



Flexible Multilateralism: Unlimited Opportunities? The Case of Civil Protection in the Mediterranean

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Executive Summary

Cooperation between European and Mediterranean countries has been promoted through multiple initiatives, each with different goals and geographical scopes. Within the framework of the Union for the Mediterranean, the European Union and its Mediterranean partners are now seeking to push forward projects not only on the full-scale regional level, but also in flexible multilateral formats. Taking the example of civil protection, this report provides an analysis and assessment of experiences with flexible cooperation formats in this policy field.

Given the Mediterranean's vulnerability to man-made and natural disasters, the notion of security in this region is no longer limited to the threat of military aggression from another country. The new security risks and threats are trans-national in scope and require both preventive and responsive cooperation. For this reason, civil protection in the Mediterranean has become an increasingly important concern for the EU. Recent cooperative experiences in the field of civil protection have demonstrated that flexible multilateral formats – for instance, in the 5+5 sub-regional format – have been successful in prompting dialogue and cooperation on civil protection between the different participating states.

This report argues that flexible multilateralism, applied to the realm of civil protection, allows evasion from the EMP's rigid format while generally conserving its key-achievements, such as effective inter-governmental collaboration. In the case of civil protection and disaster management, flexible multilateralism is a good alternative to the strictly bilateral, or again, to the often protracted regional multilateral mechanisms. Moreover, governments have strong incentives to opt for flexible multilateralism considering that a prompt and efficient response to disaster management is chief to their domestic legitimacy.

The Euro-Mediterranean-Partnership (EMP), having entered its 14th year in 2008 with the new name of Union for the Mediterranean (UfM), has until now produced poor results regarding cooperation on political and security issues. Plans for a common Euro-Mediterranean Charter for Peace and Stability have been on hold since 2000 and at the 10th anniversary summit of the Barcelona Process, in 2005, the Euro-Med partner states, while having adopted a “Euro-Mediterranean Code of Conduct on Countering Terrorism”, could not agree on a common definition of terrorism. Clearly, the still unresolved Israeli-Palestinian conflict has proved to be the key obstacle to security cooperation on the regional level. As a result, the very essence of the Barcelona Process framework – with a multilateral structure granting veto power to every single member state – has posed a significant constraint to the deepening of (security) cooperation within the Mediterranean area (cf. Schumacher 2004).

With the re-launching of the EMP under the name “Barcelona Process: Union for the Mediterranean” in July 2008, renamed in November to “Union for the Mediterranean” (UfM) in Marseille, the European Union (EU) backed French President Sarkozy’s proposal of cooperation in “variable geometry”² by formally opening the door for project cooperation in formats other than the full-scale regional one.³ Embryonic experiences with such flexible multilateral cooperation already exist, namely, but not exclusively, in the civil protection domain. Within the EMP, the Euro-Med Bridge Programme brings together experts from a number of Euro-Med partner countries on issues revolving around civil protection. Out with the EMP framework, there is the sub-regional 5+5 format, within which Southern Mediterranean states engage in dialogue and cooperation with EU states on issues ranging from security and maritime surveillance, to tourism.

Using the example of cooperation in the field of civil protection and disaster management in the Mediterranean, this EuroMeSCo Paper examines assets and drawbacks of the different cooperation frameworks in this policy field, focusing mainly on flexible forms of cooperation. It thereby also seeks to address the question of whether, and to what extent, flexible multilateralism can overcome the shortcomings of the existing regional multilateral approach, and contribute to the achievement of the general goals of the EMP-UfM, as defined in the Barcelona Declaration of 1995.

Flexible multilateralism, in this context, is defined as an interstate cooperative framework in which not all, but at least three EMP-member states (or states with observer status), are involved, including at least one from the northern and the southern shores of the Mediterranean. Consequently, strictly bilateral forms of cooperation between EMP member states are taken into account only insofar as they are important for the empirical analysis of the policy field of civil protection.

The main working hypotheses of the report are the following: (1) Flexible multilateralism in the domain of civil protection provides an escape from the rigid format of the ‘traditional’ EMP – in which every single member state has veto power – without harming the principles of the overall process and the Barcelona *acquis*. It could thus, in the mid-term, strengthen the goals of the Barcelona Process as a whole. (2) Flexible multilateralism also contributes to overcoming specific shortcomings of the EU Neighbourhood Policy, namely, the absence of instruments to promote south-south and sub-regional cooperation. (3) Cooperation in civil protection is a particularly appropriate field to be implemented in a flexible framework.

This report starts off by introducing current theoretical considerations regarding regionalism and flexible forms of cooperation within multilateral frameworks. The second and main part addresses the field of civil protection, providing an assessment of existing bilateral, multilateral and sub-regional forms of cooperation in the Mediterranean. A special focus is placed on flexible multilateral formats and the results they have generated to date. In the third and final part, extensive recommendations are outlined on how best to interlock the various cooperative initiatives at the regional and sub-regional level, in order to achieve a higher degree of effectiveness without jeopardising the advantages of flexible formats. Last but not least, suggestions are offered for dealing with flexibility as a method, reaching beyond the field of civil protection.

1. Introduction¹

¹ The authors would like to thank Fadela Hilali, as well as the researchers from AEI in Tunis for their contributions to this project.

² Sarkozy was not the first to introduce this principle in the Euro-Mediterranean context: It had already been mentioned in the conclusions of the 5th Euro-Mediterranean Conference of Foreign Ministers in Valencia, in 2002.

³ Cf. Communication from the Commission to the European Parliament and the Council, COM(2008) 319 (Final).

2. Regionalism, Regional Cooperation, and Flexible Multilateralism

In the aftermath of the Cold War and the subsequent breakdown of the bipolar constellation nearly 20 years ago, a strong academic interest in international regions and processes of regionalization emerged. Analysts of international politics saw a limitation of the effects of the world system on regional security dynamics and emphasized a “restoration of regional sovereignty” (Rosecrance 1991). Processes of regionalization and deeper regional integration were also seen as a way for nation states to position themselves in response to the challenges of economic globalization (Richards/Kirkpatrick 1999). As a result, international regions became more important as a framework of analysis, in addition to the state and the overall international system (Kelly 2007). However, within the vast literature about regionalism, one can hardly identify one exclusive definition of what constitutes an international region. In fact, even geographical proximity is no longer seen as a necessary precondition for the constitution of an international region (e.g. Lake/Morgan 1997).⁴

Policy-makers, as well as scholars, tend to denote the Mediterranean as a “region” primarily in a geographical sense. Yet it would be difficult to squeeze the Mediterranean area into one of the existing theoretical concepts of international regions.

The Mediterranean does not constitute an integrated regional security community in the sense defined by Karl Deutsch (see Adler/Barnett 1998). Deutsch described a security community as a “non-war community” within which aggressions between states are highly improbable, not because of the consequences the aggressor would potentially face as a result of its actions⁵, but because of the high level of resemblance between states and their respective societies. The existence of a Mediterranean security community would thus require a huge similarity in shared norms and values between the Mediterranean states – a kind of “Mediterranean identity” and “dependable expectations of peaceful change” that makes any violent form of relations among the member states unlikely. This concept seems to be a future ideal, rather than an existing reality.

In marked contrast, most of the research on the Mediterranean region emphasizes the divergent characteristics of the societies and states that share the Mediterranean shore. These differences are evident not only in the economic sphere, but also at the social, political, and institutional levels (see, for example, Attina 2003). Also, from the point of view of those approaches focused on traditional security issues in international relations (like Buzan/Waever 2003), one would refer to the Mediterranean not as a “regional security complex”⁶, but rather as a geographical space where at least two different regional complexes meet (Bremberg 2007). On the one hand, there is the highly integrated European security complex where relations between states are characterized by high levels of “de-securitization”.⁷ On the other hand, it is also possible to identify a Middle-Eastern complex – reaching from Morocco across to Iran – which is shaped by more conflict-prone relations and characterized by the Arab-Israeli conflict and intra-Arab tensions. Besides the aforementioned interpretation, Sven Biscop (2003: 191) has referred to the Mediterranean as a single security complex arguing that “though the Mediterranean partners are a very diverse set of countries, from the EU’s viewpoint they are involved in an interrelated set of security issues: unresolved disputes and conflicts across the region, militarization and proliferation, and violent Islamism, to name just the major ‘hard’ security factors”. Others have emphasized the sub-regional dimension, particularly in the case of the Western Mediterranean (Haddadi 1999).

When approaching the question of regionalization from the perspective of economic cooperation and trade relations, the Mediterranean area has also not yet become fully integrated. The achievement of the Euro-Mediterranean free trade area⁸ – which was supposed to be established by 2010 – would constitute a remarkable step in this direction. However, the target date will not be met and, moreover, there is increasing scepticism as to the concrete outcomes this free trade area could deliver, particularly as regards the development of southern partner countries’ economies (see Schumacher 2005 and Nienhaus 1999). European direct investment in the southern partner countries remains at a low level, representing less than 1% of overall European direct investments in third countries. The hub-and-spoke structure of the Euro-Mediterranean trade arrangement was perceived to be an important reason for this shortcoming (Omet/Saif 2006). Furthermore, although the EU is the major trading partner for most of the countries on the southern side of the Mediterranean, this relation is not reciprocal. Finally, the south-south dimension of Mediterranean trade relations remains underexploited. Trade between the three Maghreb states of Morocco, Algeria and Tunisia, for instance, accounts for less than 3% of these countries’ overall imports and exports (Achy 2006).

4 Lake and Morgan identify the common perception of an external threat as the constitutional character of regions. Virtually every state who shares the same perception of threat becomes part of the regional security complex.

5 As is the case in a system of collective security.

6 Buzan and Waever define a regional security complex as “a set of units whose major processes of securitisation, desecuritisation, or both are so interlinked that their security problems cannot reasonably be analysed or resolved apart from one another” (Buzan/Waever 2003: 44).

7 The high levels of political and economic integration between member states of the EU and the nearly complete absence of securitization processes brings some observers to see the EU as a pluralistic security community. (e.g. Buzan/Waever 2003: p 56).

8 Many observers don’t mention a real free trade area in the Mediterranean because of the “hub and spoke” structure of the arrangement, meaning that although there are bilateral free trade agreements between the different southern Mediterranean countries and the EU, there is very limited south-south integration (e.g. Nienhaus 1999).

Nevertheless, regional frameworks for cooperation have been established in the Mediterranean over the last two decades. Apart from the overall external relations initiatives launched by the EU – the Union for the Mediterranean (UfM), and its predecessor, the Euro-Mediterranean Partnership (EMP), together with the European Neighbourhood Policy (ENP) – there are other, more informal forms of bi- and multilateral cooperation in the area (e.g. the 5+5 process, or the Mediterranean Forum)⁹. In addition, NATO and the OSCE have launched their own Mediterranean dialogues.

The southern Mediterranean states have attracted increasing attention from the EU (particularly from Europe's southern member states) for a wide array of reasons, including concerns over terrorism, organized crime, migration flows, energy supply, and environmental issues. The EMP, established in 1995 as a multilateral cooperation process and accompanied by bilateral association agreements, must be seen as a means to face these challenges. It was shaped primarily by European security concerns and aimed at eventually establishing a common “area of peace and stability in the Mediterranean”.

The holistic conception of the EMP as a comprehensive cooperation process, including political, economic, and cultural issues, was much influenced by the European experience since World War II. The assumption that the spill-over effects of deeper economic integration and interdependency-promoting free trade would help foster cooperation in other more sensitive political areas also played an important role in its conception (Gillespie/Whitehead 2002). Furthermore, it was expected that economic liberalization would facilitate political reform processes in the southern partner states and eventually lead to “twin liberalization” (Schmid 2003). Because of its comprehensive nature and frequently emphasized partnership character, the Barcelona Process has generally been seen as an appropriate instrument to overcome the complex and diverse socio-economic and political problems in the Mediterranean (Schlotter 2007).

In spite of the EMP's rather poor results, especially on issues of the first (political) “basket”,¹⁰ attempts at institution-building in the Mediterranean have provided a starting-point for theoretical considerations. Certain scholars see the Mediterranean more as a “region-building project”, rather than an already existing regional entity (see Adler et al. 2006, Hettne 2005). Building common institutions and developing common problem-solving strategies is viewed as a means to establish a “Euro-Mediterranean community of values” and shared identities, and therefore as an intermediate step within a process eventually leading towards the creation of a pluralistic security community (Calleya 2006). To a certain extent, the idea of region-building breaks away from the assumptions that underlie traditional approaches of international political regionalism. Instead of making social homogeneity and the commonality of political and economic structures a precondition for cooperation and integration, region-building processes are seen as starting with intergovernmental cooperation to establish good neighbourhood relations and coordinated policies that in the long run could lead to a homogenization of internal structures.

Whether the concept of region-building can be successfully applied to the Mediterranean area is, however, a subject of discussion. One contested question among scholars of international relations is, for example, whether the role of the European Union in the Mediterranean should be defined as a relationship of hegemony and domination, or rather as a process of inclusion and socialization (Attina 2003). Viewing the EMP (and now the UfM) primarily as an instrument enabling Europe to enforce its interests in the southern neighbourhood hardly corresponds to its declared partnership character or region-building rhetoric. Consequently, within the EMP's region-building perspective, the latter appears more as a tool to decrease differences in the advancement toward commonly declared objectives, such as the respect for human rights, political pluralism and economic prosperity.

The notion that flexible and sub-regional forms of cooperation could contribute towards such a region-building process in the Mediterranean, as well as to the achievement of the overall goals of the Barcelona Declaration, is not altogether new (see, for example, Calleya/Heller 2002). However, an empirically-driven comprehensive analysis of such forms of cooperation in specific policy fields does not exist so far.

2.1. Attempts at Region-Building

⁹ For a detailed description of the diverse cooperation frameworks in the Mediterranean see section 3 of this Report. Please look also into Calleya 1997.

¹⁰ The project for a Euro-Mediterranean Charter for Peace and Stability was already abandoned 8 years ago.

2.2. Flexible Multilateralism in a Theoretical Perspective

Flexible forms of cooperation within existing multilateral international frameworks have been primarily discussed in research on the European integration process, particularly since the Union's latest enlargement in 2007. The Irish rejection of the Lisbon treaty in June 2008 once again re-activated discussions about the future structure of the European Union and its decision-making processes. Two main questions in the discussion about flexible multilateralism – synonyms include “flexible integration”, “enhanced cooperation”, or “variable geometry” – prevail: How can those states willing to intensify cooperation proceed without harming the overall cooperation framework? And: What impact would such forms of cooperation have on the comprehensive integration process? To date, flexible forms of cooperation took place within the European Union either outside the treaty framework (Schengen at the beginning) or in the form of opt-out structures (like the European Monetary Union). The formal mechanism of “enhanced cooperation”, established in the Amsterdam treaty and modified at Nice 2003, has yet to be applied.

Most scholars highlight the positive effects of flexible cooperation arrangements (see, for example, Dehousse/Coussens 2003, Kurpas et al. 2006, Dewatripont et al. 1995). Flexible structures allow those actors willing to intensify cooperation on specific issues to do so without coercing other members to take the same steps. Furthermore, flexible forms of cooperation are expected to have positive spill-over effects, deepening overall integration in the long run as initial stand-bys become aware of positive outcomes. In addition, cooperative action is believed to be more probable and reliable within small groups of actors because mechanisms such as peer pressure and positive competition set in more easily.

At the same time, a part of the literature underlines possible problems concerning flexible cooperation mechanisms (see, for example, Dewatripont et al. 1995). It must be ensured that no negative externalities emerge for third parties from the cooperation of several other actors. Such an impact could have disintegrating effects on the overall integration process (for instance, imagine France extensively reinforcing its military cooperation with Morocco, and thus producing negative externalities for Algerian security concerns). Another concern is the well-known free-rider problem, which can be of great importance within flexible cooperation arrangements. In this case, most examples refer to international cooperation on climate and environment protection policies. Since no actor can be excluded from the broad positive outcomes of environmental protection measures, one might presume that many would try to free-ride and not bother with cooperation. It must be assured that flexible forms of cooperation are not used as an instrument of exclusion or even threat, but rather as a constructive tool in making the first steps toward deepening the overall cooperation framework. Hence, leaving an open door for all other countries willing to join at any later point is decisive for the successful application of flexible multilateralism.

Considering the existing theoretical approaches on regionalism and flexible forms of interstate cooperation, this report addresses the question of whether the above-mentioned assumptions about flexible forms of cooperation (derived from the European enlargement context) are equally applicable within less-integrated international contexts, like the Mediterranean, or whether in such environments, flexible multilateralism proves instead to have disintegrating effects.

Since the end of the Cold War, the perception of (international) security in Europe has changed. Military aggression from another state is today – at least in the European context – not seen as the most pressing security threat. As emphasized in the 2003 European Security Strategy, “large-scale aggression against any member state is now improbable. Instead Europe faces new threats which are more diverse, less visible and less predictable.”

Generally, we have witnessed a broadening of the definition of security. This process is developing in two ways: First, the types and the number of perceived threats are increasing and becoming more diverse. International terrorism, organized crime, negative effects of climate change, extreme weather phenomena, or the economic crisis have gained relevance as perceived sources of insecurity. Second, as the number and nature of perceived threats become more diversified, the objects requiring security measures are broadening. Traditionally, the state and its national borders were the main objects of protection measures. Today, objects demanding such protection include critical infrastructure, natural environment, economic stability, or even societal identity (Boin/Ekegren/Rhinard 2006).¹¹

Taking these developments into account, scholars have emphasised that policies in Europe and North America are ever more directed towards protecting the civilian population against natural or man-made disasters (see, for example, Alexander 2002). Given that threats like terrorism, climate change, or economic destitution can hardly be confronted solely at the national level, due to their trans-national significance, the traditional distinction between internal and external security is challenged. As a result, civil protection measures and capacities are gaining importance in the security and protection policies of nation states, as well as of partly supra-national entities like the European Union. This holds true both for preventive cooperation measures aimed at improving knowledge and capacity-building (research, expert-exchanges, training, joint exercises, etc.), and for responsive cooperation (such as ad-hoc assistance for disaster management).

Civil protection in the Mediterranean is of growing concern to Europe because of this area's particular vulnerability to natural disasters (Brauch, 2003). Due to its climate and topography, forest fires and flooding occur frequently, and countries such as Algeria, Morocco, Greece and Turkey have been repeatedly struck by strong earthquakes. The Mediterranean Sea has also been regularly suffered oil spills and slicks. Furthermore, the process of desertification – caused by both human activity and climate change – affects the lives of the region's inhabitants more than in other geographic zones (Nasr, 2003). This situation has favoured the desire for cooperation along both shores of the Mediterranean.

Civil protection has become a priority issue within the Euro-Mediterranean Partnership (EMP), gathering widespread political support for further cooperation. At the 10th anniversary of the Barcelona Declaration, a five year work programme was adopted and cooperation in the field of natural and man-made disaster prevention was identified as particularly relevant to political and security confidence-building (COM 2005: 20).¹² The Euro-Mediterranean Meeting of Ministers of Foreign Affairs in Lisbon (2007) recognized that the “rising trend in vulnerability to natural and man-made disasters in many parts of the Mediterranean confirms the need for greater safety and security measures to be in place to the benefit of its citizens” (Council 2007: 7), and in Tampere, the Ministers of Foreign Affairs referred to cooperation on civil protection: “as an important political measure to strengthen trustful relationships by promoting cooperation and interaction between regional and local authorities, civil population and civil society” (Council 2006: 4).

However, to date there is no coherent multilateral cooperation mechanism or framework in the Mediterranean region for prevention and/or response measures to natural or man-made disasters. We are instead dealing with several overlapping initiatives, which differ with regard to their members and their degree of commitment. Setting aside the strictly bilateral, we can distinguish between multi-bilateral (European Neighbourhood Policy), sub-regional multilateral (5+5 Initiative), regional multilateral (EMP, since July 2008 Union for the Mediterranean) and international initiatives that go beyond the regional Euro-Mediterranean level (e.g. the INSARAG Network or the EUR-OPA agreement of the Council of Europe). Several of these initiatives can be described as flexible multilateral, in that they include some but not all of the EMP states, be it *de jure* or *de facto*.

The upcoming short discussion on non-flexible formats for civil protection will be followed by a more detailed one on flexible formats, including the perspectives for such formats in the framework of the new Union for the Mediterranean. Keeping in mind the three working hypothesis of this report, the questions guiding the analysis will be: 1) whether the flexible cooperation frameworks positively affect the principles and the *acquis* of the Barcelona

3. Flexible Multilateralism: The Case of Civil Protection

3.1. The Growing Importance of Civil Protection in the Mediterranean

11 On the broader concept of securitization and referent objects of securitization see Buzan/Waever 2003: 70-75.

12 The Euro-Mediterranean Code of Conduct on Countering Terrorism explicitly states that the EMP members will “help victims of terrorism and provide assistance to the competent authorities in dealing with the consequences of a major attack”, as well as strengthen national and collective mechanisms to deal with the aftermath of terrorist attacks, build contacts, share experiences, and participate in emergency exercises. Euro-Mediterranean Code of Conduct on Countering Terrorism: http://ec.europa.eu/external_relations/euromed/summit1105/terrorism.pdf (accessed 8 February 2008).

Process, or whether they undermine them; 2) to what extent flexible formats have contributed to overcoming the shortcomings of the Barcelona Process and/or the European Neighbourhood Policy; and 3) whether civil protection is a domain suitably tackled using flexible frameworks.

3.2. Civil Protection in Non-Flexible Formats

Bilateral cooperation agreements in the field of civil protection are common between directly neighbouring countries in the Mediterranean, seeing as proximity to the place of catastrophe plays a crucial role for response facilities. Such agreements exist between Northern Mediterranean countries (e.g. France and Spain), between Southern Mediterranean countries (e.g. Tunisia and Algeria), as well as between countries from opposite shores of the Mediterranean (e.g. Spain and Morocco). While such cooperation may contribute towards deepening ties and building confidence between two countries from both sides of the Mediterranean or between two southern partner states, its regional effects are limited. In cases where cooperation between a northern and southern partner intensifies, this may even undermine south-south integration – one of the goals of the Barcelona Process – due to hesitance in turning to a southern neighbour country for preventive measures and mutual aid.

The multi-bilateral European Neighbourhood Policy, a framework for cooperation between the European Union and individual neighbouring states, can also be classified as a non-flexible cooperation format. Civil protection is clearly a main issue in the ENP: all Action Plans for the Mediterranean countries, with the exception of that for the Palestinian Authority, contain references to civil protection and disaster management.¹³ For example, Jordan is supposed to: “explore the possibility of participation in training activities on conflict prevention, crisis and natural disaster management, as well as in civil and military peacekeeping exercises and operations in co-operation with the EU”¹⁴ and Morocco shall “take part, as appropriate, in training and activities relating to conflict prevention, management of crises and natural disasters, civil protection and possible participation in EU-led civil and military peacekeeping exercises and operations”¹⁵. The same basically also applies to Tunisia¹⁶ and Lebanon.¹⁷

However, despite calls for closer cooperation in the field of civil protection in these action plans, no concrete programmes or institutional structures are proposed within the ENP framework. Rather, they are delegated to the regional multilateral framework of the Euro-Mediterranean Partnership (EMP). The action plan for Egypt explicitly asks for “cooperation in conflict prevention and crisis management... within the framework of the Bridge Project [which is part of the EMP framework] for the creation of Euro-Mediterranean system of mitigation, prevention and management of natural and man-made disasters”.¹⁸

Within the EMP – that is, on the full scale and *de jure* non-flexible regional level – specific programmes for civil protection cooperation have been launched. However, EMP cooperation in this field turned out to be flexible, rather than full-scale regional in its *de facto modus operandi*.

3.3. Civil Protection in Flexible Formats

3.3.1. De Facto Flexibility within the EMP Framework

The first EMP project aimed at promoting cooperation in the field of civil protection was of a flexible nature. It was launched jointly by Egypt and Italy, in 1996, and brought together a varying number of EMP member states. This so-called “Pilot programme for the creation of a Euro-Mediterranean system of mitigation, prevention and management of natural and man-made disasters” focused on training and information, on networking of civil protection schools, and on exchanges of civil protection experts and technical assistance. As highlighted by Pedro Courela (2004: 13-14), the programme was successful at promoting networking among practitioners, thus displaying great potential for confidence-building and positive spill-over effects into other fields of security cooperation.

In 2004, the “Euro-Med Bridge Programme” was introduced. This programme included risk prevention, information to the public, and the identification of measures to facilitate requests for mutual assistance in the event of major emergencies. It was launched to lay the ground for more comprehensive and sustainable regional cooperation in civil protection, seeking to integrate issues such as prevention, risk reduction, emergency response and post-crisis recovery.¹⁹ Under the programme, several exercises and expert exchanges have already taken place involving civil protection personnel from both EU member states and Mediterranean non-members.²⁰ The programme’s steering committee represents all EMP Member States, whereas the operational committee consists only of representatives from Algeria, Egypt, France and Italy,

¹³ At the time of writing there are no ENP action plans for Algeria, Libya and Syria. The Euro-Mediterranean Association Agreements do not contain specific references to civil protection cooperation, albeit they do include references to political dialogue on peace, security and stability in the Mediterranean region, much in line with the 1995 Barcelona Declaration.

¹⁴ EU/Jordan Action Plan, p.5-6: http://ec.europa.eu/world/enp/pdf/action_plans/jordan_enp_ap_final_en.pdf (accessed 30 January 2008).

as well as from the Secretariat of the European Union's Council and the European Commission. While the Commission manages the contracts and implements policies in relation to civil protection cooperation in the EMP, EU Member States have been granted service and technical contracts. Worthy of note, Italy was given the contract for the Pilot programme and France was granted the contract for the Bridge programme. Since on the operational and administrative level only four EMP members come together, and seeing as only a limited number of EMP members participate in the various activities, one can speak of the programme as *de facto* flexible multilateral.²¹ However, activities of the Bridge Programme are open to all members, at least formally. Flexibility is thus not the underlying concept, but rather an accidental outcome.

A recent evaluation of the Bridge programme concludes that: "the bringing together of Mediterranean nationals has continued to build confidence and reinforce a common understanding of the importance of collaborating together in reducing risks and responding to disasters" (Warren 2007: 3). The very fact that activities were organized by a core group and implemented among a reduced number of EMP-members only, allowed for cooperation in the security domain that would have been impossible had all EMP members been included in every activity. This is particularly true for activities involving sensitive issues. Germany, for instance, organized a workshop on chemical threats in 2007, in which Syria, but not Israel, participated (a meeting on a similar topic was later organized with Israel bilaterally). Given the unresolved Israeli-Palestinian conflict, it would have been very difficult, if not impossible, to organize such a workshop on the full-scale regional level.²² In other words, it was only *de facto* flexibility that permitted this cooperation to take place at all – hence, flexibility of formats did not undermine the principles of Barcelona, but rather served to strengthen them.

However, the evaluation of the Bridge Programme also identifies a number of problems that mainly relate to the complexity of European institutional processes and structures. First, stakeholders in Mediterranean non-member states perceive a lack of a coherent European policy on civil protection; hence, "the role of the Mechanism in recent disasters in the Mediterranean region has been eclipsed by the bilateral response of many Member States who have a long track record in disaster response and who are able to mobilise quickly and under less bureaucratic procedures" (Warren 2007: 14). Second, existing agreements between the EU and the UN do not specify a role for the Monitoring and Information Centre (MIC)²³ in the global UN system for disaster response. This negatively affects the ability to perform coordinated civil protection operations in the Mediterranean. As a result of this, the Bridge programme has been forced to operate in a "policy vacuum" (Warren 2007: 15). Third, the organisation of EU civil protection is already highly complex, let alone when it comes to helping non-member states. The Commission only has a broadly defined disaster response strategy for interventions beyond EU borders. This strategy involves several DGs at the Commission, but in the end, it depends "heavily on inputs from EU member state civil protection agencies" (ibid.). As such, this "institutionally complicated set-up [could] contribute to the impediments for eventual further integration of the Southern Mediterranean countries into the European Civil Protection Mechanism" (ibid.). Another problem mentioned is that Mediterranean non-member countries present different levels of organizational capacity as to civil protection. This means that only a limited number (mainly Algeria, Morocco and Turkey) are in a position where they could soon 'integrate' with the Community Mechanism for Civil Protection (Warren 2007: 39).²⁴

Given these obstacles to a regional mechanism, and in view of the relevance of geographic proximity, it comes as no surprise that a sub-regional format in the Western Mediterranean has turned out to be an attractive, if not the most appealing format for dialogue and cooperation on civil protection for the participating states.

The 5+5 Dialogue is an informal collaborative initiative between countries from the Western Mediterranean. The idea behind the 5+5 Dialogue had already emerged in the late 1980s, having assumed more concrete contours after two meetings of foreign ministers, in 1990 (Rome) and 1991 (Algiers). Morocco, Mauritania, Algeria, Tunisia, Libya, Portugal, Spain, France, and Italy have been involved in this initiative since its inception and Malta joined in 1991. The so-called technical ministries (interior, defence, social affairs-employment, and tourism) were subsequently added, developing their own 5+5 cooperation dynamics.

The 5+5 format is formally completely independent of the EMP, and by including Libya it goes beyond the EMP framework – Libya only has an observer status in the EMP and has to date refused to participate in the Union for the Mediterranean framework. Indeed, it is a remarkable feature of the 5+5 dialogue that it manages to reunite all five member states

3.3.2. Sub-Regional Flexibility: The 5+5 Dialogue

¹⁵ EU/Morocco Action Plan, p.7: http://ec.europa.eu/world/enp/pdf/action_plans/morocco_enp_ap_final_en.pdf (accessed 30 January 2008).

¹⁶ EU/Tunisia Action Plan, p.6: http://ec.europa.eu/world/enp/pdf/action_plans/tunisia_enp_ap_final_en.pdf (accessed 30 January 2008).

¹⁷ EU/Lebanon Action Plan, p.7-8: http://ec.europa.eu/world/enp/pdf/lebanon_enp_ap_final_en.pdf (accessed 30 January 2008).

of the virtually defunct Arab Maghreb Union to discuss topics pertinent to the sensitive issue of national security. It is by no means self-evident that Moroccan and Algerian officials, whose relations have been seriously strained for more than three decades over the Western Sahara conflict, work together in the domain of civil protection.

The 5+5 Defence and the 5+5 Interior dialogues are the forums where issues relating to civil protection are being discussed. 5+5 Interior is one of the oldest technical dialogues; it can be traced back to 1995 when ministers of foreign affairs of the Western Mediterranean gathered in Tunis. Although its meetings were interrupted for two years (2001-2002), it is now one of the most active forums in the Mediterranean. The declaration of the 12th 5+5 interior minister conference in Nice, in May 2006, identified four main areas of cooperation: the fight against terrorism, the fight against organized crime, the fight against illegal migration, and the field of civil protection. The last point was to be developed through the exchange of experts, an identification of existing intervention capacities, and the establishment of a communication system between the different national operational headquarters.

In the interior ministers' meeting in Nouakchott (21-22 May 2008), civil protection appeared high on the agenda. It was agreed to: (1) promote dialogue and exchange of experiences; (2) improve mutual aid and rapid-response mechanisms to natural or man-made disasters, as well as to terrorist attacks; (3) provide mutual assistance, rapid intervention and rescue organisation in emergency situations; (4) put into practice a crisis management system and share available means to confront natural and man-made disasters. In order to achieve these goals, the interior ministers showed acute interest in the French proposal of creating a "Civil-Protection College for the Western Mediterranean."²⁵

The 5+5 Defence (also termed the 5+5 Security Initiative) dialogue is more recent and only takes civil protection into account when the latter can be achieved through the contribution of the armed forces. Yet, the 5+5 Defence has been quite active in this field and deserves particular attention. It was initiated by France in a 4+3 format (Algeria, France, Italy, Morocco, Portugal, Spain and Tunisia) in 2003. A year later, it was extended to the 5+5 format. The idea behind the French initiative was to focus on concrete activities in a small and (somewhat) informal setting. Hence, in December 2004, the 5+5 Defence dialogue was officially launched by the 10 ministers of defence at a meeting in Paris. This multilateral cooperation framework on security issues in the Western Mediterranean features annual action plans prepared by the Steering Committee, which meets twice a year. It is chaired by the member state holding the presidency at the time (France in 2006, Italy in 2007, and Libya in 2008). The Steering Committee is also responsible for the organization, implementation and follow-up of each cooperation project, as well as for reporting on progress in the implementation of projects. Defence ministers of the participating countries meet once a year (currently in December) to approve the annual action plan through a joint declaration.

Since its launch in December 2004, the 5+5 Defence initiative has developed a concrete operational dimension. The action plan for 2005 included three domains of cooperation, which were to be implemented through close coordination between the national ministries of defence. These domains were: firstly, maritime vigilance; secondly, civil protection; and thirdly, defence of air security (Coustillière 2007). Cooperation between defence ministries and armed forces in the 5+5 framework thus explicitly includes the domain of civil protection. The coordinated intervention of armed forces in situations of natural and man-made disasters was seen as effective in limiting the consequences of such catastrophes (e.g. maritime and coastal pollution). Also, the action plan for 2006, which was approved by defence ministers at a meeting in Algiers in December 2005, contained points relative to cooperation measures in the field of civil protection. The 15 activities implemented in 2006 included particular exercises aimed at enforcing the capabilities of armed forces in order to support civil protection operations (Coustillière 2007).

In 2007, about 30 activities (seminars, exercises, General-Staff meetings) took place within the 5+5 Defence framework, and the same amount has been envisioned for 2008. Furthermore, cooperation in 2007 achieved a new level: common exercises in maritime salvage and airspace security, in the context of illegal trafficking, connected the various national operational headquarters for the first time, thereby increasing confidence between the partner states and permitting an exchange of information through a specific network. In addition, new activities in the domains of illegal immigration, environmental protection, response capabilities to natural disasters, de-mining, and the fight against maritime pollution accidents were examined.

18 EU/Egypt Action Plan, p.8-9: http://ec.europa.eu/world/enp/pdf/action_plans/egypt_enp_ap_final_en.pdf (accessed 30 January 2008).¹⁹ The term "Bridge" refers to the intermediate character of the programme, namely to "bridge" the gap between the pilot programme, which ended in 2004, and the long-term programme beginning in 2008.

20 The Evaluation-Report for the Bridge Programme lists a total of 76 activities held in the period from 2005 to mid-2007. Most of the activities were self-training workshops and exchange of experts. See Warren (2007), p. 26, and the EuroMed Civil Protection website: <http://www.euromed-protection-civile.eu/>

21 Furthermore, according to an official in the German Ministry of Interior, not every EMP member state is continuously present in the steering committee meetings.

22 The MIC is the most important institution within the Community Mechanism and is affiliated to the DG ENV within the European Commission. Through the MIC countries, EU Member States, as well as non-members, can make an appeal for assistance when faced with a major emergency/disaster.

23 Furthermore, according to a German interior ministry official, a general problem concerning the Community Mechanism is the risk of free-riding behaviour amongst member states. That is, being integrated in such a cooperative framework of assistance, states might tend to neglect their own response capacities and rely instead on the response forces of other states requesting them through the Community Mechanism. This problem could be also relevant within the framework of a possible enlargement of the Mechanism to the southern Mediterranean partner states.

24 XIII^{ème} conférence des Ministres de l'Intérieur des Pays de la Méditerranée Occidentale (CIMO-XIII) Nouakchott, 21-22 May 2008.

Finally, in order to further reinforce this initiative, the establishment of the “5+5 Defence College” was announced in December 2007. This college aims to create an educational set-up allowing military, as well as civil staff of defence policy institutions, to exchange and share knowledge in order to better understand the common security challenges in the Western Mediterranean. Hence, the 5+5 Defence College adds an educational dimension to the existing cooperation links.

Having led to tangible security cooperation in a framework of equal partnership, the 5+5 succeeded where the EMP has failed: both the 5+5 Defence and the 5+5 Interior feature a strong and active involvement of the southern partners, which are for once seriously involved in scheduling processes. This, in turn, has built confidence between the members.

Much of these positive outcomes can be linked to the fact that the 5+5 is a sub-regional, small, and semi-informal format. The sub-regional dimension by-passes the paralyzing effects of the Israeli-Palestinian conflict and brings together states with strong common interests. Moreover, the peer pressure generated by the small format appears to have socializing effects – which may in part explain why Libya has largely been an active and constructive participant.²⁶ A further reason for the positive dynamics within this format is related neither to size, nor to geography, but is rather due to the fact that no conditions are attached to cooperation within this format. Existing cooperation does not aim at domestic reform in the southern partner states, and there are not even any demands made in this direction. This can be seen as one important reason for Libya’s participation.

Obviously, the absence of a political reform or good governance agenda is often criticised and can be seen as detrimental to the democracy-oriented principles of Barcelona. At the same time, the fact that cooperation and confidence-building are actually taking place is in line with the principles of Barcelona (that have now formally become those of the Union for the Mediterranean). And one could argue that the 5+5 cooperation, especially if it intensifies, will generate spill-over and institution-building effects with respect to civil protection agencies and the ways in which they are being governed. Hence, the 5+5 may in the long-run strengthen rather than weaken the principles of the Union for the Mediterranean. Finally, looking at the cooperation dynamics in the 5+5 format, there can be no doubt that civil protection is a domain particularly suited for achieving progress in sub-regional (flexible) formats.

Two other cooperation frameworks for civil protection with some importance to the Mediterranean can be described as flexible: namely, the EUR-OPA Major Hazards Agreement, initiated in the framework of the Council of Europe, and the regional group of the International Search and Rescue Advisory Group (INSARAG), which is affiliated to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA).²⁷

The “EUR-OPA” agreement was signed in 1987 and envisioned the setup of a framework for cooperation between the countries of Central, Eastern and Western Europe and the Southern Mediterranean. The agreement established a cooperation group whose objective is “to make a multidisciplinary study of the co-operation methods for the prevention of, protection against, and organisation of relief in major natural and technological disasters” (Council of Europe 1987). Meetings are conducted on the ministerial level every two years and are completed by meetings of permanent correspondents to address the preparation and follow up. Major activities under the EUR-OPA agreement included the establishment of a network of 26 risk research centres, along with educational and training activities. The agreement currently brings together 25 member states, including 14 EMP members.²⁸ Activities under the EUR-OPA agreement focus mainly on education and research concerning questions of civil protection and disaster management, and do not include cooperation activities between the respective national civil protection agencies. Though it is difficult to assess its impact on the ground, there are no indications that its activities undermine the principles of Barcelona. With the focus being on research, it can be seen, if anything, as complementary to the Bridge Programme.

The INSARAG (founded in 1991 and an official UN organization since 2002), by contrast, is aimed at the operational level. It gathers more than 80 countries in establishing quality standards for urban search and rescue operations in the aftermath of disasters in urban areas. Furthermore, it improves procedures for coordination of international assistance.

3.3.3. Flexibility Beyond the Euro-Mediterranean Borders: INSARAG and EUR-OPA

²⁶ Interviews with participating officials from the Maghreb states in Rabat and Algiers, 2008.

²⁷ There are also other Institutions or International Organizations dealing with questions of civil protection and disaster management (e.g. the Euro-Atlantic Disaster Response Coordination Centre of NATO), but they do not have a specific focus on the Euro-Mediterranean region and therefore are not considered here.

²⁸ Morocco, Algeria, Lebanon, Turkey, Greece, France, Spain, Portugal, Belgium, Luxembourg, Cyprus, Malta, Bulgaria and Romania. The other members are Albania, Armenia, Azerbaijan, Croatia, Georgia, Moldova, Monaco, Russia, San Marino, Former Yugoslav Republic of Macedonia, and Ukraine.

Within the INSARAG's regional group for Africa/Middle East/Europe, significant cooperative activities between several states of the northern and the southern shores of the Mediterranean have taken place. According to an official of the German federal agency for civil protection, Germany and Tunisia, with their respective national civil protection agencies²⁹, played a crucial role in setting up this regional group. Several concrete cooperation projects were implemented in this context, including the build-up of the so-called "Regional Antenna" bureau in Tunis, which serves as an inter-linking institution between the different member states addressing cultural and language barriers. Furthermore, the INSARAG regional group organized regular annual meetings (2006 and 2007 in Tunis) that included common exercises (e.g., in 2007, an earthquake exercise took place with the participation of Tunisia, Algeria, France and Germany).

According to German officials, the INSARAG regional group plays a highly valuable role within the Mediterranean and contributes towards improving and extending cooperation between different countries. Its non-relatedness to the EMP structure, the resulting flexibility in selecting cooperation partners, and the pragmatic approach of participating civil protection agencies allows it to "put aside big politics", as one official stated. This again supports the argument that civil protection is a domain particularly suited for achieving progress in flexible formats. Overall, the INSARAG activities do not undermine EMP goals – if anything, they have a positive effect, in that they contribute to capacity and confidence-building in the security domain among some of the EMP states. Moreover, the fact that Germany and Tunisia cooperated closely goes to show that geographic proximity is not a *sine qua non* when it comes to preventive measures in civil protection.

3.4. The Union for the Mediterranean: Toward Greater Flexibility?

With the expiration of the Bridge Programme, and the contours of the new programme "Prevention, Preparedness and Response to Natural and Man-made disasters" (PPRD) still remaining vague in early 2009, it is unclear in what specific format(s) civil protection cooperation will continue in the Euro-Mediterranean context.

There is no doubt that civil protection will remain on the EMP agenda – after all, it has been identified as one of six key projects of the Union for the Mediterranean.³⁰ But even though the Euro-Mediterranean heads of state and government decided to launch a project on civil-protection cooperation at the Paris summit, and that this commitment was reiterated in the Marseille Ministerial Conference, little information exists as regards how this project will relate to ongoing programmes and initiatives in this very field. The Paris Joint-Declaration only states that "linking the region more closely to the EU Civil Protection Mechanism is one of the key priorities."³¹ This was stated with a similar wording in the final declaration of the Marseille Ministerial conference (3-4 November 2008), and it was generally suggested that cooperation in the field of training and on the operational level should be strengthened between institutions in the EU member states and the Mediterranean Partner countries.³²

The Union for the Mediterranean's project-based philosophy and the explicit reference to variable geometry in official documents relating to the UfM implies that there will be a general move toward greater flexibility in Euro-Med cooperation. Yet, pertinent questions regarding the rules of the game in such formats have not been set. For instance, there is ambivalence as to whether members of a numerically reduced cooperation format (a core, or pilot group) have the right to veto the entrance of additional EMP states into a project, or even whether such projects should be open to all members. Consequently, there is a need for clarification – not just regarding rules of participation, but also with respect to the goals of the civil protection project and the financial and human resources devoted to it.

This will be an important and urgent task for both the Senior Officials and the members of the new Secretariat of the UfM, which is expected to start operating by May 2009.³³ This report has shown that civil protection cooperation flourishes well in flexible formats. If the new Euro-Med civil protection programme does not develop contours and concrete activities soon, or if flexibility is restricted rather than enhanced, and bureaucracy expanded rather than reduced through the new institutional structures, the UfM will harm itself in two linked ways: it will push the southern partner states to cooperate more exclusively within non Euro-Med formats, be it the 5+5, the INSARAG network, or simply the bilateral track, and it will make it even more difficult to develop a coherent civil protection mechanism encompassing both shores of the Mediterranean.

²⁹ The German "Bundesanstalt Technisches Hilfswerk", THW, and the Tunisian "Office National de la Protection Civile", ONPC.

³⁰ Civil Protection was included among the six key projects despite the fact that a previous Commission report had underlined that civil protection might be the only project to fail in mobilizing funding, whether public or private. Communication from the Commission to the European Parliament and the Council, Barcelona Process: Union for the Mediterranean, Brussels, 20 May 2008:

http://ec.europa.eu/external_relations/euromed/docs/como8_319_en.pdf

³¹ Joint Declaration of the Paris Summit for the Mediterranean, op. cit.

³² Barcelona Process: Union for the Mediterranean, Ministerial Conference, Final Declaration, Marseille, 3-4 November 2008.

³³ Ibid.

4. Conclusions

This analysis of the various cooperation formats and frameworks in evidence in the domain of civil protection and disaster management in the Mediterranean confirms the three initial working hypotheses to varying extents. The first hypothesis argued that *flexible multilateralism enables close cooperation without harming the EMP-goals*. Indeed, the diversity of the existing frameworks in the field of civil protection, most of which were flexible to a certain degree, allowed for close cooperation between a substantial number of countries in a domain – security, in its larger sense – in which virtually no cooperation took place on the EuroMed-regional level. The diversity and flexibility of the frameworks proved an asset because cooperation activities were adapted to specific needs of the participating countries and allowed for a certain degree of subsidiarity. Even if civil protection cooperation in the Mediterranean is not (yet) a success-story, that is, with regard to the effectiveness of civil protection measures overall, it does constitute a means to foster common activities and confidence between the different partners in the Mediterranean region. It thus achieved far more than simply “not harming the overall EMP goals”, having clearly contributed toward the overall goal of improving security in the Mediterranean.

It should be noted, however, that the notion of flexibility differs amongst the various cooperation frameworks. The EuroMed-Bridge Programme, for instance, was theoretically designed to function on a broader regional level, with all EMP member states participating at the level of coordination. But, de facto, Italy and Egypt began with a pilot project, and later, France and Algeria, having been attracted by the positive results, became involved in the management and cooperation bodies of the programme. The Bridge Programme also demonstrated that numeric flexibility in concrete activities can be a precondition for such activities taking place at all.³⁴ The 5+5 framework was flexible in that it allowed for sub-regional cooperation of EMP states outside the EMP framework. Moreover, 5+5 cooperation did not initially cover all the current members, and more recently, Greece and Egypt have been lobbying to expand it to 6+6. Finally, flexibility in the context of the UN INSARAG mechanism implies, on the one hand, the independence of the EMP structure; and on the other, allows a small number of countries (e.g. Germany and Tunisia) to assume the driving seat on specific initiatives.

As regards disaster management, flexible multilateral formats are bound to become even more relevant in the future. In the past, the bulk of responsive assistance in the case of disasters in the Mediterranean was deployed through the bilateral (and more flexible) track, rather than through the Community Mechanism (Warren 2007: 14). Hence, numerically reduced and flexible multilateral formats are a promising format to fill the gap that exists between the purely bilateral and the (not yet functioning) regional multilateral.

Looking at the second hypothesis, which argued that *flexible multilateralism promotes South-South integration*, so far there are only a few indications that this is indeed the case. The INSARAG regional working group can be seen as a framework for improving south-south integration, although less on the governmental level and more on the working level of civil protection agencies.³⁵ Also, the 5+5 format has repeatedly brought the five states of the larger Maghreb together in negotiations – despite troubled relations between Algeria and Morocco – and has produced concrete results in the domain of civil protection. This has arguably only been possible because of the presence of the five European states at the same table. Yet, the mere fact that five Maghreb countries are sitting together to discuss (soft) security issues can be seen as a South-South confidence-building measure.

Finally, the third working hypothesis stated that *flexible multilateralism is a particularly appropriate cooperation framework for the field of civil protection*. This hypothesis can be confirmed without any restrictions. Bilateral and flexible forms of cooperation in the civil protection domain tend to be less bureaucratic and more effective, and are therefore more often activated than multilateral frameworks (like the Community Mechanism, whose coordination capacity is centralised) in the case of disasters. The efficiency and effectiveness argument also comes into play with respect to (flexible) sub-regional cooperation. Geographic proximity is important in two ways: the speed of aid and the similarity in the experience of (natural) disasters due to comparable climatic and geological circumstances. This makes cooperation between neighbouring (north-south and south-south) states particularly attractive, urgent, efficient, and effective.

Last but not least, there is a high interest on the part of governments to cooperate in such flexible multilateral frameworks for domestic policy reasons. The quality of disaster management is an important factor in the legitimisation or de-legitimisation of governments. This became clear, for instance, in the case of the earthquake in Boumerdes in Algeria, in 2003, when there was popular outcry over the inadequate and slow handling of the catas-

³⁴ Officially, every member state of the EMP framework participates in this programme, but on the working level, often only those states came with genuine common interests cooperated on specific issues.

³⁵ For instance, in the framework of the INSARAG, France, Germany, Tunisia and Algeria held a common exercise on urban rescue measures in Tunis, in 2007, which saw Algerians send an urban rescue team from the capital Algiers under real time conditions.

trophe by the government.³⁶ This case shows how the role of state institutions in providing humanitarian help can be contested, not least by Islamist organisations. In other words, even authoritarian regimes have a strong interest in being prepared to respond adequately and effectively to natural or other disasters in order to prevent popular discontent and the contesting of their legitimacy. With flexible (sub-regional) aid often being the most effective when it comes to (natural) disasters, Southern Mediterranean governments have a genuine interest in fostering such forms of cooperation.

4.1. Recommendations

Based on the analysis developed in this report, it is recommended that steps be taken towards: a) improving civil protection cooperation in the Mediterranean, b) the implementation of flexible multilateralism as a method, and c) exploring prospects for flexible multilateralism in other policy domains.

4.1.1. How to Improve Civil Protection in the Mediterranean?

The multiple overlaps of current frameworks for civil protection cooperation require better coordination. Representatives of the different cooperation frameworks, and their institutions (UN OCHA, Insarag, RELEX, DG Env., MIC, 5+5), should convene regularly in order to coordinate their diverse activities and create more synergies.

The absence of a coordinated response facility should be a matter of great concern to European decision-makers. As an official of the German Federal Agency THW put it: “In case of a major disaster, every button is pushed and assistance is not deployed in a coordinated manner.” Therefore, European policy-makers should work towards greater coherence as regards responsive action. The broadening of the Community Mechanism towards the south could be a solution, yet this entails risks, such as the previously mentioned threat of free-riding. Hence, the EU must ensure that participation also means contribution.

A major task is to successfully bring together the flexibility and non-bureaucratic proceedings of bilateral response assistance, with the efficiency of a regional coordinating framework that is able to coordinate aid and responsive measures in order to assure the highest possible efficiency and effectiveness of deployed response capacities. Such an (inter-) regional response network could improve not only response capacities to major disasters, but also mutual confidence, thereby promoting an overall improvement of security relations in the Mediterranean.

The need to better coordinate and adjust the diverse cooperation frameworks for responding to disasters also demands the clarification of the, as of yet, undefined relationship between the mechanisms operating under the UN umbrella (INSARAG and the overall UN disaster relief mechanism) and the Monitoring and Information Centre (MIC).

Last but not least, Europe should not view cooperation activities in the civil protection field happening outside the EMP structure as detrimental to the EMP (or now, the UfM’s) goals. On the contrary, they are useful for many states around the Mediterranean because they tend to be more flexible, and therefore more effective. Hence, they increase cooperation around the Mediterranean, which is a stated goal of the UfM. Informality in some frameworks (e.g. INSARAG, 5+5 defence) seems promising with regard to potential outcomes (no “big politics”). In this sense, “flexibility”, understood as independence from the more rigid and formal EMP, may constitute a recipe for success and should be supported.

4.1.2. How to Deal with and Develop Flexible Multilateralism as a Method?

A systematic encouragement of flexible multilateralism, inspired by the example of the EU Treaty’s “enhanced cooperation” mechanism, would be highly desirable for the UfM. Looking at the history of European integration, we find a number of cases in which flexibility was successfully used as an instrument to promote issues and policy steps not agreed upon by all members at a certain point in time. This was the case with the Euro, and still is. Similarly, the Schengen agreement started out only being implemented by a limited number of countries. In both cases, participation progressively expanded. This variable geometry resulted in different speeds of integration but, simultaneously, deepened the overall integration process.

Euro-Mediterranean relations are likely to be characterised by variable dynamics, especially as long as the Middle East conflict persists, but this should not preclude the deepening of cooperation among those members that are ready to move forward. The Declaration

of the Union for the Mediterranean summit of 13 July 2008, which explicitly mentions the principle of variable geometry, is an important first step in this direction.

The strong project-focus of the UfM clearly calls for flexible approaches. “Projects” in the sense of flexible multilateral cooperation activities should be open to all interested partners (states) to avoid any possible negative effects, such as the exclusion or isolation of single members and the establishment of centre-periphery structures. At the same time, rules should be established to guarantee contributions from all participating states/partners. More important than assuring the highest possible level of participation, is guaranteeing strong mutual engagement and common interests, and an avoidance of free-riding. Rules to ensure active engagement amongst participants could take the form of a code of conduct. The phrasing used in the Paris declaration regarding the preconditions for launching projects in the UfM framework is ambiguous, if not altogether problematic. It appears to give veto power on projects to each of the 43 members given that these projects have to be endorsed by the Euro-Mediterranean Conferences, where the consensus principle reigns. In the mid-term, there is a need to solve the dilemma between consensus and flexibility. Otherwise, there is the danger that some members will prefer to launch such projects outside the framework.

A further dilemma requiring resolution is how to deal with the well-functioning multilateral cooperation frameworks, like the 5+5 format, that operate outside the EMP and are flourishing partly for this very reason. The civil protection case study presented in this report suggests that non-relatedness to the EMP – which due to its “holistic” approach always carries some kind of political implication – can be an asset. It is unlikely that Libya would continue to participate in the 5+5 if this dialogue were placed under the umbrella of the Union for the Mediterranean in its current shape. Moreover, chances that the 5+5 would work equally well if it were extended to include more countries, is highly questionable – its small size has proven an important reason for its success. Last but not least, the countries of the Western Mediterranean share so many common problems and challenges that differ from those faced by other countries in the larger region.

Having said this, there is at the same time a need for an “umbrella-framework” flexible enough to allow these initiatives to develop autonomously and favouring quick and comprehensive circulation of information in order to avoid three main risks: overlaps, contradictions, and mistrust from those not participating in the initiatives. The Union for the Mediterranean could ideally act as such a framework – that is, if it succeeds in overcoming some of the limits observed in the “old” Barcelona Process and if the secretariat proves to be efficient. For the time being, it makes more sense not to force the 5+5 into the UfM framework, although in the future this secretariat could technically assist 5+5 cooperation while still preserving the structure’s autonomy.

Finally, many projects will bring up the question of third party involvement (i.e., non-UfM members). For instance, a number of the proposed projects will require financial means beyond the existing EU funds. France has repeatedly suggested involving international organisations and institutions (e.g. the World Bank), as well as the oil-rich Gulf states to secure this funding. Furthermore, other projects may require the involvement of third countries and regional organisations due to geographic proximity. This could be the case when it comes to natural disasters, disease control, environmental issues, and migration. In both cases, a flexible multilateral approach will ease third party participation. Once more, European integration can serve as a model. After all, Schengen includes non-EU members, such as Switzerland and Norway, and the Euro is the currency used in Montenegro.

Although this report focused on the merits and potential problems of flexible multilateralism with respect to only one policy field, it is possible to deduce a number of general “rules” for cooperation prospects in other policy fields:

- Flexible multilateral cooperation is likely to produce results only when there are common interests and goals, shared notions as to how an issue is to be tackled, and/or a high pressure to act. This is clearly not the case for all issues at stake in the Mediterranean.
- Possible gains for participating governments must outweigh the fear of loss of sovereignty. Based on their colonial histories, this fear is deeply-engrained among many Southern Mediterranean countries.

4.1.3. Prospects for Flexible Multilateralism in Other Policy Domains

- Flexible multilateralism works on a voluntary basis, when all partners participate on an equal footing. This makes any kind of preconditions or conditionality impossible, while still allowing for a code of conduct.

As a result of the above, it is evident that flexible multilateral formats are best suited to technical cooperation on politically non-sensitive issues. Several of the projects discussed or already tackled in the context of the “Barcelona Process: Union for the Mediterranean” would adapt very well to flexible multilateral cooperation, this being particularly true for environmental protection and renewable energies. By contrast, flexible multilateralism is not a promising framework for dealing with politically-sensitive issues. Human rights, political reform, governance, rule of law, etc, are most effectively addressed through the bilateral track of the European Neighbourhood Policy.

Precisely because flexible multilateralism is not an ideal tool for inducing political reform or building institutions, makes it an excellent multilateral mode of cooperation to complement the existing bilateral ENP. It clearly needs to be embedded within a larger umbrella framework that would prepare the institutional and economic ground for the sustainable success of its initiatives. Investment for technical projects, for instance, is contingent on a good climate for investors and functioning institutions. However, in the long run, it cannot be ignored that causality also works the other way around: if flexible multilateral cooperation sets high standards, it may well turn out to contribute toward the long-needed institution-building and good governance in the Southern Mediterranean.

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