

Maritime Security – A Civil-Military Approach

Dick Zandee

Illegal immigration, terrorism, cross-border crime such as human trafficking but also illegal arms trade and drugs transfers, and, last but not least cyber attacks. These are major threats, risks or challenges to our security today, not an invasion of tank armies, naval flotilla's or massive aerial bombardments.

These security challenges often originate from instable areas or conflict zones such as we witness today in the Middle East and Northern Africa. Thus, external and internal security can no longer be treated in isolation from each other.

Security has become a much wider concern than in the days of the Cold War.

The security environment changed in particular at 9/11 – the terrorist attacks in the United States in 2001 – followed by the metro bombings in subsequent years in Madrid and London. Al Qaida has been a major factor for redefining security.

'Terrorism doesn't recognise borders' became a well-known one liner to express that security abroad and at home were not separable anymore. Homeland defence got all attention in the United States – even today this is still very visible in the HBO series 'Homeland'.

In Europe the proliferation of terrorism and extremism gave impetus to step up international cooperation in the area of internal security, in EU jargon the area of Freedom, Security and Justice or perhaps better known as the Justice and Home Affairs sector.

And increasingly this sector became a communitarian matter, as all other sectors of government already were, except foreign policy and defence.

The European Security Strategy of 2003, updated in 2008, recognised the growing interaction between external and internal security. The same applies to the EU's Internal Security Strategy of 2010 or other policy documents.

In parallel nations started to adapt their national security strategies. 'Whole-of-government' became the new buzzword. It implies that all relevant ministries, bodies and agencies coordinate closely, both for activities related to internal security as well as for operations abroad (the *comprehensive approach*).

Prime examples of such integrated approaches are the British National Security Strategy (2010) and the Spanish Security Strategy (2011).

But this development of amending national security strategies has not consistently taken place across Europe. Today, many nations still lack a whole-of-government approach, while countries like the UK are struggling with its implementation.

In the EU, equally progress in translating theory into practice has proven to be difficult and time-consuming.

Why?

Two factors explain the slow speed of progress.

First, the division of legal responsibilities. This is already difficult at the national level – who is responsible for what aspect of security? – but it becomes even more problematic at the EU level due to the separation of intergovernmental (external crisis management) and communitarian legal responsibilities for internal security.

One could also say that the EU's structure in terms of legal separation of responsibilities is outdated and runs contrary to the requirements of an integrated approach to deal effectively and efficiently with the new security environment.

But legal arguments alone cannot explain the difficulties of implementing a whole-of-government approach.

The second reason for slow progress is bureaucratic and cultural resistance.

In most capitals the Justice and Home Affairs sectors resist in particular civil-military cooperation as they fear a 'militarisation' of internal security policies and arrangements.

On the other hand, many Ministries of Defence are still hiding themselves in their traditional culture of 'secrecy' and a mentality of 'it has to be done the military way' – which, no doubt, has to be applied in warfare, but not necessarily in support of activities of civilian internal security actors.

As the various ministries feed EU policies and decisions in stove-piped Council formations, we can witness comparable problems at the Brussels level.

But not all news is bad. There are positive developments.

One can witness increasing efforts, by the EU High Representative, by the European Commission and by the European Defence Agency (EDA), to harmonise the needs and requirements for external and internal security actions and capacities.

Different actors for external and internal security have started to talk to each other in combined meetings. Internal security concerns, like terrorism or international crime, are more and more taken on board when launching and conducting EU operations and missions in crises areas such as the Horn of Africa or the Sahel.

For the development of capacities, the EDA and the European Commission have stepped up their efforts to combine requirements for dual-use assets such as unmanned aircraft, CBRN detection & counter-measures, transport and communications – just to mention a few.

Furthermore, the December 2013 European Council has underlined the external-internal link and has underscored the importance of connecting civil and military needs and capacities through practical steps. Several projects, such as for European dual-use unmanned aircraft, cyber and others have been blessed by the EU Heads of State and Government – be it with the notion that member states will own the assets for military use.

Timelines for delivery have been added and the European Council will review progress by mid 2015.

All of this is important for maritime security, which has also been identified by the European Council as an important sector for both external and internal security in the wider sense.

For that reason the EU Heads of State and Government have now set a clear deadline for the delivery of the EU Maritime Security Strategy. The High Representative and the Commission have to deliver the Strategy early in 2014 in view of Council approval in June.

By then, it will be more than four years after the Council provided its first guidelines for elaborating such a Strategy. It has taken four years because – here we have a practical example ! – the external and internal security actors (in Brussels and in capitals) were engaged in turf battles who would have the lead and the prime responsibility.

Let's hope the European Council's intervention will indeed lead to the release of the first ever EU Maritime Security Strategy.

Such a Strategy is much needed to provide the overall umbrella for steering the EU's activities in the maritime area, combining the military and civilian security driven interests.

What are these interests?

A detailed study on maritime security conducted for the European Parliament's Subcommittee on Security and Defence last year listed six emerging challenges:

- first: failed and collapsed states in the EU neighbourhood - indeed, one can witness an increasing number of these in Northern Africa and the Middle East;
- second: international terrorism – which despite the interventions in Iraq and Afghanistan seems to flourish as instability is spreading to Europe’s southern and south-eastern borders;
- third: piracy – which might be under control near Somalia after several years of naval anti-piracy operations but is increasing rapidly in the waters adjacent to Western Africa;
- fourth: illegal immigration – tens of thousands immigrants tried to reach EU territory last year, mainly across water in the Mediterranean and by land and sea to Greece and Bulgaria; sometimes these immigration flows included hidden extremists connected to terrorist groups;
- fifth: transnational crime – again networks are using instability in certain countries and regions such as the Sahel to increase their activities; major drugs trafficking routes now run from northern Latin America through instable parts of North Africa to Europe;
- sixth: environmental security risks – a particular concern in the maritime area due to the devastating effects pollution can have to the quality of the sea water (relevant for fisheries, tourism and other important activities) and the coastal areas.

Clearly, this list shows how maritime security has to be defined in terms of broader security interests.

It also implies that the actors involved – the navies, the sea transport sector, fisheries, environment and those responsible for dealing with crime, immigration and other law and order activities – will have to cooperate more closely, nationally, regionally and at the European level.

In the short term the most important area for stepping up civil-military cooperation is information exchange – simply because maritime security is highly dependent on maritime surveillance data.

Because of stove-piped approaches in the past there exists today a multitude of information exchange networks. Navies, fisheries, environmental agencies, douane, police, port authorities and the transport sector – very often they communicate data in stand-alone networks which are also separated across national borders.

According to research conducted by the European Commission there are about 400 public authorities across Europe responsible for maritime surveillance data exchange, handled by 20 different systems.

As data exchange between the different user communities is limited, some 40 to 90 percent of the information is not yet made available to all of them.

The consequences are easy to predict: none of the actors has a complete picture, actions by the relevant authorities remain often uncoordinated and taxpayer's money is wasted by overlapping investment in radars, ships or surveillance aircraft.

The Clingendael Report *Civil-Military Capacities for European Security* dedicates a chapter to maritime security. Three national cases are

discussed: Germany, the Netherlands and the United Kingdom. Their policies and instruments for maritime security are all different, due to specific national circumstances.

Germany has begun to set up a centralised national maritime surveillance data network, lead by the Federal Ministry of Transport. Its aim is to get a better grip on maritime security issues as some responsibilities lie at the level of the 'states' (the *Länder*) – such as police activities in coastal waters.

There is also little connectivity between the German Navy and the civilian authorities responsible for maritime security. Here geography and history play an important role. The overall security mindset in Germany is very much continental and land-oriented.

The German Navy is not integrated into the new Maritime Safety and Security Centre (the new German coast guard centre), but only has a liaison officer.

Another important factor is Germany's reluctance to use 'hard power' in security operations. There is strong political and bureaucratic opposition to mix civilian and military security actors and, therefore, to combine their assets.

The Netherlands has separated strategies for internal and external security, but it has a completely integrated civil-military coast guard.

The organisation is civil, but the Director of the Coastguard Centre – located at the main naval basis in Den Helder – is always a commander of the Royal Netherlands Navy. Vessels and air assets are owned by several ministries, but often flown by navy or air force pilots.

The Dutch maritime surveillance data exchange network is completely integrated, combining all governmental information sources, including those from the law enforcement agencies. An underlying information protocol has been signed by all relevant ministries – including Defence – which proves that the legal barrier for sharing information between civilian and military authorities can be overcome.

Finally, the United Kingdom. London has the right theory in place – the 2010 National Security Strategy with its whole-of-government approach – but has difficulties in implementing it.

Civilian security ministries and agencies are fighting about competencies. The Ministry of Defence has still acted in relative isolation when it took the decision to disband the Nimrod maritime surveillance aircraft in 2010.

As a consequence the UK lost its capacity for long-range maritime surveillance, which due to the geographic position and the interests of the country has been regarded by the British parliament as a severe loss.

The Ministry of Defence will have to reconsider how to close the capability gap in the next strategic defence and security review in 2015.

The three national examples show that there is a wide variety of policies and practices.

Naturally, this is important for the efforts to create synergies in maritime surveillance data exchange at the EU level.

Progress has been made in this area by the European Commission – in the context of the Integrated Maritime Policy, which recognises the important role of the navies for maritime security – and also by the European Defence Agency.

EDA is developing a European MarSur data exchange network, based on a more limited five nations pilot which was successfully tested in 2011.

There are also functioning regional networks in the Baltic Sea – with participation of all coastal states except Russia – and for the Mediterranean as well as the Black Sea.

The challenge is now to connect them all into a network of networks.

As the EDA Wise Pen Team of five retired admirals concluded in 2010, this is not so much a technological challenge but an issue of mind-set. The major requirement – according to the admirals – is to change mentality from a “need to know” to a “need to share” attitude.

It would fit in the European Council’s call to connect external and internal security actors.

It would also be an opportunity to increase the role of the well-functioning European Maritime Safety Agency-EMSA, located in Lisbon.

EMSA has already a proven record in collecting and distributing maritime surveillance data from multiple sources, on land, at sea and in space by satellite reconnaissance.

It would not be too difficult to connect the maritime surveillance information networks of European navies - even with secure data handling restrictions.

Again, technically this can be done – and in fact it has already been proven for the EU naval anti-piracy operation Atalanta, for which EMSA has developed the Marsurv-1 integrated maritime data exchange system.

But Marsurv-1 has been the exception. It is an ad hoc measure. For structural maritime surveillance data exchange with the navies the Council would have to take specific decisions. This brings the matter back from the practical level to the political level.

The approval of the EU Maritime Security Strategy will have to come first. Once the overall strategic framework has been agreed – let's assume with the right content – then implementation of various practical elements through an action plan will be feasible in the foreseeable future.

For example, European navies, now contributing to operations of the EU border control agency Frontex on an ad hoc basis, could coordinate the availability of assets, for example in rotation stand-by readiness rosters like they exist for EU Battlegroups.

European coastal states could also increase their bilateral and regional defence cooperation to step up integration for maritime security purposes.

One could imagine maritime patrol aircraft being pooled for areas like the Baltic Sea, the North Sea, the Atlantic Approaches and the Mediterranean.

The same could be done with coastguard assets, search & rescue and medical services related to the seas adjacent to Europe.

There is huge potential for creating synergies between external and internal security actors, between civilian and military capacities for European security, including maritime security.

We should use the opportunities and possibilities, not driven by European idealism or wishfull thinking, but out of necessity to combine available resources, information, vessels, aircraft and other maritime assets for monitoring, guarding and guaranteeing Europe's security.