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Domestic Security in the Maghreb: Deficits and Counter-Measures

Hanspeter Mattes

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Abstract

Terrorism and crime, particularly organised crime with its close links to terrorism, currently constitute the greatest challenges to the domestic security of the Maghreb states Algeria, Libya, Morocco and Mauretania. Additional challenges have resulted from the social protests of 2011 in Tunisia, Egypt and Libya, which gained unexpected political momentum and culminated in the ousting of regimes. Terrorism and organised crime are, to varying extents, prevalent in all Maghreb states and have led to the introduction of extensive counter-measures by governments and security agencies. These measures comprise five categories of activity: (1) increased personnel for security agencies and efficiency-enhancing reforms within these agencies; (2) a significant increase in and upgrading of equipment for security agencies; (3) the strengthening of the legal foundation (laws, regulations) for combating these offences with judicial measures; (4) an increase in bilateral, regional and international cooperation in the field of security; and (5) the implementation of preventive measures. The fifth measure, however, has received considerably less attention than the others. Some measures have entailed human rights violations. Nonetheless, as yet their use has sufficed to contain the threats posed by terrorism and crime.

Keywords: terrorism, crime, North Africa, security governance

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Domestic Security in the Maghreb: Deficits and Counter-Measures

Hanspeter Mattes

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1 Introduction

Governments, media representatives and scholars north and south of the Mediterranean Sea are in agreement that the main challenges for the Maghreb states Algeria, Libya, Morocco, Mauretania and Tunisia¹ lie in the field of domestic security.² The three central problems are as follows: terrorism; crime (in particular organised crime, with well-organised gangs operat-

1 In the following discussion, the focus is on the three core Maghreb states Algeria, Morocco and Tunisia as well as Libya; available data on Mauretania is insufficient.

2 As used here the term “domestic security” constitutes an antipode to external security, i.e., the securing of borders against potential attackers. Conceptually, “domestic security” represents that part of the political system that contains the actors, the structures (polity), the decision processes (politics) and the programmes (policies) which contribute to the creation of the politics of domestic security (Lange 2006). The normative association with the term “public security”, a term also used in academic literature and defined as the complete integrity of the order of substantive law, of the rights and legal interests of the individual, and of institutions and activities of the state has been acknowledged, but is not used here as a foundation.

ing across borders and with close ties to terrorism);³ and the social protests of 2011 in Tunisia, Egypt and Libya, which gathered unexpected political momentum and culminated in the ousting of regimes.

Academic research dealing with the thematic complex of domestic security and related issues is limited, even though the potential risk has been acknowledged. Surprisingly, this gap applies to EU states as well as Maghreb states. In the Maghreb, restrictions have been imposed on information and research addressing this sensitive issue. As yet, cross-sectional essays and studies predominate. They deal with issues such as the stability or resilience of states (Tocci 2011), the guarantee of security in the Euro-Mediterranean zone (Soltan 2004; Bilgin 2009; Institute Thomas More 2010), energy security in the western Mediterranean area (e.g. Brauer and Hartley 2000), the correlation of environmental deficits and security (e.g. Brauch et al. 2003), NATO's Mediterranean Dialogue and its significance for the creation of a Euro-Mediterranean "zone of peace and stability" (e.g. Ortega 2000), as well as individual challenges to security such as illegal migration (e.g. Mattes 2006; Middle East Institute 2010) and the protection of intellectual property (Driouchi and Zouag 2008).⁴

The strategies and measures of the individual Maghreb governments vary, as the social conditions (see below) in each state generate security deficits that differ in extent and intensity. However, government counter-measures follow a uniform structural pattern consisting of a combination of five internally flexible sets of measures:

- *First*, general institutional-personnel measures aimed at enhancing the efficiency of the police forces and security agencies. Usually these measures, which the Maghreb media term "police reform", entail the optimisation of existing structures, not conceptual and normative restructuring.
- *Second*, measures for improving security forces' material and technological equipment and the control of public areas.
- *Third*, legislative measures for the improvement of the legal order.
- *Fourth*, measures in the field of bilateral, regional or international cooperation for the optimisation of national counter-measures against security deficits.
- *Fifth*, preventive measures to reduce the development of terrorist and criminal structures as well as the eruption of violent protests.

Thus, the individual operative measures are extremely diverse. The distinct positions assumed by the Algerian, Moroccan and Tunisian state leaderships with regard to the necessity of security reforms and legislative measures, as well as divergent priorities, give rise to distinct approaches to countering terrorism, crime and social protests. Additionally, acknowl-

3 Corruption is a social phenomenon that hinders development and constitutes one of many criminal offences that undermine domestic security. However, despite its acuteness and omnipresence, it is not included here as an independent category (Serdar 2009).

4 Rincón, Ramos and Estévez (2006) is one of the few exceptions; the authors specifically address the issue of soft security (Euro-Mediterranean cooperation and recommendations).

edged technical problems (such as insufficiently trained or badly equipped counter-terrorism and security agencies) can only be tackled if appropriate funding is available. Therefore, each Maghreb state is developing a profile for countering its own domestic security deficits.

The following sections describe the Maghreb states' terrorism and crime counter-measures.⁵ The analytical structure includes measures employed in the fields of institutional reform, equipment, legislation, cooperation and prevention. Additionally, comparative criteria are used to critically assess whether the "security measures" have actually reduced security deficits.

2 Islamist Terrorism

2.1 Extent

Terrorism has been present in all Maghreb states since independence. However, the extent and virulence of the phenomenon differs from state to state. Additionally, secular terrorism, which was used in the struggle for political power during the immediate post-colonial transition period, has been almost completely replaced by the terrorism of Islamist groups.

This dominant form of Islamist terrorism has been shaped by the following regional situations:

Algeria: Subsequent to the Bouiali Group's first militant activities during the mid 1980s and in the wake of the political opening up of the country in 1989, various Islamist combat groups⁶ were formed under the leadership or with the participation of Algerian veterans who had returned from Afghanistan.⁷ One section operated under the name Armée Islamique du Salut (AIS). This organisation constituted the military arm of the Islamist party Front Islamique du Salut (FIS), which was legalized in 1989. Others militants formed the loosely associated Groupes Islamiques Armés (GIA). From 1993 until 1997 in particular, this organisation fought for the founding of an Islamic state in Algeria. Large-scale counter-measures on the part of various security agencies,⁸ including the newly founded volunteer organization Groupes de Légitime Défense (GLD), as well as the implementation of a policy of national

5 The thematic complex of social protests is ignored here and will be discussed separately given its significance as a trigger for political change (see case studies on Tunisia and Egypt 2011).

6 Cf. *Arab Veterans of Afghanistan War Lead New Islamic Holy War* (28 October 1994), online: <www.fas.org/irp/news/1994/afghan_war_vetrans.html> (19 December 2011) and Mattes (1996).

7 See as overview 70-page document compiled by Kervyn, Jeanne, and Francois Gèze (2004), *Comité Justice pour l'Algérie: L'organisation des forces de repression*, online: <www.algerie-tpp.org/tpp/pdf/dossier_16_forces_repression.pdf> (19 December 2011).

8 For details see Guidère (2007); Gèze, François, and Salima Mellah (2007), *Al-Qaida au Maghreb, ou la très étrange histoire du GSPC algérien*, in: *Algeria-Watch*, 22 September, online: <www.algeria-watch.org/fr/aw/gspc_etrange_histoire.htm> (19 December 2011).

reconciliation, particularly in the wake of President Bouteflika's election in 1999, significantly reduced confrontations between armed Islamist groups and security agencies.

However, it was never possible to fully eliminate terrorism. The Groupe Salafiste pour la Prédication et le Combat (GSPC), which developed out of the GIA in 1999 and in 2007 re-named itself Al-Qaida du Maghreb Islamique (AQMI),⁹ thereby emphasising its Maghreb-Sahel claim to leadership, has continued its attacks against state security institutions and security agency personnel (for details see Roussellier 2011: 5-6). Unlike the attacks of the 1990s, these attacks have been confined to certain areas on Algerian territory and currently concentrate on Kabylia (in the greater area of Tizi-Ouzou) and Algiers. These regions saw a significant increase in suicide attacks as well as attacks against the army and the police in 2011.¹⁰ Due to the fragile situation in northern Mali and other areas, as well as the topographical features, the southern Sahel region has increasingly developed into a site from which the AQMI can coordinate terrorist-criminal activities. An increasing number of these crimes are conducted in collaboration with local gangs and focus on lucrative criminal acts (in particular, the trafficking of narcotics, cigarettes and humans) including the abduction of foreigners to generate funding for the organisation.¹¹

Morocco: Morocco's Islamist movement has a long history. It is closely linked to Sheikh Yassine and his tolerated but illegal organization *Al-Adl wal-Ihsan*. However, armed conflicts comparable to those in Algeria have not occurred. The terrorist activities of Islamist groups have so far been isolated incidents; for example, the five suicide attacks committed against Jewish facilities and facilities visited by foreigners in Casablanca on 16 March 2003 (45 dead, including the 12 suicide bombers) and the bombing of the tourist attraction Café Argana in Marrakesh on 26 April 2011 (16 dead). The efficient work of the Moroccan security agencies in collaboration with Western intelligence agencies (mainly Spain) and the apprehension of terror cells have prevented further planned attacks.

Libya: Conflicts between revolutionary leader Qaddafi and religious scholars as well as Islamist groups reach back as far as the 1970s, when Qaddafi's Islam policy was rejected by conservative Muslims as heretical (and still is).¹² This was the backdrop for the escalation that occurred when Libyan veterans had returned from Afghanistan and fought for the ousting of

9 Cf. Abachi, L. (2011), *Regain des opérations d'AQMI aux portes d'Alger: Que cachent les derniers attentats?*, in: *Le Soir d'Algérie*, 30 July; Azzouzi, Hafid (2011), *Attentats kamikaze à Tizi Ouzou: La Kabylie frappée au cœur*, in: *El Watan*, Algier, 15 August. However, major attacks with many casualties, such as the most recent case in Algiers on 11 April 2007 (33 dead, over 300 injured), have significantly decreased.

10 Cf. Benkrim, Ahmed (2010), *Sahel: Les actes terroristes d'AQMI en hausse de 550% depuis 2001*, in: *TSA-Algérie*, 11 October; Mansour, Abdellatif (2010), *Cocaine et intégrisme, un cocktail explosif*, in: *Maroc-hebdo*, Casablanca, 15 October; Tlemçani, Salima (2010), *Au Sahel, narcotrafiquants et terroristes se partagent le terrain*, in: *El Watan*, Algier, 1 November; Lacher (2011).

11 Several monographs have been published on this topic and on the participating Islamist actors; cf., among others, Chaarani (2004); Zeghal (2005); Darif (2010).

12 For context see Mattes (1995).

Qaddafi and the inception of an Islamic state. These fights occurred mainly in eastern Libya between 1992 and 1996. The combat groups that the veterans founded, of which the most important was *Jama'a al-libiya al-muqatila* (JLM), were smashed by massive repression through the security agencies (Revolutionary Committee; domestic secret service/*al-amm al-dakhili*). This led to a superficial pacification of the situation. The incarcerated Islamists were eventually released as part of a policy of national reconciliation pursued by Qaddafi's son, Saif al-Islam al-Qaddafi, from the middle of the first decade of this century on. Another major contributing factor was an official written document issued by the JLM in September 2009 revoking the strategy of violence.

The protest movement of 17 February 2011 swept away Qaddafi's rule in eastern Libya within days. In the aftermath, dramatic changes ensued. For one, many Islamists joined the opposition movement; they reorganised quickly, adapted to the new conditions and restated their demand for the founding of an Islamic state/caliphate. Additionally, Islamist groups looted the arms depots of Qaddafi's army, appropriating large quantities of small arms and portable rockets. As a consequence and due to widespread arms trafficking throughout the Sahel region and Algeria, the availability of weapons for terrorist and criminal acts, particularly for AQMI combat groups, has drastically increased. This is of grave concern to both the security agencies in the respective states and Western states.¹³

Tunisia: The recent development of terrorism in Tunisia is closely linked to a movement called Mouvement de la Tendance Islamique, which was founded by Rachid Ghannouchi in the 1980s. This movement was subsequently renamed *Ennahda*. Its militant underground members first started committing attacks on tourist destinations in 1987 and continued until the security agencies destroyed all Islamist structures with sweeping repressive measures. The arson attack against the Ghriba Synagogue in Djerba on 11 April 2002 (21 dead) was committed by a Tunisian Islamist operating from abroad and was an isolated terrorist incident.

However, the successful political protests in Tunisia and the ousting of President Ben Ali (fled to Saudi Arabia on 14 January 2011) have opened up new opportunities for the Islamist movement and have led to its revitalization. Twenty-five Islamist parties have since been founded, including the Ennahda Party, which was legalized in March 2011. At the same time, religious intolerance towards artists has increased, and on 18 February 2011 a Catholic priest was murdered by an Islamist.¹⁴

13 Exemplified by Cristiani, Dario (2011), Missiles, Money and Migration: The Impact of the Libyan Crisis on the African Sahel, in: *Terrorism Monitor*, 9, Jamestown, 15 April; La Libye, question centrale pour la sécurité au Sahel, in: *Magharebia*, 17 June 2011; Silva, Daniel (2011), US, EU warn against Libyan arms flow to Al-Qaeda, in: *Middle East Online*, 30 June.

14 Cf. Tunisie: un prêtre égorgé, des islamistes attaquent un lieu de prostitution, in: *Le Monde*, Paris, 19 February 2011.

2.2 Counter-Measures

The Maghreb states have consistently used all available law enforcement measures to counter militant secular and Islamist groups. In Algeria this task has mainly been in the hands of the armed forces, the intelligence services and special troops since the increase in Islamist activities in 1992. After large losses on both sides, a political solution was successfully reached with the armed Islamist groups at the end of the 1990s. At times these Islamist groups counted up to 28,000 members. Neither GIA nor its successive organisations GSPC/AQMI participated in the political solution.

AQMI continues its attacks. The most recent one was carried out against the Cherchell Military Academy on 26 August 2011 and killed 18 people. The group is also active in Morocco, Tunisia and the Sahel region. The local media regularly questions whether the counter-terrorism strategies implemented by the security agencies may be flawed, and whether the local security infrastructure and intelligence agencies are correctly organised and sufficiently prepared, and asks whether reforms are necessary.¹⁵ Regardless of the effectiveness of national anti-terrorism measures, the political leadership of the Maghreb states makes absolutely clear that the responsibility for securing domestic security and fighting terrorism lies with the state. Thus, the introduction of institutional, material and legislative counter-measures is the states' objective.

2.2.1 Institutional-Personnel Level

On the instructions of state leaders (primarily president/king, Ministry of Interior Affairs, Defence Ministry), the security agencies of each Maghreb state have reacted to the terrorist threat with changes to the structure of their security institutions; for example, by forming new special counter-terrorist units or by training and reorganising existing organisational structures. Algeria, the Maghreb state with the most widespread terrorist activity, has substantially increased security staff by employing new personnel and by forming new volunteer organisations, the so-called Groupes de Légitime Defense (GLD).¹⁶ Furthermore, the government and the security agencies have collaborated on counter-terrorism strategies. However, the formal procedures employed by each country have varied, and the actual methods put to use against terrorism have been flexible and subject to adaptation in order to suit new and changing situations. These changes have occurred very frequently in Algeria, making it the country with the most distinct and frequent adaptation procedures.

Several Algerian counter-terrorism measures are of interest. After independence had been achieved, the national army initially focused on defending the country's borders with

15 Cf. as most recent example: Brahimi, Imene (2011), *Défaillance du dispositif sécuritaire ou du renseignement?*, in: *TSA-Algérie*, 17 August.

16 The GLD were founded at the highpoint of the conflict with armed Islamist groups by Executive Order No. 96-265, dated 03 August 1996; at times there were up to 120,000 volunteers in GLD units throughout the country.

corresponding weapons systems (tanks, fighter planes). It was thus difficult to adapt to the guerrilla tactics employed by Islamist groups, which retreated to urban slum areas or to topographically inaccessible mountain regions. As it was hard to gain control over both types of area, the fight against Islamist groups made a structural reorientation of the national army (Armée Nationale Populaire/ANP) necessary. This reorientation began in the 1990s and went hand in hand with the formation of special anti-terrorism units (see below) as well as the increase in personnel for the Ministry of Defence-led Gendarmerie Nationale. The Gendarmerie Nationale deployed an additional 16,000 troops to southern Algeria in the summer of 2010 and intensified its fight against the AQMI and criminal gangs.¹⁷

Recent years have seen the addition of other operative measures such as the foundation of the Joint National Operations Centre for the Combat of Terrorism in July 2009, the introduction of a plan for fighting terror cells in the Maquis,¹⁸ and the formation of a special unit specialising in the profiling of terrorists in September 2010. It is obvious that the primary responsibility for the national and transnational fight against terrorism and subversion¹⁹ lies with the military. This leading role was recorded in writing in a decree dated 2 May 2011 (published in the state bulletin on 5 June 2011).²⁰ The other national security agencies (Gendarmerie Nationale; police/Direction Générale de la Sûreté Nationale/DGSN) are thus under the command of the ANP general staff.²¹

On a pan-African level, the Algerian government played a central role in the foundation of an African terrorism research centre (Centre Africain d'Etudes et de Recherche sur le Terrorisme/CAERT). The centre commenced work in Algiers in 2004 with substantial Algerian funding.²² CAERT provides risk assessments of terrorism in Africa and works to cultivate African collaboration in the fight against terrorism. Its main tasks consist of the provision of training measures and studies; the compilation of a database for the gathering, exchange and analysis of information; and a role as a monitoring and early warning facility against terrorism.

17 Cf. *El-Khabar*, Algiers, 26 July 2010, quoted according to More than 16,000 Algerian gendarmes deployed in Sahara, in: *BBC Monitoring*, London, 26 July 2010.

18 Cf. Ghioua, Ikram (2009), *Lutte antiterroriste: L'ANP lance un plan d'urgence*, in: *L'Expression*, Algiers, 29 July.

19 The general staff of the ANP is in charge of the transnational fight against terrorism, particularly in the Sahel region; together with the general staffs of the Sahel states Mali, Niger and Mauritania, it opened a joint *Quartier Général de Commandement Militaire Restreint* in the southern Algerian city of Tamanrasset in April 2010; cf., among others, Chermad, Zakaria (2010), *Quatre pays dont l'Algérie créent un quartier général de commandement militaire restreint*, in: *TSA-Algérie*, 20 April. A new multilateral military unit specialised in guerrilla warfare was formed in Tamanrasset in September 2010.

20 Cf. *Journal Officiel de la République Algérienne*, 31, Algiers, 5 June 2011, 11-13.

21 Cf. Rabia, Said (2011), *Lutte contre le terrorisme et la subversion: Les services de sécurité sous le contrôle de l'armée*, in: *El Watan*, Algiers, 6 July.

22 For the statute and the activities see online: <www.caert.org.dz/> (19 December 2011).

2.2.2 *Equipment Measures*

The success of the security agencies in the fight against terrorist groups inevitably requires access to sufficient and suitable equipment and materials. In the 1990s the Algerian military became the first to recognise this. It lacked suitable vehicles for the terrain, night vision instruments, modern communications instruments and transport helicopters, and suffered under slow chains of command in its fight against highly mobile Islamist groups. After corresponding losses in the field and with the provision of foreign support, primarily from the USA and France, the army leadership eliminated these deficits. However, problems continued in the fight against small terrorist groups which operated mainly in urban centres. Extensive supplies of special technical equipment for abduction cases provided to the DGSN and the Gendarmerie Nationale by the USA in 2010 together with the implementation of a large-scale urban surveillance camera system generated success as the localisation, observation and neutralisation of terror cells became more effective.²³ The first simulation of a terrorist attack with chemical weapons and the rehearsal of corresponding counter-measures took place in Tunisia in October 2010.²⁴

2.2.3 *Legislative Measures*

In recent years the primary legislative measures of all Maghreb states in the fight against terrorism have been anti-terrorism laws. Due to the extent of fighting between state security agencies and armed Islamist groups, a state of emergency was pronounced in Algeria on 9 February 1992. It was lifted 19 years later on 24 February 2011 to placate the oppositional movement, which had been inspired by the political revolts in Tunisia and Egypt.

Special anti-terrorism laws have been passed at different times in the Maghreb states, with Algeria playing a pioneering role. On 30 September 1992, it issued an anti-terrorism decree²⁵ providing for the (re)introduction of three courts of state security in Algiers, Oran and Constantine. The specific purpose of these courts was to pass rulings on and impose sentences for terrorist and subversive offences. Pursuant to section 1, a terrorist and subversive act was broadly defined as any criminal offence aimed at harming state security or territorial integrity, or at disrupting the stability and normal service of state institutions. Simultaneously, the rights of defendants were significantly reduced amid criticism from human rights organisations. Even though these courts were later abolished, the provisions of the decree were fully integrated into the criminal code (section 87bis). With regard to the other legal modifications

23 Cf. Mansour, Fidet (2010), *La vigilance sécuritaire en Algérie porte ses fruits*, in: *Magharebia*, 29 October; Tahraoui, Ahcène (2010), *Encerclement, écoutes et contrôle des déplacements: Maquis sous surveillance*, in: *El Watan*, Algiers, 18 December. Foreign support was also provided for the installation of a surveillance system for Algerian ports.

24 Yahia, Mona (2010), *Une simulation d'attaque à l'arme chimique organisée sur le terrain de Rades*, in: *Magharebia*, 19 October.

25 Décret législative no. 92-03 du 30 septembre 1992 relatif à la lutte contre la subversion et le terrorisme.

targeting terrorist acts, particular mention must be made of an Algerian government initiative pursued since 2010 for the national and international criminalisation of ransom payments.²⁶ The Ministry of Justice believes that this is the only appropriate measure to deplete the AQMI's financial base.

The attacks of 11 September 2001 gave rise to discussions in Morocco and Tunisia about the passing of special counter-terrorism laws. These laws were intended to place the initial steps and the ratification of the International Convention for the Suppression of the Financing of Terrorism, dated 10 January 2000,²⁷ on a solid foundation. The Moroccan parliament passed an anti-terrorism law in January 2003. It was immediately enacted²⁸ by the king with Dahir no. 1-03-140 of 28 May 2003 following the attacks in Casablanca on 16 May.

Following the strengthening of the 1988 *Law on Mosques*, which served to control and restrict Islamist groups' activities, and in the wake of Islamist attacks, Tunisia reached a definition of terrorist activities and, with the passing of a separate law²⁹ on 22 November 1993, toughened the corresponding sections of the criminal code. The broad definition of "terrorist" was any attack against persons or things by one or more perpetrators committed for the purpose of spreading fear and terror. The restrictions imposed on defendants' rights and the high sentences proposed were criticized by human rights groups. In the wake of the attacks committed on 11 September 2001, the existing legal regulations were further tightened and combined into an independent anti-terrorism law in December 2003.³⁰

All Maghreb states are in favour of the anti-terrorism law planned by the African Union, the first draft of which was completed in December 2010.

2.2.4 Cooperation Level

The transnational character of terrorism in the Maghreb, which is also semantically manifest in the name AQMI, inevitably had the positive effect of causing the security agencies in Algeria, Morocco and Tunisia to cooperate to some extent, despite the countries' apparent foreign-policy animosities with regard to the fight against terrorism. This intra-Maghreb collaboration³¹ primarily consisted of the exchange of personal data on terrorism suspects. However, these efforts were also continued at the regional level in the form of close collaboration with

26 Cf. details in *El-Khabar*, Algiers, 22 September 2010 and Paying ransom money to Al-Qa'idah should be criminalized, says Algerian minister, as reported by *BBC Monitoring*, London, 22 September 2010; the Council of Arab Justice Ministers approved this initiative in September 2010, the African Union in December 2010.

27 Cf. Mattes (2011).

28 Cf. text of Loi no. 03-03 relative à la lutte contre le terrorisme, online: <www.justice.gov.ma/fr/legislation/legislation_.aspx?ty=2&id_l=142> (19 December 2011).

29 Loi no. 93-112 du 22 novembre 1993, modifiant et complétant certains articles du code pénal.

30 Loi no.2003-75 du 10 décembre 2003 relative à la lutte contre le terrorisme. The law of 2003 was modified in July 2009 and more recent international developments as well as money laundering were integrated.

31 Cf. for context Ramzi, Walid (2010), Les états du Maghreb souhaitent coopérer contre le terrorisme, in: *Magh-arebia*, 14 October.

the Council of Arab Interior Ministers (Mattes 2009) and the annual conference of the Arab police and security chiefs. With regard to the Sahel region and the AQMI groups operating there, cooperation has increased since the first decade of this century and has led to two new institutions: the joint military command in Tamanrasset, founded in April 2010 (see above), and a regional centre for the intelligence agencies from Algeria, Mali, Mauritania and Niger, founded in September 2010. The latter is located in Algiers³² and serves to investigate AQMI activities in the Sahel region. Additionally, Algeria has been providing direct financial and technical support for Mali's anti-terrorism programme since August 2011.

The Maghreb states also maintain close cooperative ties with Europol as well as with the security agencies in key European states,³³ which have a vested interest in cooperation given the presence of potentially militant Islamists in Europe and pressing problems with migration in the Mediterranean region (Holm 2004). This interest is also expressed publicly.³⁴ At the bilateral level Maghreb states maintain close relations and contacts with France and Great Britain and outside of Europe, with the USA. Even though plans to open an FBI office in Algiers were abandoned after public protests against the inherent undermining of Algeria's sovereignty in 2008, the USA is currently Algeria's most important foreign partner. It not only provided assistance for the training of airport security personnel in 2010/2011, but also played a decisive role in the training of police and military anti-terrorism units. The Maghreb states are eager to cooperate in the transnational fight against terrorism (and organised crime).

2.2.5 Preventive Level

Prevention occurs within both a broader and a narrower context. The broader context includes all state measures that improve the economic and social conditions in the state, and thus also improve the future prospects of youths and young adults. The conclusion, expressed by Algerian foreign minister Medelci and others, that the Sahel region requires development as a prerequisite for prevailing in the fight against AQMI³⁵ and for reducing susceptibility to terrorism is accurate. This observation applies equally to the entire Maghreb. Therefore, efforts to increase development in rural areas and to reduce youth unemployment are important economic policy measures. The narrower context includes all political measures (e.g. the offer of amnesty; the Charter for Peace and National Reconciliation, which was accepted in Algeria in a referendum in 2005) and all religious-policy measures which are applicable in the struggle against religious extremism and in efforts to deradicalise the mem-

32 Cf. Création d'un centre régional du renseignement installé à Alger, in: *AFP*, 30 September 2010. The formation of a joint anti-terrorism unit is being discussed.

33 Cf. for background: Ramla, Allani et al. (2011), *EU and Maghreb Countries: Counterterrorism Cooperation*, ISN ETH, International Relations and Security Network/Eidgenössische Technische Hochschule Zürich, Zurich, 06 April.

34 E.g. British Parliamentary Under Secretary of State at the Foreign & Commonwealth Office, Alistair Burt, who stated on 07 December 2010: "Lutte contre le terrorisme: 'Le Maroc est un partenaire fondamental'" (*Le Matin*).

35 Cf. Hamadi, Riyad (2010), La région du Sahel a besoin du développement, in: *TSA-Algérie*, 25 October; Mandraud, Isabelle (2010), Al-Qaida, une tentation pour les jeunes Touareg, in: *Le Monde*, Paris, 14 October.

bers of Islamist terrorist groups. Two aspects play a major role: the state's religious policy, with a focus on moderate teachings,³⁶ and, at the personal level, individual supervision and care for militant Islamists with the aim of deradicalising them.³⁷

Initial steps have been taken in both areas. However, these measures are still far from exhausted.

3 Organised Crime in the Maghreb

3.1 Extent/Offences

No extensive research has been conducted on organised crime³⁸ and its offences or on the firm roots organised crime has established on a national level in each of the three Maghreb states. To date, research on the issue of drugs (e.g. Bellarabi 2007; Djedidi 2010) and occasional detailed studies (Kotrane and Woltring 1995; McMurray 2001; Ringa 1998), some of which were published a considerable time ago, are exceptions, even though police statistics and the subjective perception of the population throughout the Maghreb indicate that crime and organised crime have increased. This is reflected in local media coverage. Numerous articles discussing the drastic increase in crime/organised crime have been published despite restrictions imposed on the dissemination of information concerning the security situation.³⁹

During the last two decades, the same general tendencies have been evident in the development of crime in the Maghreb, in the rest of North Africa and throughout the Middle East. These tendencies are related to the globalisation process. Major General Ramadan al-Alfi of the Egyptian police dealt extensively with these issues in 1998.⁴⁰ Arguing from a social perspective and from the perspective of the police, he claimed that the following three negative effects stem from globalisation:

36 For context cf. study by Faath (2007). Cf. Ben Ali appelle à protéger les jeunes de l'extrémisme, in: *Cyberpresse*, 3 November 2010.

37 Cf. for context Ashour (2009); Rabasa (2010).

38 According to the guidelines of the fourth *UN Survey of Crime Trends and Operations of Criminal Justice Systems*, organized crime consists of 18 categories of transnational crime: money laundering, illegal drug trafficking, corruption/bribing state officials, infiltration of legal business activities, fraudulent bankruptcy, insurance fraud, cybercrime, theft of intellectual property/product counterfeiting, illegal arms trafficking, terrorist activities, aircraft hijacking, piracy (sea), human trafficking, illegal trading in human organs, theft/smuggling of cultural or artistic artifacts, environmental crimes, and any other crimes committed by organised groups.

39 More recent examples are: Les crimes en Tunisie: les indicateurs au rouge!, in: *Tuniscope*, 28 May 2011; L'insécurité inquiète à Tizi Ouzou, in: *La Dépêche de Kabylie*, 22 October 2010; Algérie. Forte hausse des crimes économiques, in: *TSA-Algérie*, 16 September 2010; Abdelghani Hamel/DGSN: Le défi du crime transnational, in: *L'Expression*, Algier, 21 December 2010; Sécurité publique: Le grand banditisme frappe le Maroc, in: *La Gazette du Maroc*, 15 December 2007; Criminalité au Maroc, une hausse inquiétante, in: *Maroc-hebdo*, 20 September 2010.

40 Cf. his study, al-Alfi (1998).

- *First*, the proliferation of criminal organisations with substantial weapons supplies and access to financial resources. Their organisational structure is systematic and often also transnational. This development has been aided by increasingly convenient means of transportation and communication.
- *Second*, the strong and significantly increasing link between crime and the excessive use of violence; for instance, abductions, hostages takings, brutal robberies.
- *Third*, the internationalisation of gangs/organisations and the globalisation of their operational territory (keyword: the development of transnational organised crime) in narcotics, explosives and arms trafficking; the counterfeiting of money; the illegal trade in antiques, diamonds, etc., and terrorism.

However, there are also local factors – aside from those that encourage the development of organised crime – that are inherent to globalisation and merit attention. A central cause of crime is the high rate of youth unemployment and the lack of prospects for youths/young adults. The deterioration of purchasing power, despite consistently high subsidies since the 1980s, and increased social inequity in the Maghreb states are additional causes.

3.2 Counter-Measures against Organised Crime

Rising crime rates have prompted the introduction of anti-crime measures and measures to strengthen domestic security in the Maghreb states (and in the Middle East). However, the explanations for their implementation have differed. These measures have included specific crime-fighting programmes or security plans for one or more years; the formation of police units for specific offences; the improvement of equipment; and legislative measures, including new laws and stricter penal provisions. In Morocco and Algeria there has also been discussion about reforming the prison system (construction of new prisons, improved treatment of prisoners) as, according to local human rights organisations, the prisons are, given their disastrous over-population, mere “schools of crime”.⁴¹

3.2.1 Institutional-Personnel Level

The interior ministers of each of the three Maghreb states have reacted to the increase in crime with general and specific institutional-personnel measures:

General Measures: These measures have included an increase in deployable police staff as, for example, in Algeria, where a government decree provided for the recruitment of 100,000 new police staff between 2008 and 2011. Thus, the number of police units doubled between 2005 and 2010; the ultimate aim is a ratio of one policeman to 250 citizens. Furthermore, the construction of new police stations has led to an increased police presence in rural and sub-

41 See Lokmane, Samia (2005), La prison algérienne est une école du crime de référence, in: *Liberté*, Algiers, 19 October, (50,000 Algériens dans les prisons).

urban areas;⁴² creating a “neighbourhood police” has increasingly become an element of this strategy. In September 2008, in accordance with the latter goal, Algerian interior minister Zerhouni created the first eight *Sûretés urbaines de proximité* in eight Algiers suburbs deemed to be particularly dangerous; the same is true of Morocco, where the DGSN has been adding personnel to the *Renseignement Généraux*’s information system since 2008/2009.⁴³

Specific Measures: Specific measures refer to the specialisation of police work through the formation of special police units. This process commenced in all Maghreb states in the 1990s. Police leaders use these special units to enable flexible reactions to specific widespread offences such as narcotics trafficking, money laundering or abductions.⁴⁴ The following are examples of such units: the anti-drug coordination unit formed in Morocco in 1996; the *Moroccan Groupements Urbains de Sûreté* (GUS) and the Algerian *Sections de Sécurité et d’Intervention* (SSI) for the quick securing of crime scenes or areas of disorder and unrest, both founded in 2006; *Unités de Traitement du Renseignement Financier* (URTF), founded in Morocco in April 2009 for the fight against money laundering; the Algerian *Office Central de Répression de la Corruption*, in operation since December 2010; the investigation brigades implemented in 2009 as part of the Algerian border police to counter illegal migration; and the special Algerian police teams, in operation since 2008, to prevent abductions.

3.2.2 *Equipment Measures*

Technological developments and other factors have necessitated substantial equipment upgrades,⁴⁵ and numerous measures have been introduced in order to fill the technological gap that existed previously. Each Maghreb state has imported (mainly from Great Britain and Italy) new communications tools as well as electronic monitoring systems for borders, airports/railway stations and inner-city areas, among other things.⁴⁶ For example, in early 2009, the electronic surveillance of 24 railway stations as well as volatile and high-traffic inner-city zones was introduced in Algeria.⁴⁷ In July 2009, 360 cameras were installed at the Algiers air-

42 Discussing the work of the DGSN in an interview with the newspaper *Liberté* on 2 October 2011, the chief of the Algerian DGSN, General Major Abdelghani Hamel, named (among other things) police presence in the entire country as a priority; cf. Belgacem, Farid (2011), *L’occupation du terrain est l’objectif principal de la police*, in: *Liberté*, Algiers, 3 October.

43 Cf. *TelQuel*, June (2009), Maroc: RG. Espions de proximité.

44 However, other developments have also led to the formation of special police units. For example, when the new Algiers metro system started operating in November 2011, a French-trained metro security brigade consisting of 400 police officers was formed.

45 The material reimbursement of police staff is another issue; salaries for police have continually increased in recent years, but the remuneration of the lower ranks remains so low that police officers are susceptible to misusing their authority to their own advantage.

46 For an example, cf. Mammeri, Achira (2008), *L’Algérie a recours au high-tech pour la lutte contre le crime organisé*, in: *Magharebia*, 21 May.

47 Criticism expressed by human rights organisations was rejected. The police argued: “Les citoyens ne sont pas surveillés mais protégés.”

port as part of an electronic surveillance system. Algeria and Libya made substantial purchases of machinery for riot control (water cannons, transport aircraft, equipment for clearing barricades). However, as events in Libya during the spring of 2011 made evident, these tools were not enough to successfully neutralise protest movements there. A mobile truck scanner was put to use against drug trafficking in Morocco in 2009. Additionally, forensic technology has been further developed in all states (new laboratories, DNA-analysis equipment, etc.).

3.2.3 *Legislative Level*

Legislative reactions to public security risks can be observed in each Maghreb state. These have occurred parallel to the institutional-personnel and material measures described. The further development of criminal law and the legal framework for the fight against criminal offences reflects the drastic social changes that have occurred in North African states.⁴⁸ Current legislative reactions can be summarised in three subcategories:

(1) *Modification of Existing Laws*

The modification of existing laws has focused, on the one hand, on penal laws that have been valid in all states since independence (addition of offences, stricter punitive measures) and, on the other, on laws introduced to fight central crimes such as drug trafficking, money laundering, corruption and terrorism. The following examples illustrate how legal modifications are used in the fight against offences that pose a risk to security:

- *The criminalisation of illegally leaving the country*: Not least as a result of European pressure and despite criticism from human rights organisations, Algeria has followed Morocco's example and increased its efforts to stem illegal migration. The criminal code was modified accordingly in September 2008 to stipulate that a person who illegally leaves Algerian state territory shall receive a custodial sentence of up to six months. Human traffickers can expect stricter sentences of up to ten years imprisonment.⁴⁹
- *Stricter punitive measures against drug trafficking*: The production of drugs in Morocco,⁵⁰ and the accompanying drug-related crime not only in Morocco but also in the neighbouring transit and consumer states, led to the first legal regulations against the drug trade in the Maghreb states as early as the 1960s. Since then, and in proportion to the steady growth of the problem, the number of legally defined punishable offences has increased,

48 Tellenbach (1997) demonstrated this for the 1980s and 1990s using the Maghreb states as examples.

49 For details cf. Amendement du code pénal, in: *Le Quotidien d'Oran*, 2 September 2008.

50 North Morocco (Rif Mountains) is an important area for the cultivation of cannabis/kif. Transnational gangs organise its distribution from there throughout Europe via Spain (in recent years increasingly so) and to consumers in Algeria, Tunisia and Libya. The annual turnover, as estimated in the first decade of this century, is approximately ten billion Euros; cf. Bouaricha, Nadja, and O Cheikh (2004), *Le trafic de drogue au Maroc génère 10 milliards d'euros*, in: *La Nouvelle République*, Algiers, 10 August.

sentences have become more severe and new enforcement agencies have been formed. In some cases there has been a direct correlation between new laws and the implementation of regulations from international conventions. For example, Tunisia, which had ratified the 1988 UN convention on drugs on 24 July 1990, modified its 1964 drug legislation in May 1992 and adopted international provisions which de facto entailed significantly stricter versions of the former legal regulations (longer sentences, an increase in punishable offences).

(2) *Passing of New Guidelines and Laws*

The passing of new guidelines and laws illustrates most clearly that crime is booming in North African societies. The new laws focus partially on old offences and partially on new ones. The fight against corruption belongs more to the first category. Particularly since the 1990s, security agencies and legislators have been trying to eradicate corruption – which has been rampant for decades and constitutes a destructive factor in politics, the economy and society – by means of laws and accompanying anti-corruption strategies. These legislative counter-measures are diverse and range from special punishments for corrupt judges (Algeria, law 1990-15) to new regulations for the supervision of banks.

The second category includes legislative measures countering money laundering and cybercrime. The laws to prevent money laundering are largely a reaction to international pressure to stop the funding of terrorism, which was itself a reaction to the terrorist attacks of September 2011 (Mattes 2011). All the North African states have created a set of legal instruments targeting money laundering or have expanded previously existing measures (prohibition of cash payments exceeding a specific amount, registration of personal data in connection with money transfers). The Tunisian parliament, for instance, passed the country's first anti-money-laundering law in July 2009. In Morocco, laws that had been passed previously as part of the country's legal arsenal against drug trafficking were standardised and sharpened in December 2010.⁵¹

The fight against cybercrime is a recent development in North Africa. However, it is the result of a real need to counter verifiable abuses. The Algerian parliament's passing of a 19-section law against cybercrime in July 2009 has been one such reaction on the part of legislators.⁵²

Since the first decade of this century and above all in Algeria, the abduction of wealthy business people or their relatives by Islamist terrorist groups and criminal gangs for the purpose of obtaining ransom payments has become a widespread phenomenon. In 2008 the Algerian government reacted by criminalising the payment of ransom money. Since 2009 the

51 Cf. Gattioui, Jihane (2010), *Lutte contre le blanchiment des capitaux: Le Maroc renforce son arsenal juridique*, in: *Le Matin*, Rabat, 29 December.

52 Cf. Aziri, Raouf (2009), *La loi de prévention contre la cybercriminalité adoptée à l'unanimité*, in: *La Nouvelle République*, Algiers, 2 July.

government has also been undertaking extensive diplomatic efforts to convince the UN to adopt an international convention against ransom payments.⁵³

(3) *Ratification of UN Conventions*

The ratification of UN conventions is an important step in strengthening the judicial and legal foundation in Arab states, as the codification of UN conventions is generally stricter than national legislation and thus forces the latter to adapt to the provisions of the convention. The ratification of the 1988 UN convention against the illegal trade in drugs and psychotropic substances by all the Maghreb states⁵⁴ and Morocco's signing of a UN convention against corruption in April 2005 are examples of this. An additional example is the intensified collaboration between national and UN institutions, particularly the UN Office for Drugs and Crime (UNODC). UNODC has opened several North African offices in recent years – most recently in Libya on 11 November 2009 – in order to strengthen international efforts against organised crime.

a) *Security Cooperation with Third States and Regional/International Institutions*

For the maintenance of their domestic security, the governments and security agencies of the Maghreb states pragmatically use all opportunities for collaboration with external institutions. However, there are clear differences at each level of cooperation (bilateral/regional/international).

Statistically, the most frequent agreements on the “joint fight against terrorism and organised crime” (the standard sentence in the communiqués when foreign interior ministers visit the Maghreb) occur at the bilateral level.⁵⁵ Collaboration (the exchange of security information, additional training of national police officers by the FBI)⁵⁶ is always formally put into writing, yet little is known about the follow-up in this security cooperation. At the *regional (=Arab) level* the Council of Arab Interior Ministers plays a central role. It is also the most efficient sub-organisation of the Arab League (Mattes 2010). The Tunis-based Council of Arab Interior Ministers consists of the interior ministers of the 22 Arab states (annual conferences, the most recent of which took place in January 2010); the administrative and technical work is the responsibility of the Arab League General Secretariat.⁵⁷ The General Secretariat is

53 Cf. L'Algérie propose un accord international contre le paiement de rançons, in: *Magharebia*, 16 July 2009.

54 On 21 July 2009, Tunisia standardised its drug legislation per legislative amendment and incorporated the international standards into the legislative modification.

55 In many cases the containment of illegal migration is currently the main field of cooperation.

56 For example, cf. L., Sonia (2010), Des experts américains dispensent une formation au profit de 24 officiers de la gendarmerie nationale, in: *TSA-Algérie*, 26 October.

57 Saudi criminology professor Ali Muhammad Kamun has been the Secretary General since 1 June 2001.

in charge of five special offices in decentralised locations.⁵⁸ The offices' expertise is requested for specific issues. Cooperation within the council to date can be deemed successful because the body has not only adopted Arab conventions against drug trafficking and terrorism, but is also currently working on a convention against money laundering and is engaged in the fight against piracy.⁵⁹ Additionally, in recent years the further spread of AQMI activities (see above) has given rise to increased security cooperation in the *Maghreb-Sahel region*, which, however, occurs more at the military than the policing or intelligence-agency level. Thus, the general staffs of Morocco, Algeria, Mauritania, Niger and Mali convened on 3 August, 12 August and 7 September 2009 to coordinate measures against the AQMI; these efforts yielded the formation, in autumn 2010, of a joint general staff (based in Tamanrasset) for the fight against AQMI terrorism. At the *international level*, cooperation with Europol and Interpol, supplemented by the cooperation with UNODC, is of major importance. International cooperation has also intensified as a result of growing terrorism threats, as the conferences of the Arab Interpol police departments demonstrate: there have been four meetings since 2007, most recently in Casablanca on 28 September 2011.⁶⁰ Additionally, Interpol has extended its training function (offering courses on, among other things, DNA analysis) in the Maghreb states in recent years.

b) Preventive Level

At present the preventive⁶¹ is the least developed of all levels. Preventive measures for the containment of crime (particularly juvenile delinquency) and social protest would require extensive budget-depleting employment and social programmes. No Maghreb state has devised a budget structure which has prevention as a priority. Prevention only occurs selectively, with the fight against drug consumption (information campaigns) taking first place. Each Maghreb state has its own institutions (such as the Services de Protection de la Jeunesse in Algeria) and national prevention plans. A second issue garnering increased attention as an element of prevention has been the over-population of prisons,⁶² which have the reputation of being "schools of crime."⁶³ Therefore, programmes for the construction of new prisons and

58 The special offices are the Arab Office for Crime Prevention in Bagdad, the Arab Office of Criminal Police in Damascus, the Arab Office for Narcotic Drug Affairs in Amman, the Arab Office for Civil Protection and Rescue in Casablanca as well as the Arab Security Information Office in Cairo.

59 Reports then appear in the media, stating which Arab country has ratified which partial agreement; cf. Le Maroc signe au Caire cinq conventions dans les domaines judiciaire et sécuritaire, in: *MAP*, Rabat, 22 December 2010.

60 For details cf. Interpol prône un renforcement de la coopération sécuritaire au Maghreb, in: *Magharebia*, 03 October 2011.

61 For an understanding of prevention see the Global Consortium on Security Transformation, *Crime prevention*, online: <www.securitytransformation.org> (1 November 2011).

62 In Morocco and Algeria the prison population is between 50,000 and 55,000; the prisons are suited to accommodate significantly fewer people.

63 Given the disastrous conditions and insufficient care, it is no surprise that over 40 per cent of released prisoners reoffend; cf. 40% des détenus sont des récidivistes, in: *El Watan*, Algier, 14 December 2010.

for improved conditions for prisoners have been initiated. Furthermore, steps are being taken to reduce the prison population – the majority of which is made up of persons aged 18 to 35 years⁶⁴ – through judicial measures. The Algerian government, for example, has revised the code of criminal procedure, for the first time allowing communal service instead of a custodial sentence under specific circumstances.⁶⁵

4 The Development of Domestic Security since the Arab Spring

The protest movement that began in Tunisia in December 2010 and subsequently spread to the other Maghreb states (and Egypt) has had sustained effects on the domestic security of each state. These have been most serious in those states that have seen a change in political power. The repercussions for security policy as a result of the political changes since early 2011 are of a two-fold nature and have occurred at two levels: the *national and transnational* level.

4.1 National Level

At the national level, a set of individual phenomena are discernible. However, the extent to which they are encountered in each state varies. One of these phenomena is the further discrediting of the police/security agencies. Due to their excessive use of firearms against demonstrators in Tunisia and Egypt, with several hundred dead, the police forces' reputation has continued to deteriorate in both countries, whereas the image of the armed forces has improved as they supported the protest movement and declared its aims legitimate. The Arab press is thus in agreement that the police are among the losing parties of the political transformation.⁶⁶ After the change of power in Tunisia and Egypt, the armies were the only functioning security force in each country; the regular police forces had largely withdrawn from the public arena, and the political police forces had been disbanded in Tunisia as well as in Egypt. The partial dissolution of the security structure – which the London-based International Institute for Security Studies (IISS) terms “security vacuum” – led to increasing opportunities for militant Islamist groups to reorganise.⁶⁷ The implementation of new “democratic police forces” has not yet extended beyond announcements or initial, rudimentary steps.

An increase in crime is the second phenomenon. In Tunisia (and Egypt) crime (burglaries, robberies) has drastically increased since the beginning of 2011. This development is directly

64 Currently 6,000 of the 55,000 prisoners in Morocco are minors; 1,300 are women.

65 For details cf. Jameh, Said, and Hayam El Hadi (2009), Algeria penal code change allows convicts to swap jail for community service, in: *Magharebia*, 20 February.

66 Cf. for example Zribi, Mohsen (2011), Forces de sécurité, in: *La Presse de Tunisie*, 1 May.

67 Cf. IISS, Collapse of Arab security state creates opportunity for militant Islamic groups, in: *Middle East Online*, 7 September 2011; cf. also IISS, London, 2011 online: <www.iiss.org/publications/strategic-survey/strategic-survey-2011/contents/> (19 December 2011).

linked to the political changes because armed groups intentionally freed many prisoners. Eleven thousand convicted criminals in Tunisia and 20,000 in Egypt regained their freedom in this way. Only a few complied with police appeals to return to prison. In Tunisia there have been daily reports of criminal offences and gang crime (car theft, shop robberies, burglaries, etc.) since. Other offences have persisted at a high level. These include the trafficking of drugs and arms as well as the piracy of almost all products, from medicine to clothing to cosmetics.

The identification of security deficits by the security agencies has led the governments of the Maghreb states and the EU states to recognise the need to improve the counter-measures. The Maghreb governments are more focused on the quantitative reform of their police apparatus and their security agencies; they have thus increased police personnel and emphasised better equipment and cooperation. Tools for suppressing public unrest, such as police vans, teargas and other equipment, are of particular interest and are being acquired in increasing quantities. In contrast, the EU states emphasise the necessity of reforming the security sector (police reform) and the judiciary,⁶⁸ with a focus on qualitative factors.

4.2 Transnational Level

At the transnational level the political changes have had repercussions for Europe with regard to three particular fields of security policy: illegal international migration, transnational terrorism and transnational crime.

Illegal migration from the Maghreb to Europe is an old phenomenon that involves two groups of persons.

- First, the *migration of North Africans to Europe* (predominantly younger adults without good life prospects, but also some highly qualified people). Since March 2011, there has been a wave of Libyans, including army officers, fleeing to Tunisia as a result of the civil war. In contrast, the sharp increase in migration of predominantly southern and south-western Tunisians from Tunisia to Italy since January 2011 has been solely motivated by economic factors. These migrants' argument is that they do not see any economic prospects for themselves in Tunisia. An estimated 25,000 economic refugees have left the country since the beginning of 2011. The south Tunisian harbours Zarzis and Gabes are the centres for their (illegal) departure. Human traffickers have hardly encountered any obstacles to their activities due to the temporary retreat of police and customs officers.
- Second, the *transit migration of inhabitants of sub-Saharan states*, who formerly took specific Saharan routes to northern Morocco/Tangier, southern Tunisia, or Libya, where they would board boats for the illegal crossing to Europe. The civil war in Libya has led to a drastic deterioration of the situation for the migrants since February/March 2011, in par-

⁶⁸ The democratic and parliamentary control of the security agencies and the army are at the centre of the security sector reform; this applies to their organisational structures and to their budgets. The strengthening of the courts is at the centre of the proposed judiciary reform.

ticular because of the many migrants fleeing the fighting in Libya to southern Tunisia or back to Chad or Niger.⁶⁹ The eruption of the civil war caused a temporary humanitarian crisis because a total of almost 2,000,000 regular workers fleeing the fighting joined the illegal migrants.

Transnational terrorism has been a reality in the Maghreb region since, at the latest, the formation of the AQMI in 2006. Seizing the opportunities generated by the political unrest, AQMI has been increasing its activities since the beginning of 2011. AQMI has been responsible for the significant increase in attacks in eastern Algeria, the attack in Marrakesh (16 dead) on 28 April 2011, and continuing abductions of foreigners throughout the entire region. The most recent case involved three humanitarian workers from facilities in the west-Saharan region (near Tindouf) at the beginning of November 2011. The AQMI is also responsible for the trans-Sahel/Saharan distribution of small arms looted by local Islamist groups in eastern Libya. The state counter-measures are lagging behind due to the negative effects of the political changes on the organisational structures of the police.

Transnational crime has also benefitted from the security deficits since the beginning of 2011. This is particularly apparent in the significant increase in drug trafficking and counterfeiting, as well as burglary and the smuggling of valuable antiques.

5 Conclusion

According to a UN study published in October 2011 (UNODC 2011), deficient socio-economic development and the use of armed violence, particularly by organised criminal gangs and terrorist groups, are strongly correlated. Even though the Maghreb states – in comparison to Central American states, for example – do not occupy the top positions in violence/crime rankings, their domestic security is nevertheless threatened by organised crime and terrorism. Additionally, the proliferation of weapons in the region as a consequence of the 2011 civil war in Libya has drastically exacerbated the situation.

In the past, the state leadership of each of the three core Maghreb states, and also of the eastern neighbour states Libya and Egypt, reacted to the security challenges caused by organised crime and terrorism. The counter-measures employed in all states included

- 1) increased personnel for and efficiency-enhancing reforms within the security agencies;
- 2) the significant increase in and upgrading of equipment for security agencies;
- 3) the strengthening of the legal foundation (laws, regulations) to legally combat these offences;
- 4) increased bilateral, regional and international cooperation in the field of security; and
- 5) the implementation of preventive measures.

⁶⁹ By the end of April 2011, 54,000 Africans had entered Niger and 17,000 had entered Chad.

The focus of the state measures employed against security deficits in the Maghreb was on the quantitative increase in security personnel, the provision of better equipment, and the creation and implementation of national security plans. Due to the authoritarian state structures, the maintenance of domestic security at times entailed severe human rights violations. In contrast to democratic states – which face the dilemma of having to balance the efficiency and professionalism of their security agencies with the basic democratic standards of individual freedom, the protection of personal rights, transparency, and control – personal freedom and the integrity of the individual played, and continue to play, a subordinate role in the Maghreb states. Even after the political changes, human rights organisations accuse the security agencies of continuing to use torture. In the same way that the governing principle of Maghreb state leadership, the maintenance of domestic security, justified the unrestrained use of all available police measures, it is also obvious that the political reforms are governed by security policy considerations: political reforms will only be implemented in the Maghreb states if the leadership can largely rule out threats to security.⁷⁰

It can be assumed that organised crime and terrorist activities will continue at a significant level; first, because the socio-economic conditions – particularly high youth unemployment and decreased purchasing power – have not improved, despite corresponding countermeasures, and second, because the new political room to manoeuvre created by the changes in 2011, particularly in transforming states, has provided militant groups with new opportunities to reorganise and rearm. The Maghreb security agencies will thus have to redouble their efforts in the fight against crime and terrorism. Furthermore, national human rights organisations, as well as Western states and institutions such as the Geneva Center for the Democratic Control of Armed Forces and Amnesty International, are demanding stricter adherence to the rule of law. This situation represents a balancing act which will be very difficult to master.

70 Cf. Tlemcani, Rachid (2011), Les réformes politiques obéissent à la logique de la normalisation sécuritaire, in: *El Watan*, Algiers, 2 July.

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