

# TO THE SHORES OF TRIPOLI

*“From the Halls of Montezuma to the Shores of Tripoli” the opening line from the US Marine Corps Hymn, refers to the armed action President Thomas Jefferson took in the early 19<sup>th</sup> century against the Muslim corsairs of the Barbary Coast of North Africa, which eventually resulted in the construction of the first permanent US Navy. In our age, maritime terrorism has emerged as a formidable threat in the world, targeting both civilian and naval vessels in NATO’s area of operations. The threat is compounded by the use of maritime vessels and shipping lanes by criminals who are often in league with terrorists. With the possibility that weapons of mass destruction could be used as a terrorist weapon, efforts to pre-empt such attacks which could cause mass civilian casualties has become a top NATO priority, making it necessary for the alliance to expand its maritime frontier. As the stakes are raised, NATO must innovate in order to counter the new maritime threats.*

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Memories of the hijacking of the Italian-flagged cruise ship P/V Achille Lauro in 1985 off Port Said, Egypt, were revived this year when the mastermind of the hijacking, Mahmoud Abbas, died in Iraq. Members of the Palestine Liberation Front had held the ship with 180 passengers and 331 crewmembers on board, hostage, demanding the release of 50 Palestinian prisoners in Israeli jails. They killed an invalid Jewish American passenger, before negotiating the release of the rest of the hostages against their safe passage. Europe did not witness acts of such maritime terrorism for the next ten years, but today illegal acts directed against ships, their passengers, cargo or crew, or against sea ports with the intent of directly or indirectly influencing a government or group of individuals, are a formidable threat.

The similarities between the methods used in attacking the USS Cole, a navy destroyer, and the M/V Limburg, a French supertanker, both “rammed”<sup>1</sup> while in Yemeni waters, illustrate that the terrorists do not discriminate between military and civilian maritime targets. The poorly protected, relatively slow and massive ocean-going vessels such as the Limburg present much softer targets to terrorists than better-protected US Navy ships. In 2003, 22 percent of the vessels attacked worldwide were tankers.<sup>2</sup> In addition to being terrorist targets themselves, civilian vessels face another threat. The September 11 attacks have demonstrated that commercial aircraft, usually targeted for hijacking or bombing attacks, can also be successfully used as devastating weapons. Oil, natural gas and other hazardous cargo laden ocean going vessels could also be used as such weapons by terrorists against port facilities. A Phalanx battery can defend against a TNT-laden Zodiac boat, but would be useless against a terrorist commandeered LNG tanker heading full steam towards its target.

The October 2002 capture of the organizer of the Limburg attack, a Saudi man with Yemeni roots, by the name of Abd al Rahman al Nashiri, who is also believed to have been responsible for the attack on the USS Cole, led to the discovery that Al Qaeda had undertaken preparations to attack ships in the Mediterranean. Nicknamed the “Prince of the Sea”<sup>3</sup>, Nashiri had developed a four-pronged strategy to attack Western targets. These were ramming, blowing up medium-sized ships near other vessels or at ports, attacking large vessels such as supertankers from the air by using explosive-laden small aircraft, and attacking vessels with underwater demolition teams using limpet mines or with suicide bombers.<sup>4</sup> During interrogation, Nashiri revealed that if warships became too difficult to approach, tourist ships could be targeted.<sup>5</sup> The cruise ship industry, which in the US alone carries nearly seven million passengers every year, is facing this new threat.<sup>6</sup> A dossier captured with Nashiri, which listed cruise liners sailing from Western

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<sup>1</sup> “Ramming” involves loading a boat up with explosives and steering it into a target. “Expert says Islamic militants trained for sea attacks”, *Reuters*, 21 January 2003.

<sup>2</sup> “Hi-Tech Pirates Wage Terror on the High Seas”, 17 February 2004, <<http://www.iol.co.za>>

<sup>3</sup> Possibly a resonance of the Arabic term “*ameer al bahr*” (commander of the sea) from which the term “admiral” originated.

<sup>4</sup> “Al Qaeda has multi faceted marine strategy”, *Agence France Press*, 20 January 2003.

<sup>5</sup> Christopher Dickey, “High-seas terrorism”, *Newsweek*, 27 January 2003, p4.

<sup>6</sup> Yonah Alexander, Tyler Richardson, “Maritime terrorism phase next?”, *The Washington Times*, 20 October 2002, pB3.

ports among "targets of opportunity", indicates that mega cruise ships exceeding 140,000 gross tons, carrying over 5,000 passengers are desirable targets for terrorists.<sup>7</sup>

Before he was caught, Nashiri had also planned an operation to bomb American and British warships in the Strait of Gibraltar, off the northern coast of Morocco. In response to this intelligence, NATO allies coordinated efforts to improve security in the western Mediterranean, particularly around the Straits of Gibraltar. The alliance launched a preemptive policy of stopping and boarding suspicious ships. Another measure involved escorting tankers through the Straits of Gibraltar by German naval vessels. In the aftermath of the Madrid bombings, blamed on Moroccan terrorists, there is growing concern about Al Qaeda and affiliated terrorist infiltration across the Strait of Gibraltar into Europe. Spain's weakest border is its southern coast separated from Northern Africa by only the narrow Strait of Gibraltar.<sup>8</sup>

### *Criminals at Sea*

The smuggling and trafficking of human beings has increased throughout the world, owing to the globalization process and other factors. The problem is exacerbated in size and seriousness by the growing involvement of organized crime groups. The smuggling of migrants by these organized crime groups disrupts established immigration policies of destination countries and often involves human rights abuses. Containers are rarely inspected on their journey, and provide easy cover for smugglers to transport drugs, weapons and people, especially to European ports, which attract tens of thousands of illegal migrants from the Middle East, Africa and Asia each year. Dozens of stowaways have suffocated in containers. Stowaways smuggled onboard commercial vessels by human traffickers can cause unforeseeable problems, too. Turkey was a prime transit route for human traffickers for many years. Law enforcement efforts, however, seem to have started to pay off recently, as southern European authorities report that the traffickers now prefer Tunisian and Libyan routes to transit their human cargo instead of Turkey.

On November 21, 2001, the US Navy stated that they could extend the anti-terrorism campaign to counter piracy, gunrunning, drug and human trafficking. Not only the Al Qaeda network, but also terrorist groups elsewhere such as the Sri Lankan LTTE and the Kurdish PKK, have been engaged in "commercial" activities such as trafficking in narcotics, arms and human beings. The LTTE, for example, not only owned and operated a fleet of ten ocean-going freighters flying Panamanian, Honduran and Liberian flags, but also hijacked commercial vessels carrying cargo valuable to the Tamil Tigers, such as the 1997 hijacking of the freighter "Stillus Limassul", loaded with more than 30,000 81mm mortar rounds, worth over three million dollars.<sup>9</sup> In 1994, the LTTE shipped 50 metric tons of TNT and ten metric tons of RDX explosives on board one of their own freighters,

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<sup>7</sup> Ben English, Ian Gallagher and Jeff Sommerfield, "Al Qaeda blueprint exposed", *The Courier-Mail*, 29 December 2003

<sup>8</sup> "Policing Spain's southern coast", *BBC*, 2 March 2004.

<sup>9</sup> Mark Winchester, "Ship of Fools: Tamil Tigers' heist of the century", *Soldier of Fortune*, Vol.23, No.8, 1998, p.40.

operated by a front company called Carlton Trading, from a Ukrainian Black Sea port via the Turkish Straits to Sri Lanka.<sup>10</sup>

A developing trend in international terrorism in the last decade is called narco-terrorism. Turkish authorities are aware that most of the human smuggling, which takes place in Turkish waters is connected with the terrorist organization PKK. Turkey has historically remained a key transshipment point for drug trafficking because of its desirable geographical location connecting Europe to Asia. From the late 1970s, a new trend toward bigger and more efficient criminal organizations was observed. Especially from the mid-1980s terrorist organizations with quasi-political agendas started to become involved in narcotics trafficking. In the beginning these terrorist groups entered the business mainly to finance their arms supplies. It has been documented in many instances that these Turkish terrorist groups either dealt or partnered with certain Eastern Bloc criminals and intelligence services in drugs-for-arms deals.

Weapons trafficking is apparently still rampant in the Mediterranean waters. In April 2004, the Italian police searched a container destined for the port of New York onboard a Turkish ship at the port of Tauro during a routine customs inspection, sparked by discrepancies between the various customs declarations. Inside the container more than 8,000 AK47 assault rifles, 11 submachine guns, and magazines worth over seven million dollars were discovered. Also in April 2004, in Istanbul, the Turkish Customs found 500 undeclared Bulgarian AK47s inside a container, which had just been taken off a vessel from Bulgaria, destined for Paraguay, according to the manifests. Turkish authorities seized the weapons, which they believed the traffickers were attempting to smuggle into Turkey for their terrorist clients.<sup>11</sup> In June 2003, the Greek Coast Guard impounded a vessel called “the Baltic Sky” which was carrying an undeclared cargo of 750 tons of industrial-grade explosives and 8,000 detonators from Tunis to Sudan. However, instead of heading for the Suez Canal, the ship had sailed to Turkey and then back into the Mediterranean, raising the authorities’ suspicion that it could be a terrorist shipment.<sup>12</sup>

### ***Emerging Trends***

The exposure earlier this year of an extensive and long-running nuclear black market based in Pakistan, which peddled weapons technology to Libya, Iran, North Korea and perhaps other places, has amplified fears that countries or criminal organizations will pass Weapons of Mass Destruction (WMD)-related materials to terrorists, who may use them to attack the US, its allies or friendly countries. North Korea and Iran are primary sources of proliferation concern. Hence, the United States and several of its NATO allies combined forces in the Mediterranean Sea to track and board ships suspected of carrying WMD. Dubbed “Proliferation Security Initiative (PSI)”, this initiative aims to disrupt and deter the illicit trade in WMD by searching ships and planes suspected of carrying

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<sup>10</sup> Anthony Davis, “Tamil Tiger International”, *Jane’s Intelligence Review*, Vol.8, No.10, 1996, pp.472-473.

<sup>11</sup> “Silahlar bulundu ama soruların cevabı yok” [Weapons have been found, but the questions remain unanswered], *Aksiyon* (Turkish weekly magazine), 16 May 2004, No.492.

<sup>12</sup> “Greeks seize ship packed with explosives”, *The Star*, 23 June 2003.

nuclear, chemical or biological weapons, or materials that could be used to make them. International law allows interdiction and boarding of suspect vessels on the high seas only with the permission of the country under whose flag the ship is sailing, if the vessel is stateless, or if the ship is a pirate vessel, transporting slaves or illegal drugs, or being used for unauthorized broadcasting. Other than in these circumstances, there could be international legal problems with interdictions on the high seas. To do away with the legal obstacles, the United States and other maritime powers are pressing countries to ratify the 1988 Suppression of Unlawful Acts Convention, and also for the addition of offenses, including transporting weapons of mass destruction or substances useful therein, and to facilitate boarding suspect ships on the high seas. The convention, developed in large part to combat terrorism, extends the rights of maritime security forces to pursue terrorists, pirates and maritime criminals into foreign territorial waters. An important PSI seizure was made in October 2003, when German and Italian authorities intercepted the “BBC China”, a German-owned ship, after it passed through the Suez Canal carrying uranium enrichment equipment bound for Libya. The confiscated equipment from the ship helped investigators to unravel and shut down the Pakistan-based nuclear black market.<sup>13</sup> The July 2003 seizure by Spanish forces of a ship carrying South Korean Daewoo arms to Senegal was another manifestation of the PSI at work. Turkey is a PSI member, and actively participates in PSI training exercises in the Mediterranean at present.

According to the Lloyds List, the US and Norwegian intelligence agencies have identified some 15 to 23 freighters, flying the flags of Yemen, Somalia, and the Pacific island of Tonga, believed to sail in the Mediterranean Sea, and in the Indian and Pacific oceans, as owned or controlled by the al Qaeda network.<sup>14</sup> These ships could carry weapons of mass destruction and also could be used to help Usama Bin Laden and his followers escape from pursuit. In February 2003, eight Pakistani men jumped ship at the Italian port of Trieste after a trip from Cairo. US officials determined that the men were Al Qaeda operatives. In August 2003, again in Italy, 15 Pakistani men who had boarded another freighter in Casablanca, Morocco, were arrested in possession of tens of thousands of dollars, false documents, maps of Italian cities and evidence tying them to known Al Qaeda members in Europe. The 15 were charged in Italy with conspiracy to engage in terrorist acts.<sup>15</sup>

In March 2004, deadly bombing attacks in Spain and in Israel underscored the vulnerability of the transportation industry to terrorism, despite stringent security measures. In Madrid, command detonated explosives hidden on commuter trains killed 200 passengers and injured thousands, while in Ashdod, one of Israel’s busiest seaports, two Palestinian suicide bombers of the Al Aqsa Martyrs' Brigades, blew themselves up, killing ten Israelis and wounding 18. The two Palestinian suicide bombers had been apparently smuggled into the port inside a cargo container four hours before the attack, thus avoiding stringent security procedures. This method of attack indicated that Al Aqsa Martyrs' Brigades had borrowed an Al Qaeda tactic of building a secret compartment

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<sup>13</sup> Michael Richardson, “To disrupt and deter”, *Defense Technology Asia*, 30 April 2004.

<sup>14</sup> “What Al Qaeda could do with a terror navy”, *World Net Daily*, 20 October 2003.

<sup>15</sup> “Terror ship history examined”, *Dawn Online*, 19 May 2003.

inside a shipping container. The Ashdod container had transited another port before arriving in Israel, raising the possibility that Al Qaeda had carried out the conversion before it reached the Gaza Strip.

Terrorists affiliated with the Kurdish Hizbullah, who launched suicide truck bomb attacks against two Turkish synagogues, and British targets in Istanbul in November 2003, killing over 60 people, had originally cased a southern Turkish port where they had expected an Israeli cruise ship to dock. The terrorists had packed a pickup truck with nearly 1.5 tons of explosives, and sent it from Istanbul to the Turkish Mediterranean port of Antalya, some 500 miles away, in November 2003, where the driver waited for eight days for an Israeli cruise ship to dock. When the Israeli cruise ship failed to call at the port of Antalya due to inclement weather, the truck and its suicide driver returned to Istanbul where he attacked the British Consulate General with his lethal cargo, killing the British Consul General and 17 others, injuring hundreds, and demolishing part of the consulate building.<sup>16</sup>

### *NATO's Response*

Given this high level threat environment created by terrorist and criminal elements, NATO is resolved to help deter, defend, disrupt and protect through maritime operations in the area of operations of Operation Active Endeavor (OAE) and to demonstrate Alliance resolve and presence in the campaign against terrorism. Under Article 5 of the Washington Treaty, underpinning the NATO military concept for defense against terrorism through specific actions, OAE was launched in the Eastern Mediterranean shortly after the September 11 attacks, and was expanded in March 2003 to include the Strait of Gibraltar. The operation, in which up to eight navy vessels keep tabs on cargo flows in strategic locations, will include the entire Mediterranean basin and could be extended to include the Black Sea.<sup>17</sup> More than 41,000 vessels have been hailed since the beginning of the operation, and 47 compliant boardings have taken place in the Eastern Mediterranean. Additionally, more than 414 allied non-combatant ships have been escorted successfully through the Strait of Gibraltar. NATO commanders are aware of the holes in the defense of Europe against terrorism, particularly in maritime security, which they view as the “weak link”. While OAE has helped cut illegal immigration and smuggling, and enabled NATO to build a unique picture of Mediterranean ship traffic, which could eventually become part of a global database, current inability of NATO members to effectively screen cargo container traffic is worrisome.<sup>18</sup>

### *International Measures*

New regulations enacted after the September 11 attacks, requiring governments, port authorities and ships to implement security measures at their own level, are taking almost

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<sup>16</sup> Fuat Akyol, “*Kamyonet garajda patlayacak, HSBC çökertilecekti*” [The pickup truck was to explode in the parking garage, demolishing HSBC], *Aksiyon* (Turkish weekly magazine), No. 475, 18 January 2004.

<sup>17</sup> Brian Whitmore “NATO faces challenges as it retools for the war on terror”, *Boston Globe*, 28 March 2004.

<sup>18</sup> Crispian Balmer “NATO commander says maritime security is weak link”, *Reuters*, 8 March 2004.

three years to come into force. The International Code for the Security of Ships and Port Facilities (ISPS) and Amendments to the International Convention for the Safety of Life at Sea (SOLAS) will come into effect on July 1, 2004. The SOLAS amendments and the ISPS Code, adopted by the 162-member International Maritime Organization, make it mandatory for companies operating ships of more than 500 tons on international voyages to designate security officers, prepare new plans and be fitted with new security alert systems, as well as for seaports to undertake security assessments and to prepare security plans. Any port failing to implement the code will be tagged as “risky” and will, therefore, find it hard to woo ships from abroad. It also risks being surcharged by foreign vessel operators. Non-compliant ships would also meet the same fate, as they have to anchor at any way-port first to wait for further scrutiny before being allowed to carry goods to the designated port. Implementation of the ISPS Code will cost vessel operators 1.28 billion dollars in the first year and 730 million dollars a year thereafter, according to estimates from the Organization of Economic Co-operation and Development.<sup>19</sup> Some major Middle Eastern suppliers are behind in their preparations, particularly with port facilities, and are not expected to be ISPS-compliant by July 1, 2004.

Recognizing that some developing countries will not be able to cope with the new maritime security threats, the United States and NATO countries are taking steps to render assistance. The US is looking to relaunch what was formerly called the African Coastal Security Program aimed at improving the coastal navies and coastguards of participating countries, such as Morocco, Algeria, and Tunisia, so they can conduct better maritime surveillance.<sup>20</sup> Although Germany has also deployed naval vessels and maritime surveillance aircraft in Djibouti and in Kenya, it is not clear whether NATO has also shifted its view on Africa, and is extending its mission southward. Meanwhile, the US European Command believe that NATO must “get out, go forward and do some prevention.”<sup>21</sup>, especially as North African-based terrorist groups have become a major focus since the March 11 train bombings in Madrid. The Spanish investigation into those attacks has focused on the Moroccan Islamic Combatant Group, which allegedly has links to Al Qaeda.<sup>22</sup>

### ***Continuing Threats***

Shortly after the US Department of State issued a public announcement warning of the continuing threat of violence against US interests and transportation, including maritime interests, in North Africa, Arabian Peninsula, Red Sea and Persian Gulf, an Al Qaeda attack took place in April 2004, against an oil terminal near Basra, Iraq. The attack killed two US Navy sailors and one US Coast Guardsman, injured five, and damaged the terminal, shutting it down for two days, costing nearly 40 million dollars in lost revenues, highlighting the maritime strike capability of Al Qaeda in the Persian Gulf. Claiming responsibility for the attack, a top Al Qaeda terrorist, Abu Mussab al Zarqawi, boasted of

<sup>19</sup> David Osler, “The cost of ISPS”, *Lloyds List*, 22April 2004.

<sup>20</sup> Andrew Koch, “US Is Now Set To Turn The Focus On African Security”, *Jane's Defence Weekly*, 21 April 2004, p.6.

<sup>21</sup> Charles Cobb Jr., “General Sees Expanding Strategic Role for US European Command In Africa”, *allAfrica.com*, 15 April 2004.

<sup>22</sup> Brian Whitmore, “US pushes antiterror alliance for North African nations”, *Boston Globe*, 11April 2004.

using three rubber dinghies packed with explosives driven by suicide bombers, reminiscent of the attacks against the USS Cole and M/V Limburg.

Another attractive target for maritime terrorists is the August 2004 Olympic games in Athens. The port of Piraeus, which is the busiest in Europe and third largest in the world, will be the temporary home for about 13,000 visitors, state officials and dignitaries aboard at least eight cruise ships, including the Queen Mary 2. The port is needed for the Olympics because of a severe hotel shortage in Athens. The NATO Standing Naval Force Mediterranean is expected to patrol the outer borders of Greece to the east, west and south of Athens.<sup>23</sup> This operation will coincide with the five-nation Black Sea Naval Cooperation Task Group (Blackseafor) joint naval exercises off the coasts of Georgia and Bulgaria in August 2004. Blackseafor was established in 2001 following a 1997 proposal by Turkey to create a naval task force for humanitarian and environmental purposes, and consists of Russia, Ukraine, Romania, Bulgaria and Turkey. NATO Allied Naval Forces Southern Europe is also involved and intends to familiarize Blackseafor with NATO strategies for dealing with international terrorism in the Black Sea region.<sup>24</sup> The mining of the Georgian Black Sea port of Batumi, which handles 60 percent of the Caspian oil exports, during a May 2004 crisis between the autonomous Ajarian government and Tbilisi, highlighted the volatile political environment around the Black Sea and how easily it could hurt maritime shipping.

### ***The Bosphorus***

A chokepoint in Black Sea security is the Bosphorus Strait, a 17-mile long waterway, which divides Asia from Europe and connects the Black Sea with the Mediterranean Sea, providing the sole sea outlet for Bulgaria, Romania, Georgia, Ukraine and southern Russia. The end of the Cold War has shaken the military balance of the region, and with the appearance of new states, has transformed the Black Sea from a “landlocked” to an “open” sea.<sup>25</sup> Only half a mile wide at its narrowest point, the Bosphorus is one of the world's busiest and most difficult-to-navigate waterways. In January 1996, nine pro-Chechen gunmen (six Turks of Abkhaz origin, two Chechens, and an ethnic Abkhaz from Georgia) hijacked a Turkish ferry in the Black Sea and kept 255 passengers and crew hostage for three days. The hijackers threatened to blow up the vessel and their hostages, but the ordeal ended quietly off Istanbul following protracted negotiations between the hijackers and Turkish authorities. Turkish intelligence sources believe that in order to bring attention to the Chechen cause, the hijackers had earlier considered sabotaging one of the two suspension bridges over the Bosphorus with explosives, to bring down the bridge, and close the Strait to traffic.

Thousands of tankers cross the Bosphorus every year, carrying hazardous cargo such as crude oil, liquefied petroleum gas, and industrial chemicals. In 2001, the Russian Duma passed a bill to transport 20,000 tons of nuclear waste originating in Europe over a ten

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<sup>23</sup> Miron Varouhakis, “Commercial port becomes fortress for Olympics”, *Associated Press*, 19 April 2004.

<sup>24</sup> “As the Atlantic Alliance looks east”, *Itar-TASS*, 7 April 2004.

<sup>25</sup> “The role of NATO in the security of the Black Sea region”, *Black Sea Trend Review*, Vol.2, No.5, (Autumn 2003), p.46.

year period through the Turkish Straits, despite the Russian opposition parties' concern about possible terrorist attacks against the vessels carrying the radioactive waste. Six accidents occur on the Bosphorus every one million-transit miles (nine and a half per kilometer), twice the accident rate of the Suez Canal. Unlike the Suez Canal, which largely cuts through desert, the Bosphorus flows through a city of 12 million, dramatically increasing the danger if a ship, especially an oil tanker, crashes. Given predictions that the a number of tankers crossing the Bosphorus will increase by at least 50 percent before 2010, Turkey is introducing new controls on tankers, including an electronic Vessel Traffic Management and Information System (VTMIS). One can easily imagine that a deliberate terrorist attack against a vessel would cause mass casualties in the crowded metropolis of Istanbul.

### *Conclusion*

According to the UN Charter, regional organizations, such as NATO, are permitted to take measures to secure their regions. US Defense Secretary Donald H. Rumsfeld has said that "the United States would mount a maritime interdiction effort anywhere the benefits outweighed the costs."<sup>26</sup> But the NATO navies are still mostly configured for the Cold War, which means that they have a maritime surveillance capability that was designed to keep track of a few hundred big Soviet warships, hardly suited to gather intelligence on terrorists using rubber dinghies.<sup>27</sup> In order to overcome this deficiency, NATO and friendly nations need to create an intelligence network to monitor the world's main shipping lanes, providing a more coherent, fused intelligence position, so that NATO efforts in the maritime dimension are intelligence-led, instead of searching for a "needle in a haystack".<sup>28</sup>

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<sup>26</sup> Mark J. Valencia, "Pressing for sea change", *The Washington Times*, 24 August 2003.

<sup>27</sup> "Terror lurks on high seas", *The New York Daily News*, 21 September 2003.

<sup>28</sup> Balmer (2004).