and Turkey potentially affecting other neighbouring states in the Eastern Mediterranean, such as Israel, Lebanon, and Egypt as well. The breakaway territory of Northern Cyprus also advocates its interests as part of the dispute.

The dispute is mainly focussed on the objections raised by Turkey and Turkish Cyprus about the drilling of potentially substantial oil and gas reserves in an area that Cyprus claims under international maritime law.

### **3.4.3 How do the different actors in the region view the UNCLOS and other legal maritime norms, conventions, agreements and treaties?**

UNCLOS 1982 provisions on the extension of coastal State sovereign rights towards the high seas result from the political and legal initiative of oceanic States and they cannot easily be applied in a basin having specific geo-

morphological and geo-political features as the Mediterranean Sea. Evidence is given by the fact that two Mediterranean States have not yet ratified UNCLOS: Turkey and Libya.

The Mediterranean States have anyway taken part to the trend to extend their sovereign rights far from the coasts and to corner the marine resources of the high seas, but their practice have been more cautious and selective than that of the oceanic States because of the difficult implementation of UNCLOS provisions in a small sea and the risk of a chain of disputes between opposite claims in the same maritime areas. For these reasons Mediterranean States have considered very positively the establishment of contiguous zones, and they are very attentive in protecting their continental shelves but, on the contrary, they have been very careful until now in establishing economic exclusive zones, preferring the establishment of maritime zones where they exercise only some of the sovereign. Mediterranean States are very interested in maintaining the freedom of navigation in the basin and try to avoid phenomena of creeping jurisdiction which could lead to the territorialisation of the basin.

### **3.5 Types of security orders**

The security level in the region is affected by cultural, political and technological differences in the various countries involved. What stated above clearly influences the ability to generate mutual trust and cooperation in a coordinated and comprehensive way. That said, the peculiar balance in the Mediterranean derives from the common respect of treaties and standards (e.g. UNCLOS), which are seen as the best and most effective way to ensure freedom of navigation and mutual peaceful coexistence in this small basin. Consistent to what was said, crisis exploding from time to time in this area are contrasted with the projection of force by most talented nations; nevertheless these nations always seek the support and, above all, the consensus of the whole Mediterranean community in order to act in a lawful and legitimated environment.

## **4 Threat and vulnerability assessment**

### **4.1 Assessment of regional threats to access and freedom of navigation within the maritime commons**

#### **4.1.1 Actors**

Challenges and threats to maritime access in the Mediterranean are mostly related to non state actor, such as terrorists and smugglers, pursuing different aims based on political/religious beliefs and personal interest. Those challenges are considered illegal by the whole forum of public actors in the area. In addition to this, some local crisis between adjacent states are present as well, especially in the Middle East.

#### **4.1.2 Capabilities**

Threats capabilities include ability to deny the access to certain areas in the region as well as capacity to perform asymmetric attacks linked with terrorist activities. Actual threats are not able to permanently deny the access and the use of maritime commons but can step down significantly trades and resource flows.

#### **4.1.3 Intent**

Different intents can be listed, spacing from the achievement of individual interest to the pursuit of fundamentalist plans and ideas.

#### **4.1.4 What is the region's most pressing threat to access and freedom of action?**

Due to its complex nature and size, the Mediterranean Maritime Domain is particularly susceptible to exploitation and disruption by individuals, organizations and nation states. Despite its marginal surface, in comparison to the world's oceanic mass, the Med Sea encompasses some of the most strategic choke points, which global relevance is far known and yet crucial.

Today's global security environment, referred to this crucial sea portion, counts a growing number of trans-national maritime threats, including terrorism, proliferation of weapons of mass destruction, illicit trafficking, piracy, mass migration, intentional pollution and poisoning, natural disasters and humanitarian crises, necessitating a cooperative multinational effort.



## **4.2 Assessment of regional vulnerabilities to access and freedom of navigation within the maritime commons**

### **4.2.1 What is the region's most pressing vulnerability to access and freedom of action?**

The peculiarity that makes the Mediterranean Sea so important to international commerce and the economic systems, represents a great vulnerability too. Once again its relevance goes far beyond the pure geographical size, if we think that 21 Countries lie on its coasts, for a total of 465 million inhabitants, that represents one of the largest world commerce market and consume venue. Indeed many differences exist around the basin: in fact the geopolitical and geo-economic diversity make extremely complex to establish durable and overarching forms of cooperation, mainly because of the different speeds of development between its banks: furthermore there are extremely problematic differences between the north bank economies and societies, featuring high growth rates and a negative demographic balance, and the southern countries that experience intermittent economies and uneven development, with endemic areas of poverty but with a very positive demographic balance.

The peculiar features of the Mediterranean environment have increasingly created a concern, about the possible exploitation of the maritime realm to facilitate terrorist logistical and operational designs, versus the importance of the region stability.

## **4.3 Assessment of capabilities to anticipate, deter, prevent, protect and respond to a disruption or denial of access or freedom of navigation within the maritime commons**

The Mediterranean Sea, due to its centrality to the larger international context, can be seen as a “transit space” of several geopolitical and geo-economical regions, so to be considered a “*security complex*” which inherent phenomena may develop with a global magnitude. The maritime sector, by its very nature as a complex, international open transportation and economic network, poses several additional challenges from a security standpoint.

The complexity of current security threats in the Mediterranean basin requires therefore the involvement of all relevant actors to elaborate effective solutions, because single states alone cannot cope with such global threats. Due to the

complex nature of security, multilateralism represents a platform to elaborate collective solutions to current security problems.

Some of the many mentioned threats are clearly linked to Mediterranean's role as a transit space and a bridge among three continents, while the international community appears to have become progressively more cognizant of the vulnerability of sea related activities.

There is the need to keep the right balance between the priority goal of preserving the environment and the need for sustainable use of natural resources as well as to strike a balance between law enforcement activities at sea and the free flow of trade.

The role of the Mediterranean as a maritime commons and as a "critical maritime connective tissue" should be then pivotal to any strategic policy development, with stakeholders on both sides of the Atlantic, and beyond.

Promoting and maintaining the security of the this maritime domain is a key element for success, because freedom of the seas is critical to any nation's long-term economic wealth. The impact on trade, international commerce and movement of people and the threat of states, groups or individuals seeking to disrupt or jeopardize the security of the maritime domain has to be addressed in a proper way.

There is a need to actively contribute to a stable and secure Mediterranean maritime domain capable of deterring criminal activity and terrorism at reasonable cost.

Maritime security in the Mediterranean requires international cooperation in a comprehensive approach through the promotion and sharing of best practices about maritime security operations, maritime situational awareness and culture.

The Mediterranean basin represents thus an opportunity for regional, multilateral and global initiatives that would be capable to build a stronger and wider partnership in order to deter threats in the maritime domain.

#### **4.3.1 Availability of hardware**

As already sketched, European countries have a wide variety of means useful to deter and possibly disrupt any threats arising in the region. The level of response is dependant on the political convenience of pursuing constabulary and military actions strengthened by international consensus rather than

following appropriate legal actions that could require a longer period for a positive solution.

#### **4.3.2 Level of ability to operate the hardware**

Once again, European Countries, Turkey and Israel, have high skills and knowledge in the use of platforms and system; those skills degrade to lower levels both for capacities and capabilities moving towards southern regions. Despite this spread slow down the integration process, valuable result were achieved with dialogue and cooperation in building mutual trust and ability to operate together.

#### **4.3.3 Level of maritime situational awareness and information sharing**

Maritime Situational Awareness and information sharing are two crucial aspect in maritime security where the level of cooperation among Mediterranean countries is increasing and gaining consensus. Wide room for further enhancement is present, strongly linked to a better cohesion and confidence among all actors involved. Some tools, such as V-RMTC, are already very useful, practical and valuable for confidence building as well.

At regional level, the achievement of a common vision and shared picture beyond the boundaries of existing frameworks would certainly improve the information flow and possibly its timelines. At trans-regional level local and regional efforts should reach a global perspective. In this view Navies and International Organizations represent the key actors to stimulate a common and assertive contribution to all the maritime stakeholders. Dialogue and cooperation is the key binomial for finding credible and lasting solutions in order to prevent or counteract threats and building consensus throughout the whole spectrum of Peace and Stabilization Operations as well.

#### **4.3.4 Level of unity of effort/comprehensive approach**

A truly comprehensive approach is not existent so far: it could be reached when all involved actors will feel truly comfortable one with each other: to do this a better inter-relationship and confidence shall be achieved. Nevertheless some groups of countries (e.g. Europeans and NATO) achieved a satisfactory comprehensive approach in specific issues such as counter terrorism, illegal smuggling etc.

#### **4.3.5 Consider the impact of complex inter-domain environment**

Maritime domain is deeply linked to others domains, first of all cyber and aerial as well: this consideration assume even more importance in the dense Mediterranean environment where so many interest and activities are strongly interconnected one with each other at inter-domain level, making the related impact on the maritime domain extremely significant.

#### **4.3.6 Level of resource (money, assets) commitment**

Forced by the present bad economic period, European countries are lowering their budgets; a better coordination among present assets is deemed necessary to counter the effects of this reduction and maintain an effective role in the contrast to the current threats. This should lead to a “*burden sharing*” approach so that satisfactory results against trans-national terrorism and asymmetric threats can be still achieved.

## **5 Gap analysis – shortcomings hampering a more effective maritime security regime**

### **5.1 What are the problems regarding cooperation and trust in this region?**

#### **5.1.1 Capabilities?**

In the Mediterranean region different forms of dialogue and cooperation are already present granting a good collaboration among different nations and organizations. An overall and better teamwork is actually hampered by evident differences in levels of capacity among different riparian states: this slow down the achievement of a more effective and practical cooperation.

#### **5.1.2 Unwillingness to cooperate?**

Considering the wide amount of agreements and treaties already signed among Mediterranean countries, a lack of will to cooperate does not really exist; it could be better stated that, due to the different cultures and points of view existing in the area, the achievement of a common agreement is delayed. Moreover, in some cases, national interest overhang common good as well.

#### **5.1.3 Cultural/technological/jurisdictional challenges?**

Mediterranean sea is a melt pot of cultures and religions with a wide gap in technologies between northern and southern sides of the basin as well. As

already stated, these sensitive differences hinder the achievement of a unified vision in the process of collectively solving current issues.

#### **5.1.4 Lack of comprehensive approach/unity of effort**

What already stated about cultural, political and social differences confirms the complexity in finding and maintaining a comprehensive approach to achieve unity of purposes and common efforts. There is not a lack, but a poor comprehensive approach due to the different point of view in so many different aspects and interests. On the other hand this highlights the necessity and the importance of dialogue and cooperation among all parties involved in order to achieve the ambitious, but nevertheless necessary, goals of security and mutual aid.

### **5.2 How have previous challenges been solved?**

#### **5.2.1 Practical (military/comprehensive) solutions?**

Given its global significance, in the Mediterranean Sea there are several national and international military missions in charge to ensure freedom of navigation and combat actual main threats. For example, the NATO Operation *Active Endeavour* contributes to the fight against terrorism, building confidence in the maritime world as well. On the other hand European agencies are operating in the context of anti-immigration patrols. Finally, individual Marine are acting in accordance with national guidelines and on the basis of specific bilateral or multilateral agreement for the sake of maritime security.

#### **5.2.2 Level of resource (money, assets) commitment**

The current level of resources available can addressed quite effectively the threats that counter the maritime safety and the free access to the sea. On the other hand, the reduction of resources allocated to maintaining maritime instruments could decrease the effectiveness in ensuring the freedom of the high seas.

#### **5.2.3 Level of unity of effort/comprehensive approach**

In terms of international norms, many agreements have been reached by Mediterranean nations to adequately regulate the previously mentioned

issues. The added value of these agreements lies in the almost unanimous participation of all coastal states, giving thus greater effect to these treaties.

#### **5.2.3.1 International Norms and Legal Flashpoints on Mediterranean Maritime Zones.**

1. **The Contiguous Zone** (Art. 33 UNCLOS): Only around 1/3 of the Mediterranean States (Black Sea coastal States included) has established contiguous zones following the UNCLOS provisions.
2. **The Continental Shelf** (Art. 76/77/78/79 UNCLOS): UNCLOS does not discipline continental shelf delimitation between States with opposite or adjacent coasts; it imposes States to reach an agreement and not to jeopardize or hamper the reaching of the final agreement in the meanwhile. The rule on delimitation is given by customary international law: it consists in applying the equidistance principle corrected by equitable criteria in order to take into considerations special circumstances relevant for the delimitation.

In the Mediterranean basin due to its limited dimension, all seabed and subsoil are included in the coastal States continental shelf. Therefore in the Mediterranean the problem of the outer margin of the continental shelf does not exist and there are not deep seabed areas. Mediterranean coastal States have adopted national legislations on continental shelf exploration and exploitation. Usually these legislations do not fix any spatial limits to the exploitation: some laws refer to the bathymetric principle of 200 meters, while others deal with exploitability without any further indication. The Mediterranean States which have more recently disciplined the exploitation of their continental shelf have made reference to the distance principle in conformity with UNCLOS.

Considered the wide extension the continental shelf can reach under UNCLOS and the limited dimension of the Mediterranean Sea, States claims very frequently overlap and delimitation agreements are necessary to avoid and to eliminate disputes<sup>5</sup>. Concerning the regime

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<sup>5</sup> The International Court of Justice itself solved three disputes on delimitations between Mediterranean States (included Black Sea coastal States). Some Mediterranean States have already concluded delimitation agreements. Most of the boundary lines fixed by agreement

of the continental shelf, Mediterranean States are very respectful of UNCLOS provisions and they usually do not hamper the rights of other States on the seabed and in the superjacent waters.

**3. The Exclusive Economic Zone** (Art. 55/56/57 UNCLOS): the establishment of EEZ in the Mediterranean basin is considered to be awkward for the basin not only because it is an enclosed or semi-enclosed sea but because it is crossed by very important international navigation routes. Since EEZ gives the basis for creeping jurisdiction phenomena, the risk that Mediterranean could be territorialized are considered quite high. If all Mediterranean States established their respective EEZ, high seas would disappear in the Mediterranean with major consequences to maritime navigation. Moreover the establishment of EEZ all over the Mediterranean will pose very delicate problems of delimitations due to the limited dimension of this basin. On the contrary the advantages will be very limited if we consider that the Mediterranean is very poor in fishing resources. To sum up the cons against the establishment of EEZ in the Mediterranean are much more than the pros in favour of.

As it is well known, EEZ must be formally declared by the coastal State. Up to now few Mediterranean coastal States have established their respective EEZ. In particular some of them have proclaimed their EEZ but they have not yet adopted the necessary implementing national rules.

But the most interesting aspect in Mediterranean States practice in this field consists in the trend of establishing maritime zones where coastal States exercise some of the sovereign rights provided for in EEZ in order to satisfy their specific interests. The establishment of these zones is well considered because they do not undermine the freedom of commercial and military navigation. Nevertheless, the problem of the military activities within EEZs is still sensitive, considering that some States could read the UNCLOS as allowing limitations to

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follow the equidistance principle but in other agreements there are adjustments taking into consideration the specific relevant circumstances.

military manoeuvres. In this sense, it would be useful to adopt a common approach in favour of the unrestricted conduct of military activities within EEZs, thus not submitting them to any preventive authorization or notification, as Italy underlined in signing and ratifying UNCLOS<sup>6</sup>.

With regard to this practice, States can be divided into two groups: those States having established reserved fisheries zones or fisheries protection zones and those States having established ecological protection zones. In the reserved fisheries zones or fisheries protection zones States exercise sovereign rights on exploitation and preservation of fishing resources, avoiding other States to fish in their zones while ecological protection zones are established in order to protect marine environment by preventing and punishing all forms of pollution within these zones even those caused by foreign vessels.

#### **5.2.3.2 International Norms and Legal Flashpoints on the Freedom of Access to the Mediterranean Sea.**

The Mediterranean Sea is surrounded by land and only three passages connect it to other seas: the Straits of Gibraltar, the Turkish Straits (Bosporus and Dardanelles) and the man-made Canal of Suez. The importance to guarantee the freedom of navigation through these ways is evident.

UNCLOS Part III disciplines the regime of straits used for international navigation by recognizing to all States the right of transit passage (Arts. 37-44) and the right of innocent passage (Art. 45). The legal regime of freedom of navigation through international straits established by UNCLOS does not affect the legal regime in straits in which passage is regulated by long-standing international conventions in force specifically relating to such straits (Art. 35, c)).

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<sup>6</sup> Italy made the following statement: Declarations made upon signature (7 December 1984) and confirmed upon ratification (13 January 1995):

"Upon signing the United Nations Convention on the Law of the Sea of 10 December 1982, Italy wishes also to confirm the following points made in its written statement dated 7 March 1983:

- according to the Convention, the Coastal State does not enjoy residual rights in the exclusive economic zone. In particular, the rights and jurisdiction of the Coastal State in such zone do not include the right to obtain notification of military exercises or manoeuvres or to authorize them....".



While no ad hoc agreement exists for the passage through the Strait of Gibraltar, relevant UNCLOS provisions on transit in international straits apply; specifically the navigation through the Strait of Gibraltar is regulated by the regime of transit passage.

Differently the passage through the Turkish Straits is regulated by a long-standing convention, in the sense of UNCLOS: the Convention of Montreux of 1936, which was ratified by numerous States.

Following this Convention, merchant shipping of any flag and with any cargo has freedom of transit in the straits during peacetime and during wartime whenever Turkey is not a belligerent<sup>7</sup>.

Finally the Convention of Constantinople of 1888 disciplines the navigation of the Suez maritime Canal, which is completely under Egyptian sovereignty. This navigation is always free for ships of commerce or of war, without distinction of flag, in time of war as in time of peace. The Canal cannot be subjected to the exercise of the right of blockade. In time of war the canal remains open as a free passage, even to war ships.

#### **5.2.3.3 International Norms and Legal Flashpoints on Maritime Cooperation in the Mediterranean.**

Activities in the high seas and utilization of high seas resources are regulated by UNCLOS Part VII. Parts XII and XIII apply to the protection of marine environment and to marine scientific research. But being the Mediterranean Sea an enclosed or semi-enclosed sea, strong multilateral cooperation has been developed by its coastal States under UNCLOS Part IX. Cooperation concerns the following specific sectors: fishery, environment and marine scientific research.

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<sup>7</sup> Turkey may, however, require merchant ships to stop at a station upon entering the straits for the purposes of sanitary and health control. During wartime when Turkey is a belligerent, merchant shipping of countries not at war with Turkey has freedom of transit of the straits so long as those countries maintain their obligation of neutrality and their ships navigate during the day following specific routes. War ships enjoy the freedom of navigation too, but with some restrictions and under the duty to inform Turkey 8 days in advance in some cases. Capital ships of Black Sea powers may transit the straits provided that they did so in accordance with the Convention. The Black Sea powers had two additional options, one involving submarines and the other permitting their "capital ships" (surface vessels of war, other than aircraft) with a tonnage greater than 10,000 to transit the straits. No rules concern aircraft.

In 1990 and 1994, because of some accidents which caused serious pollution, Turkey imposed new navigation rules for the Straits. These new rules establish sea lanes and traffic separation schemes. Under the same rules Turkey can demand more advance notice for the passage of a vessel through the straits. Turkey can also stop any vessel on exceptional legal grounds (such as force majeure or pollution, etc.) and can require more ships to use local pilots and Turkey can raise transit fees.

In all these sectors a leading role is played by the European Union which has concurrent competences in these fields.

1. **Fisheries.** The core problem is to avoid the fishing by vessels having the flags of non-Mediterranean States. The Mediterranean is relatively poor in fishing resources as it is evidenced by the EU policy to sustain financially aquaculture and to organize the commercial fishing in order to guarantee the conservation of the living resources. The same objective is pursued by all Mediterranean States which cooperate to this end within the General Fisheries Commission for the Mediterranean, established under the umbrella of FAO in 1949. In the Black Sea interstates cooperation is carried on within the Mixed Commission for the Fishing in the Black Sea, established in 1959. In this context the proclamation of reserved fisheries zone or fisheries protection zones is considered as a unique tool to protect the Mediterranean living resources from third States fishing and to guarantee a sustainable exploitation by coastal States.

2. **Protection of Marine Environment.** Under UN Environmental Program (UNEP), the Mediterranean States have adopted the Mediterranean Action Plan (MAP) and starting from it they have developed a system of international agreements having as a legal framework the Barcelona Convention on the Protection of the Marine Environment and the Coastal Region of the Mediterranean, adopted in 1976 and completely revised in 1992. Seven Protocols addressing specific aspects of Mediterranean environmental conservation complete the MAP legal framework: Dumping Protocol (from ships and aircraft); Prevention and Emergency Protocol (pollution from ships and emergency situations); Land-based Sources and Activities Protocol; Specially Protected Areas and Biological Diversity Protocol; Offshore Protocol (pollution from exploration and exploitation); Hazardous Wastes Protocol; Protocol on Integrated Coastal Zone Management (ICZM). Although MAP's initial focus was aimed at marine pollution control, over the years, its mandate gradually widened to include integrated coastal zone planning and management.

The protection of the marine environment of the Mediterranean is object of the European Union policy too and Mediterranean coastal States use also the legal tools offered by the International Maritime Organisation (IMO), such as the Guidelines for the Identification and Designation of Particularly Sensitive Areas (PSSA).

Italy, France and Monaco established the Sanctuary for Marine Mammals (Pelagos) in 1999, an area of protection of these animals. In this context the proclamation of ecological protection zones is considered as a unique tool to protect globally the Mediterranean environment.

**3. Marine Scientific Research.** A leading role in cooperation is played by the Mediterranean Science Commission, established in 1919. The Commission has grown from the eight founding countries of its origin to 22 Member States today. These support a network of several thousand marine researchers, applying the latest scientific tools to better understand, monitor and protect a fast-changing, highly impacted Mediterranean Sea. The Commission integrates a broad spectrum of marine disciplines, encompassing geo-physical, chemical and biological processes, along with high-resolution mapping of the sea-bottom.

#### **5.2.3.4 International Norms and Legal Flashpoints on Mediterranean Cooperation for National Security Reasons.**

Finally, due to its geopolitical features, Mediterranean sea poses to its coastal States the necessity to cooperate in some fields connected with their respective national security. In particular these fields are: the contrast to illicit trafficking of migrants, drug trafficking, and piracy.

**1. Illicit Trafficking of Migrants.** Irregular migration across the Mediterranean has become a main problem, both in terms of humanitarian challenge (due to the phenomenon of clandestine migration which causes an ever rising death toll) and in terms of a security risk.

Smuggling of Migrants by sea is a crime involving the procurement for financial or other material benefit of illegal entry of a person into a State of which that person is not a national or resident.

Fight illegal migration by sea imply *in primis* that States are obliged first to render assistance to persons in distress at sea, regardless of their nationality or status, or the circumstances in which that person is found.

Several bilateral readmission agreement between EU Member States and third Countries are in place, to facilitate the readmission of third-country nationals to their country of origin, as well as technical agreement aimed at providing more effectiveness in terms of reduction of the number of boatpeople crossing the Mediterranean Sea.

Shifting to the international framework, the IMO Convention on Search and Rescue of 1979 (SAR Convention) is normally applied even though there are some uncertainties on the interpretation of the notion of “*place of safety*” where to transport the rescued migrants.

More specifically about SAR, in the Mediterranean region the implementation of SAR services and the management of SAR Rescue Regions (SRR) have not been easy up to now; in particular because not all Mediterranean States have fully understood that SRR are maritime zones of responsibilities for the establishing States and not zones where sovereign rights could be exercised. It is evident that a relationship in term of proportionality should exists between the extension of SRR and the coastal States capability to provide the relevant services. Moreover, should be considered that not all Mediterranean States have consensually agreed the limit of their respective SAR zone.

Talking about supranational efforts, In 2004 the Council of the European Union established FRONTEX to provide support in EU borders’ security. FRONTEX has been active since 2005 to provide national authorities with training, technical support and risk-

assessment in border control. Its stated purpose is the coordination of intelligence driven operational cooperation at EU level to strengthen security at the external borders. It represents a concrete example of coordination in the Mediterranean area to protect EU's external borders.

2. **Drug Trafficking.** Some States have concluded bilateral agreements allowing certain forms of cooperation in the right of visit of the ships flying their respective flags in the high seas. Other forms of cooperation have been developed by EU. But also the Council of Europe plays a role in this field. Under its umbrella the Agreement on Illicit Traffic by Sea, implementing article 17 of the UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances was adopted on 1995. It provides rules to facilitate intervention at sea.

In this context the right of hot pursuit has to be considered very important (Art. 111 UNCLOS) and it is frequently exercised by Mediterranean States.

3. **Piracy.** The extraordinary growth in piracy off the coast of Somalia in recent years has led to an unprecedented international naval cooperation. The cooperation is fully supported by Mediterranean Coastal States wishful to maintain the freedom of access and navigation in the Mediterranean that could be endangered by the action of pirates off the coasts of Somalia.

In 2008, the UN Security Council has, under UN Charter Chapter VII, passed five resolutions dealing with Somali piracy that give these forces unprecedented legal authority to pursue pirates. While the traditional definition of piracy under international law restricts military responses by outside powers to those carried out on the high seas, the Resolution 1816 (2008) authorize the use of military force within sovereign Somali waters and territory.

4. **Other illicit activities** Since UNCLOS has demonstrated a lack of codified provisions on prevention of illegal trafficking of hazardous

wastes<sup>8</sup> the Mediterranean States should consider the necessity to adopt an “ad hoc” Regional Agreement. The same lack of regulations affects arms smuggling,<sup>9</sup> including WMD even though it is pointed out that the 2005 London protocol on maritime terrorism, already allows the adoption of some enforcement measures. To this aim it must be considered also the importance in the Mediterranean of the PSI.

## 6 Suggestions for “The way ahead”

### 6.1 What elements of the regime can be improved?

Collaborative maritime security efforts today have largely focused on *Maritime Domain Awareness* (MDA) initiatives, or, how we refer to it in the Mediterranean Region, *Maritime Situational Awareness* (MSA).

MSA has to be considered as foundational in Maritime Security, along with *Maritime Security Operations* (MSO ) and *Maritime Capacity Building* (MCB).

MSA grants maritime stakeholders in a complex environment the capacity to detect anomalies and deviations from established trends and patterns in commercial and military traffic, and enables authorities to take appropriate action before security is compromised or crises erupt.

It goes without saying that MSA requires effective information sharing. The latter must be developed with a sound organizational and governance structure.

Nations worldwide made progress developing MSA, motivated by a wide range of drivers, including smuggling, illegal fishing, emergency management, maritime safety, environmental concerns, and security needs.

### 6.2 What elements are missing for success, how can it be enhanced?

Collection and sharing of environmental maritime information has also become a higher priority domestically. It is widely recognized that information sharing is a virtue today and essential to the challenge of improving maritime safety and

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<sup>8</sup> The matter is currently dealt with by the “Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal” – an international treaty which entered into force in 1992. This convention, however, does not contain enforcement provisions, nor rules concerning the application of the Convention itself to dismissed vessels, which may represent themselves “ecologic bombs”,

<sup>9</sup> According to some scholars, “a provision on boarding of vessels could be inserted into a new convention focusing on terrorist travel and transport of weapons” (see S.L. Hodgkinson et al., ‘Challenges to Maritime Interception Operations in the War on Terror: Bridging the Gap’, 22(4) American University International Law Review 2007, 583-671, at 668).

security. Despite such a general agreement, many challenges still stand before it and they are related to policy, culture, technical and legal dimension of the information sharing itself.

Maritime information are actually collected and stored by a wide variety of agencies and organizations with equities in the maritime domain and in this process is somehow evident the lack of interagency standards for information sharing, the difficulty to share information between agencies and organizations and furthermore the difficulty to correlate data to achieve greater levels of maritime situational awareness.

The peculiarities of the Mediterranean region and the complexity of the related security threats require, likewise everywhere in the world, but even more than in other regions, a truly comprehensive approach through the involvement of all the relevant actors, to elaborate effective and efficient solutions.

In this sense, multilateralism represents a platform to elaborate collective solutions: recognizing the common linkages in the maritime domain, leveraging the existing regional relationship and facilitating regional information sharing can enhance maritime security needs.

Regional initiatives are a valid framework to reinforce partners capacity through the promotion and sharing of best practices, in maritime safety and security, including maritime security operations, maritime situational awareness and information sharing.

In the overall effort made so far to identify most valuable responses to the quest for effective information sharing, it has been widely recognized the validity of regional solutions: an insight from the regional experts helps in identifying typical behaviours that could be misunderstood by analysts in other regions.

### **6.3 Potential solutions to regional security deficit in order to ensure access to and freedom of action within the regional maritime commons**

To assess the *status quo* in the Mediterranean basin it is worth mentioning the various ongoing initiatives, at NATO and EU levels, at single nations and at Navies' level, since in the region, Navies play quite a significant complementary role in pursuing the required level of MSA.

NATO has stated Maritime Security as a primary role of its maritime forces in the new Alliance Maritime Strategy and is heavily engaged in the development of the MSA Concept, although the Concept Development is facing some difficulties related to the different legal frameworks and policies at national level.

Nevertheless, the NATO MSSIS (Maritime Safety and Security Information System) is a success story which sees the participation of many Mediterranean states, including non NATO members, in the AIS based information sharing.

EU, and especially the Commission<sup>10</sup> and the “maritime oriented ” presidencies of Sweden and Spain<sup>11</sup> , is particularly active in this field and gives a special focus to the Mediterranean Region, due to the clear impact it has *vis à vis* the implementation of the Integrated Maritime Policy.

Two Pilot Projects intended to increase regional trust, information sharing and cooperation to achieve more effective preventive and enforcing actions have been launched: MARSUNO for the Northern European sea basins and BLUMASSMED for the Mediterranean region.

Besides these interagency and international efforts, single EU Agencies are developing own dedicated network to grant specialist Information Exchange. This is the case of EMSA (European Maritime Safety Agency) with the establishment of SAFESEANET and CLEANSEANET networks, aimed at safety and antipollution, FRONTEX, with the conduct of a feasibility study on a European southern border control, named EUROSUR and the European Defence Agency (EDA), undergoing a project called MARSUR, aimed at the establishment of a surveillance network for defence purposes.

It's pretty much clear the risk for parallel and stove-piped approaches to a common need such as the Maritime Surveillance. To prevent or at least reduce such risk, the EU Commission plays a key role: in the month of October 2010, it in fact launched

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<sup>10</sup> The Commission Communication “Towards the integration of maritime surveillance: A common information sharing environment for the EU maritime domain” dated 15 October 2009 (COM(2009) 538 final), setting out guiding principles towards its establishment is the cornerstone in the building of better understanding and improved maritime surveillance.

The Council Conclusions on the Integrated Maritime Policy, dated 16 November 2009, welcome the idea of establishing an integrated approach to maritime surveillance, through a common information sharing environment.

<sup>11</sup> The Swedish and Spanish Presidencies had put much effort in granting a role to Navies in this overall effort: Sweden promoted the Integration of Maritime Surveillance, endorsing the idea of integrated support to maritime surveillance through the establishment of a Common Information Sharing Environment (CISE) , and pointing to the need for a road-map for such development and implementation, while Spain through several initiatives, in which the Spanish Navy played a key role, supported the idea that maritime situational awareness and information exchange are key factors in developing an integrated maritime policy and in carrying out maritime security operations (detect, decide and act).



a draft roadmap for the Common Information Sharing Environment (CISE)<sup>12</sup> set out concrete steps to enhance the effectiveness and cost efficiency of European Seas' surveillance.

EU and NATO approaches mirror and are mirrored at single Nations' level.

Maritime security and the related enabling functions are indeed high in the various countries' agenda and in particular in the Mediterranean coastal States.

We are in fact experiencing a huge number of national initiatives aiming at integrating different national capabilities in order to achieve the full Maritime Situational Awareness: every nation is unique in terms of maritime actors and agencies in charge of different layers of maritime security, but all of them share the need for optimization of efforts and the request for synergies at interagency level.

Such approaches respond both to the NATO input to identify a single national point of contact for maritime surveillance related issues, stated in the MSO Concept and to the EU requirements in the overall CISE context (e.g. Pilot Project BLUMASSMED identifies as one of the most credible opportunities the federation of national fusion centres, responsible for the gathering and de-confliction of data coming from national sources).

Spanish COVAM (*Centro de Operaciones y Vigilancia de Acción Marítima*), French SPATIONAV, Italian SIIMS (*System for Interagency Integrated Maritime Surveillance*), Turkish Albanian IMOC (*Inter-Institutional Maritime Operations Centre*), Croatian Central Coordination Board for Maritime safety and security, Slovenian interagency MOC (Maritime Operations Centre) are few of the several examples in the European side of the Mediterranean, but also the Southern bank of the basin some countries are up to date at least in some of their components in the overall maritime security effort, as in the case of the Moroccan Navy.

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<sup>12</sup> (COM/2010/584)- *Draft Roadmap towards establishing the Common Information Sharing Environment for the surveillance of the EU maritime domain*. In this roadmap, the Commission spells out how to bring together relevant Member States' authorities across all maritime sectors to allow for the exchange of maritime surveillance data, held by authorities such as coast guards, traffic monitoring, environmental monitoring, pollution prevention, fisheries, border control, tax and general law enforcement authorities, as well as navies. The Roadmap proposes establishing the CISE network in the following six steps to form a basis for further actions:

- Identifying all user communities
- Mapping of data sets and analysis of gaps for data exchange
- Defining common data classification levels
- Developing the supporting framework for the CISE
- Defining access rights
- Providing a coherent legal framework

What stated above leads to some specific considerations on the role of the Navies which are key players in the development of some cooperation activities that bring further added value and are worth mentioning to depict a proper and complete landscape .

In fact, Mediterranean Navies have felt, historically, the need for a strengthened cooperation. Along the northern side of the basin, the quest for a seamless maritime surveillance and for a solid interoperability were specific NATO requirements since a few decades ago, whilst the African Navies, in the same period, have progressively expanded their duties beyond the pure defence role and therefore they identified the opportunity for more robust network of continental and inter-continental relationships.

From this fertile environment several regional and sub-regional cooperation initiatives have stemmed in the recent past under different auspices. Even if some of them features different specific objectives, the binomial “*Dialogue and Cooperation*” can be easily indicated as a core frame of any of them.

The binomial of “*Dialogue and Cooperation*” represents the path along which is it possible to project daily commitment and efforts to guarantee freedom and security at sea for the sake of the International Community, overtaking prejudices that hamper cooperation between populations. As a matter of fact, in the human history, the marine environment has been representing the primary venue for bridging different cultures of friendship. In a few words oceans have sustained mankind development.

NATO itself, in promoting the Mediterranean Dialogue and the Istanbul Cooperation Initiative, has deeply exploited the Navies’ aggregating capabilities by arranging frequent exercises, port visits, seminars and training sessions, across the Mediterranean Basin.

The 5+5 initiative and in particular, its maritime dimension, represents an additional privileged forum in which the Navy to Navy attitude to dialogue was exploited and, at the same time, improved.

This has brought to a progressive ability to operate together, carrying out live exercise of increasingly difficulty level, and to share operational perspectives and views developing common procedures in the field of Maritime Security Operations.

On a smaller scale, the Adriatic Ionian Initiative, namely *Adrion*, represents another way to put together thoughts, efforts and willingness to tackle common issues in a shared maritime environment.

Both the 5+5 and the *Adrion* feature on a regularly basis (normally yearly) maritime live training events and conceptual workshops.

In addition to what is described on top, deserves to be highlighted the massive activity of bilateral cooperation, that each of the basin's Navies entertain with the vast majority of the others. It is, really, a world of relationships that despite the existing political, cultural or religious differences, does not see, with few exception, specific preclusion or *caveats*.

This landscape allowed to further increase mutual trust and clarity, fundamental factors for an enhanced cooperation, while preventing dangerous confrontation at sea.

Following the raising need for Maritime Security, at Navies levels was recognized that the establishment of more robust relationship between the respective MOCs (Maritime Operations Centres) would have resulted beneficial for the sake of Maritime Security in the Mediterranean. Therefore some of the leading Navies (notably France, Spain and Italy) have decided to enter in specific technical agreements related to Maritime Security. Even if not binding, nor superseding the single nations' prerogatives, such TAs promote a more synergic effort among the named Navies, in terms of:

- coordinated presence of maritime (air and surface) assets at sea in the identified areas of common interest, by avoiding concentration of assets in a single area;
- enhanced awareness and improved warning indication about any potential dangerous situation, by stressing exchange of information.

The Italian Navy, in this regional effort aimed at achieving a more effective cooperation, has been playing, always, a convinced and active role. In this light, some years ago, the *Virtual Regional Maritime Traffic Centre V-RMTC* was launched with the aim to create a network providing information on regional maritime traffic by the connection of the Member Navies operational centres.

The V-RMTC, a “*med-centric*” net for maritime traffic’s data exchange, was conceived as a “*pilot project*” during the 2004 Venice Symposium, then turned into a flexible system suitable for diversified applications and finally developed into a model also available for interaction within and between regions. This reasonably quick developments have been possible thanks to the common effort of each participating navy.

The model has been adopted so far by two different communities, namely:

- the “*Wider Mediterranean Community*” (WMC), currently including 24 navies operating in the WM region;
- the 5+5 net, constituted by the 5 Maghrebian countries of Algeria, Libya, Mauritania; Morocco and Tunisia and by 5 European countries of the west med, namely France, Italy, Malta, Portugal and Spain.

Following the natural path of dialogue and inter-regional cooperation, the trans-regional development of the V-RMTC has turned into the creation of the *Trans-Regional Maritime Network* (T-RMN).

The idea is based on a confidence building approach, hereby encompassing the various pillars of plurality, diversity and mutual trust; the overarching idea is to move forward from a family of networks to a federation of surveillance systems.

The T-RMN today consist of V-RMTC wider community plus Brazilian system SISTRAM and Singapore system OASIS. The T-RMN officially entry into force on the 21 of October with the signature of the Operational Arrangement during the 8 edition of *Venice Regional Seapower Symposium*.

#### **6.4 What insights or ideas from this regional analysis can be applied to the concept and handbook?**

Summarizing what examined so far, some topics can be extracted and summarized:

- Maritime Situational Awareness (MSA) has become increasingly crucial to the maritime security environment and must take advantage of the most complete knowledge of the maritime environment. *Maritime Situational Awareness* cannot be merely limited to the data sharing: each maritime community around the world is peculiar since it follows specific customary patterns. This means that their complete knowledge and understanding is crucial to be fully aware of the

specific operational environment. These considerations lead to the need of properly improving the MSA with a bottom-up approach:

- . At a national level by stressing the need for a comprehensive interagency development as first step.
  - . At regional level by building confidence and mutual trust to involve the largest possible number of contributors and by exploiting the available technology to enhance information sharing.
  - . At trans-regional level by adopting a federative approach such as the case of Trans-regional Maritime Network, that may be considered in this sense as starting point.
- Dialogue and Cooperation (D&C) represent an effective tool to tackle the phenomena threatening maritime security and to facilitate access to all the essential aspects for effective Capacity Building. A more effective dialogue and a robust understanding between the civilian and military stakeholders of the Maritime Domain would allow Maritime Forces to mitigate the impact deriving from the conduct of *Maritime Security Operations*.
  - The dichotomy between the achievement of Maritime Security and the need for preserving the freedom of the sea should be considered a pivotal point as well. Once more, dialogue and cooperation are essential to manage such requirements, apparently conflicting, but as a matter of fact, tied as a sort of supporting supported bond. *Teamwork* is the keyword, by considering Navies, Coast Guards, shipbuilders, ship-owners as a cohesive team, sharing data, finding innovative solutions, providing relevant information, exploiting regional and sector experiences under a comprehensive approach: this is how to effectively manage the balance between freedom and security at sea.
  - Navies are the best suited to act as the integrator between the various actors in charge in the maritime domain and should be considered crucial, not only for effective implementation of the Maritime Surveillance and security initiatives but also for their efficient contribution to Maritime Capacity Building.
  - A more effective legal and jurisdictional framework is desirable to improve effectiveness in deterring illegal activities.

Moreover, to produce effective results by enhancing international and interagency collaboration in the field of maritime surveillance and security, it is recommended to:

- promote regional initiatives and partnerships to contribute to global endeavors.
- encourage information sharing to achieve the most accurate *Maritime Situational Awareness* by also adopting cross-sector methodologies under an interagency approach and possibly harmonizing legal frameworks related to the information sharing in respect of the national policies.
- Promote international participation to *Maritime Security operations* to safeguard freedom of navigation, protecting shipping, energy lines, and Maritime critical infrastructure worldwide in full conformity with International and Customary Law; in this sense the experiences gathered so far in conducting multinational operations, such as antipiracy, should be properly capitalized. Navies and International Organizations together, should play tightly in this direction. International Organizations should implement and update measures aimed at enhancing the central role of Maritime Forces while Navies provide their inherent abilities to intervene wherever and whenever needed.
- Harmonize national, regional and international MSA and MSO efforts to obtain a cost effective synergy by establish common procedures and defining sharing protocols. This form of support could certainly benefit the development of interoperable maritime assets. In this sense, the cooperation between shipbuilders and Navies may bring significant opportunities in terms of cost reduction and potential interoperability. Once again, dialogue and cooperation is essential in this field, both for strengthening existing initiatives and to support nations in turning regional efforts into concrete initiatives.
- Develop the Navies role as main actors in *Maritime Capacity Building* to support coastal states “*in need*”, to overcome their lack of capabilities, expertise, maritime culture and specific training for the implementation of the maritime security and the enforcement of legality at sea in their respective areas. This adaptive process has to be properly addressed according to the terms and wishes of the receiving states concerned and promoted as the specific contribution to the wider comprehensive approach.

## **6.5 What insights or ideas from the analysis might apply to inter regional applications?**

The dynamics of the new scenarios are generating new complexities connected with the compending risks and maritime threats like piracy, terrorism, pollution, human trafficking, weapon smuggling and other illicit activities not forgetting natural disasters and their consequences. These borderless challenges require wider partnerships to match the current global relevance of the Maritime Domain. In this context a comprehensive and trans-regional approach with a global vision should be achieved, involving an increasing number of International Maritime Organizations in respond to compelling needs for an inter-agency and comprehensive view. The basis of this evolving scenario are strictly correlated with the importance achieved by the Maritime Environment in the global economy. This perspective turns the Oceans into the center of gravity of the modern geopolitical scenario where development and prosperity directly depend on security and stability at sea and from the sea.

Moreover, inter-agency relationships need to be fostered not only with single respective Maritime Communities but also involving all the institutions and private players whose role and interests are at stake in the Maritime Domain. The whole International Community should exploit Navies' unique and inherent attitude to dialogue and cooperate by synergizing military and civil capacities.

Make aware everybody that Navies are ready to play an incisive role for global stability at sea and from the sea is then a crucial need: doing so, the achievements of the other Naval International Forum and initiatives at regional and global level, such as the Newport International Sea Powers Symposium, the Chief of European Navies, the Indian Ocean Naval Symposium, the Western Pacific Naval Symposium, the Sea Power for Africa Symposium, as well as *the Five plus Five* and Adriatic and Ionian initiatives, have to be properly considered so that Navies may affirm their critical security and stability role in a modern and sea-centric vision of the world.