

NATIONAL MARITIME SECURITY STRATEGY

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GOBIERNO
DE ESPAÑA

PRESIDENCIA
DEL GOBIERNO

NATIONAL MARITIME SECURITY STRATEGY



THE PRIME MINISTER

The sea contributes significantly to the development and prosperity of nations. Nowadays a great many of the needs of our globalised world are met by the seas and oceans. Scientific and technological advances coupled with the progressive implementation of new concepts of use, such as that of «motorways of the sea» developed in the field of maritime transport, make the seas a rich source of opportunities.

Spain is a maritime nation on account of its geographical makeup, its history and the role we consider the sea should play in our future. Our prosperity and well-being largely lie beyond our coastlines. Our fishing tradition, our dependence on maritime transport for energy supplies and foreign trade, and our rich biodiversity are some of the elements that underpin Spain's maritime vocation.

The very characteristics of the maritime domain also greatly facilitate its utilisation for illegal purposes or may simply hinder its free use in the advancement of legitimate interests. It is therefore an ambivalent space that offers many opportunities for prosperity and development, but the difficulty of controlling it is conducive to the emergence of risks and threats to our security.

This difficulty of controlling it, coupled with the strategic and economic importance of the present and future uses of the sea, entail a growing need for security, as is recognised by the recently adopted National Security Strategy, which establishes maritime security as one of its areas of action.

Conscious of the challenge this entails, the international community is striving to increase maritime security using the best instruments available for the purpose: international Law, cooperation between States and organisations, and coordinated responses to realities which are transnational and, as such, beyond the capabilities of a single country.

Spain has been enhancing its maritime security by increasing human and material resources and stepping up coordination between the departments and organisations responsible. Nevertheless, on the basis of accumulated experience, it is necessary to carry on progressing towards a better guarantee of maritime secu-

THE PRIME MINISTER

riety. The complexity of this domain, in which many public and private actors are involved, heightens the need for this sector to have a Strategy of its own that explains these particular characteristics and defines the best means of providing a response to them in the framework of the National Security System.

The National Maritime Security Strategy is based on an analysis of our environment, reflects our maritime security interests and their vulnerabilities, establishes shared objectives and defines lines of action aimed at orienting the use of all available means to serving those objectives, both at the time of the response and in anticipation and forward planning. It creates an institutional framework for encouraging and facilitating cooperation between the different organisations and for including the private sector when appropriate. The participation of the private sector will allow a truly comprehensive approach to today's and tomorrow's maritime security.

The National Maritime Security Strategy is the result of praiseworthy institutional cooperation and understanding. The commitment shown in drafting the Strategy will likewise inspire the implementation of the agreed lines of action. With determination, strategic vision and institutional loyalty, we will be capable of providing the best service to our citizens, working to protect a space of huge importance to Spain's future.



Mariano Rajoy Brey
Presidente del Gobierno de España

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Executive Summary

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The National Maritime Security Strategy develops the provisions set out in the National Security Strategy of 2013 and adapts them to the special requirements of the maritime domain, in line with other strategic instruments in the international environment.

The document is structured into four chapters. **The first**, entitled **a comprehensive vision of maritime security**, is based on the singular nature of the sea and its security implications. It reports the international initiatives in the field of maritime security, including the principal legal instruments and bases for the exercise of State responsibilities at sea. It describes the coordination and cooperation processes within universal and regional organisations, focusing in particular on the action of UN, NATO and the European Union. With respect to the international agenda, it underlines the existing connection between maritime security and economic development and wellbeing, as well as the response which has been given to illicit uses of the sea that are transnational in nature and the threat they pose to the peaceful use of the seas and oceans.

The chapter goes on to concentrate on Spain and lists the factors which contribute to the importance of maritime security in our nation, especially its geographical location, the socioeconomic significance of the sea and maritime flows in which Spain is involved. The Strategy lists the national maritime security interests and underlines the cross-cutting nature of some of the risks and threats posed to those interests, with the consequent response coordination requirements.

The **second chapter** sets out to describe the **risks and threats to national maritime security**. The Strategy proposes drawing a conceptual distinction between risks or threats posed by deliberate actions directed against National Security in the marine environment and others arising from the danger intrinsic in any human activity carried out at sea. Furthermore, in consonance with the National Security Strategy of 2013, in this chapter the National Maritime Security Strategy deals with factors that are risk multipliers, including, together with those envisaged in the National Security Strategy of 2013, others such as the regime of freedoms of the seas, the

physical extension of the marine environment and pending maritime delimitations.

The first category of risks and threats is generically entitled 'unlawful acts against maritime security' and includes illicit trafficking in transit or bound for Spain, piracy, terrorism, the proliferation of weapons of mass destruction, seaborne irregular immigration and smuggling of migrants, the illegal exploitation of marine resources and the destruction or degradation of the marine environment, acts against underwater cultural heritage and, lastly, cyber threats.

Risks or threats arising from conditions inherent in the environment are maritime accidents and natural disasters.

The **objective, principles and lines of action** of the Strategy are addressed in the **third chapter**, which begins by presenting Spain's vision of maritime security as a concerted action of anticipation, prevention and response to risks and threats that are cross-cutting or so great that they exceed the responsibilities of a single actor, and whose ultimate aim is to contribute to the full use of the sea to the benefit of Spain's wellbeing and prosperity.

The objective of maritime security, a wide-ranging security policy in this field, is taken from the National Security Strategy of 2013, which also sets forth the basic principles applicable to maritime security: unity of action, anticipation and prevention, effi-

cient and sustainable use of resources, and resilience or the ability to resist and recover.

In accordance with the abovementioned objective and principles, five lines of strategic action are established. The first involves adopting a comprehensive approach that fosters coordinated and cooperative action of the different authorities in solving the problems that affect maritime security and includes shared knowledge of the maritime environment and operational cooperation between the different departments. The second refers to the adoption of effective and efficient measures in an optimal use that makes the most of available resources. The third line of action involves fostering international cooperation, and the fourth collaboration with the private sector. Finally, the fifth line of action calls for improving cyber security in the maritime environment.

The **fourth** and last **chapter** deals with **maritime security in the National Security System** and establishes the organisational structure for maritime security. Under the direction of the Prime Minister, the structure is composed of three bodies. One already exists – the National Security Council, as the Delegated Commission of the Government for National Security – and two are new: the Specialised Maritime Security Committee, which will support the National Security Council by assisting the direction and coordination of the National Security Policy in maritime security matters

and by strengthening coordination, cooperation and collaboration among Public Authorities and between them and the private sector; and the Specialised Situation Committee which, with the support of the Situation Centre of the National Security De-

partment, will manage maritime security crisis situations which, on account of their cross-cutting nature or extent, exceed the response capabilities of the usual mechanisms. The two Specialised Committees will act in a complementary manner.

A comprehensive
vision of
maritime
security

Chapter 1

**A comprehensive vision
of maritime security**

Chapter 1

A comprehensive vision of maritime security

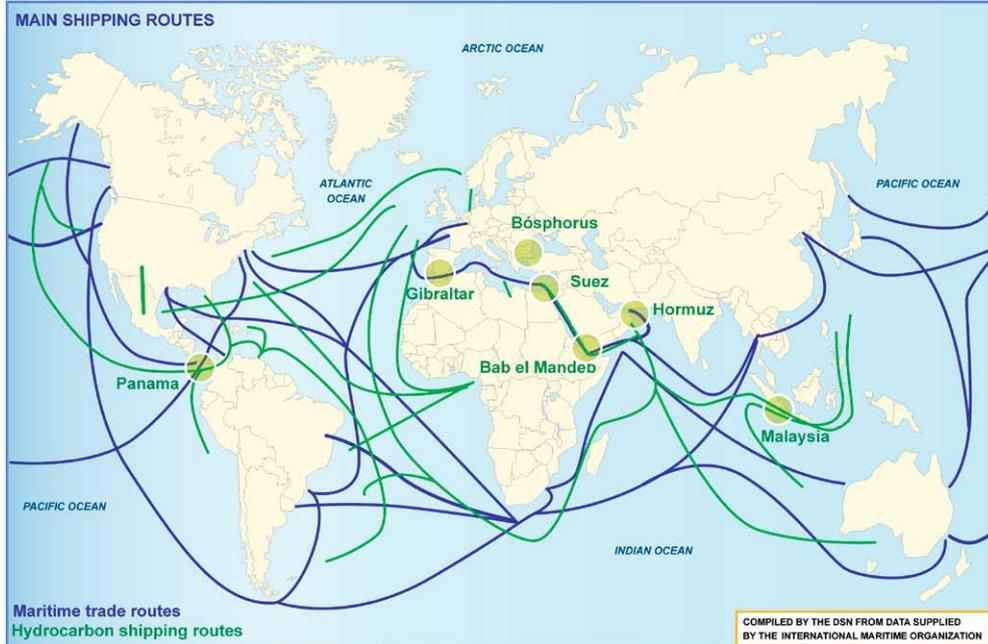
The sea possesses a number of inherent characteristics of its own that are so particular that any issue or dimension relating to this environment needs to be dealt with specifically. Security is no exception.

Spain, as a maritime nation, is well aware of the implications the security of the sea holds for the normal functioning of the country's social life and economy, hence the need for a specific vision of the security of maritime areas.

Maritime security on the international agenda

The international community, shaken by global phenomena such as illicit maritime trafficking, acts of violence against navigation, degradation of the marine environment and the effects of natural disasters, has recognised the need to establish norms for regulating the response to these challenges in a universally used space like the sea. The transnational nature of these and other risks and threats, and the vital contribution the sea makes to nations' prosperity and security, have spurred the emergence and development of an international Law of the sea which, based on the sharing of responsibilities among different States, is the reference on which cooperation initiatives aimed at facilitating the best common use of the opportunities provided by the sea are built.

“There is a close link between the security of the seas and the development and economic wellbeing of whole societies”



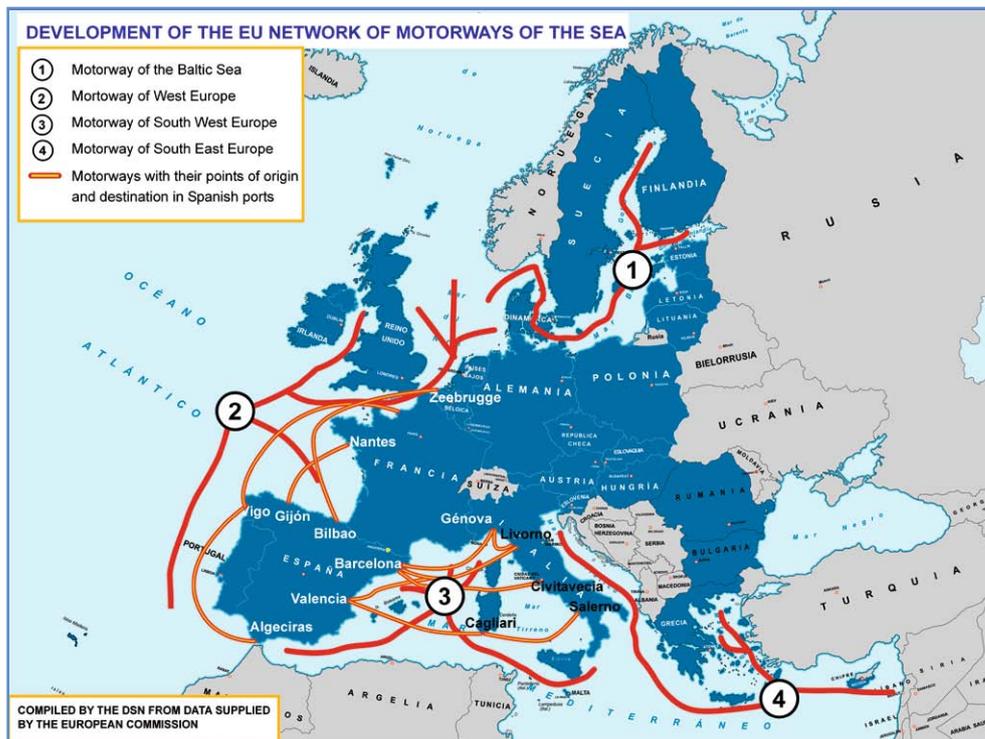
Map 1: Main shipping routes

The United Nations Convention on the Law of the Sea of 1982 is the main international legal framework for marine areas. The rights and obligations which the Convention attributes to coastal states over the different marine areas off their coasts (internal waters, territorial sea, continental shelf and exclusive economic zone) and the rules and principles governing the use of areas beyond State jurisdiction are the point of departure for any effort, domestic or international, aimed at addressing the challenges of maritime security.

Against this backdrop, the various international processes of coordination and cooperation in the field of maritime security are based on acceptance of the importance of the world's seas and oceans to the wellbeing and prosperity of the people that depend on them. This close link between the security of the seas and the development and economic wellbeing of whole societies is reflected in documents of global organisations such as the United Nations – annual resolutions of the General Assembly on oceans and the Law of the sea – and in those of its specialised agency, the International Maritime Organization (IMO).

In addition, regional organisations of which Spain is a member have developed strategies based on the close interdependence between maritime security and broader interests; such is the case of the NATO with its Maritime Strategy of 2011, and the EU, which has been working on a European Strategy for Maritime Security since 2010.

“The peaceful enjoyment of maritime areas, maritime trade routes, the connection between energy supplies and protection against pollution and the economic value of fisheries are examples of the importance of maritime security to the globalised world”



Map 2: Development of the EU network of motorways of the sea

The peaceful enjoyment of maritime areas, maritime trade routes, the connection between energy supplies and protection against pollution, and the economic value of fisheries are cited in many of these texts as examples of the importance of maritime security to the globalised world.

But the protection of the sea and its users is also cause for international concern owing to the increase in illicit uses of this space. Its physical conditions make it a particularly conducive environment for activities that seek to evade the authority of States, or from that space, aim to undermine it. Transnational phenomena such as terrorism, organised crime and the proliferation

of weapons of mass destruction, sometimes interrelated, have an undeniable maritime dimension and as such are addressed by the relevant organisations in the field of maritime security. The IMO is fully committed to incorporating aspects of physical protection of vessels and ports into its regulations and has established mechanisms for cooperation with other international agencies that engage in activities related to the sea, such as the UN Food and Agriculture Organization (FAO) and the International Labour Organization (ILO).

“The complex and cross-cutting nature of threats to maritime security has made it necessary to adopt comprehensive approaches based on cooperation among the actors with responsibilities in this field”

The complex and cross-cutting nature of threats to maritime security, which is witnessed only too often in crises of varying kinds, has made it necessary to adopt comprehensive approaches based on cooperation among the actors with responsibilities in this field.

In this process of coordination and good governance of maritime security, which is dynamic and open, States play a prominent role in accordance with their responsibilities and resources. The committed involvement of countries like Spain, whose national interests have a clear maritime dimension, is indispensable.

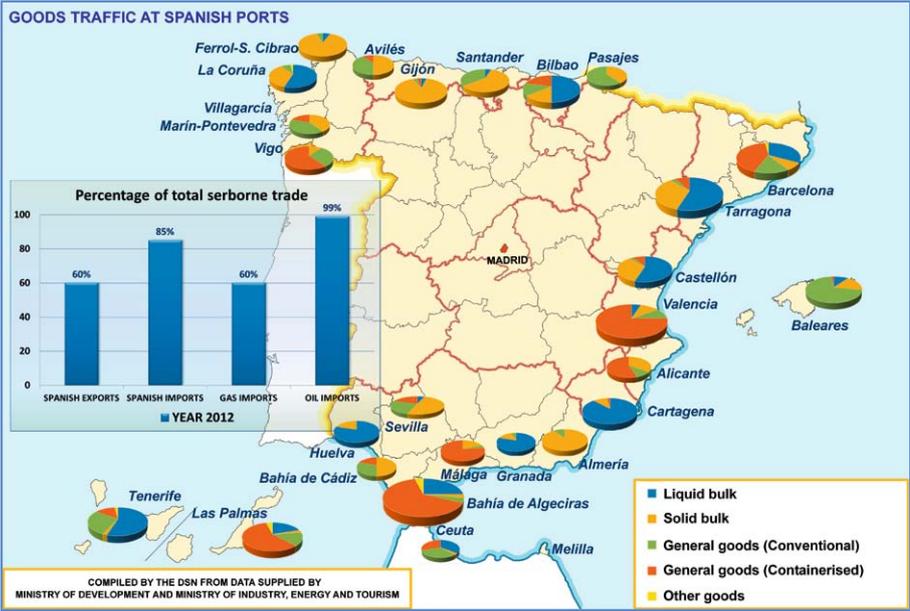
Maritime security, an essential element of Spain’s National Security

The above considerations concerning the global scope fully apply to a maritime nation like Spain – a characteristic determined by its geographical location, its dependence on maritime links and the importance of the maritime sector in the national economy. In addition, maritime connectivity between the mainland and the islands and the Autonomous Cities of Ceuta and Melilla is one of the pillars of Spain’s geopolitical structure.

Owing to the intense economic activity concentrated in the coast and waters and the high volume of maritime traffic around Spain's periphery, our nearly 8,000 kilometres of coastline and adjacent waters are exposed to damage such as that which is caused by pollution of maritime origin.

“Spain is thus a maritime nation in the fullest sense of the word”

In addition, we are adjacent to one of the straits with the highest level of maritime traffic in the world (with an average of 300 vessels per day); we are wholly dependent on other countries for our supplies of hydrocarbons, which we largely import by sea; as the southern border of the European Union, we have responsibilities in preventing illegal flows bound for Europe; as a traditional fishing nation, we have some 9,700 vessels operating in national waters alone; in short, being responsible for protecting human life and secure navigation in an area equivalent to three times our land surface, we perform a task from which not only the ships flying our flag benefit but also the international community as a whole. Spain is thus a maritime nation in the fullest sense of the word.



Map 3: Goods traffic at Spanish ports

As a result, Spain is particularly exposed to maritime risks and threats, as the National Security Strategy of 2013 recognises.

Its maritime security dimension entails a good many **national interests** which should be taken into account:

- compliance with national legislation and International Law in maritime areas under our sovereignty and jurisdiction, and respect for international rules on the high seas, in adherence to Spain's international commitments;
- protection of human life at sea;
- freedom and security of navigation;
- maritime trade and transport;
- the shipping industry and other maritime industries;
- the security of ships flying the Spanish flag (merchant, fishing and recreational fleets)
- ports and maritime infrastructures, including off-shore facilities, oil pipelines, underwater pipelines and submarine cables, as well as critical infrastructures located along the coastline;
- marine resources (living and non-living resources);
- the marine environment;
- underwater archaeological heritage.



Figure 1: National interests in their maritime security dimension

These multiple interests intersect with certain risks and threats to maritime security which are cross-cutting in nature or grow to such an extent that they exceed the capabilities or responsibilities of a single actor. When this occurs the principle of unity of action, which is central to the National Security System and, by extension, to Maritime Security Policy, requires the coordination of different parties and, accordingly, structures that facilitate such coordination.

Furthermore, it has already been stated that the comprehensive dimension of maritime security is present in international efforts in this field; domestic coordination is therefore essential to defining Spain's national position in forums devoted to the good governance of the seas and oceans.

Risks and threats to national maritime security

Chapter 2

**Risks and threats
to national maritime security**

Chapter 2

Risks and threats to national maritime security

The National Security Strategy of 2013 envisages a general catalogue of risks and threats to National Security which, owing to the special characteristics of the maritime domain, require a conceptual adaptation effort when applied to this environment.

Two main groups of risks and threats at sea can be distinguished according to their origin. The first type of risks and threats capable of affecting maritime security would include those **arising from deliberate acts of a criminal nature**. Prominent among these for their potential effects on National Security are illicit trafficking – which is generally supported by organised criminal networks –, terrorism, the proliferation of weapons of mass destruction, seaborne illegal immigration, the illegal or unregulated exploitation of marine resources, intentional destruction and degradation of the marine environment, acts against the underwater cultural heritage and cyber threats.

“Two main groups of risks and threats at sea can be distinguished: those arising from deliberate acts of a criminal nature and those which are accidental and explained by the behaviour and natural conditions of the environment”

The second type is accidental or fortuitous risks and threats which are explained by the **behaviour and natural conditions of the environment** and are therefore consequential to man's very contact with the sea. Protecting human lives at sea, ensuring the security of navigation and safeguarding the marine environment from the effects of maritime accidents or natural disasters are a responsibility of each and every one of the coastal states under International Law, especially through the Convention on the Prevention of Marine Pollution by Dumping, the International Convention for the Safety of Human Life at Sea, the International Convention on Maritime Search and Rescue and the EU Directive establishing a framework of community action in the field of marine environmental policy (EU Marine Strategy Framework Directive).

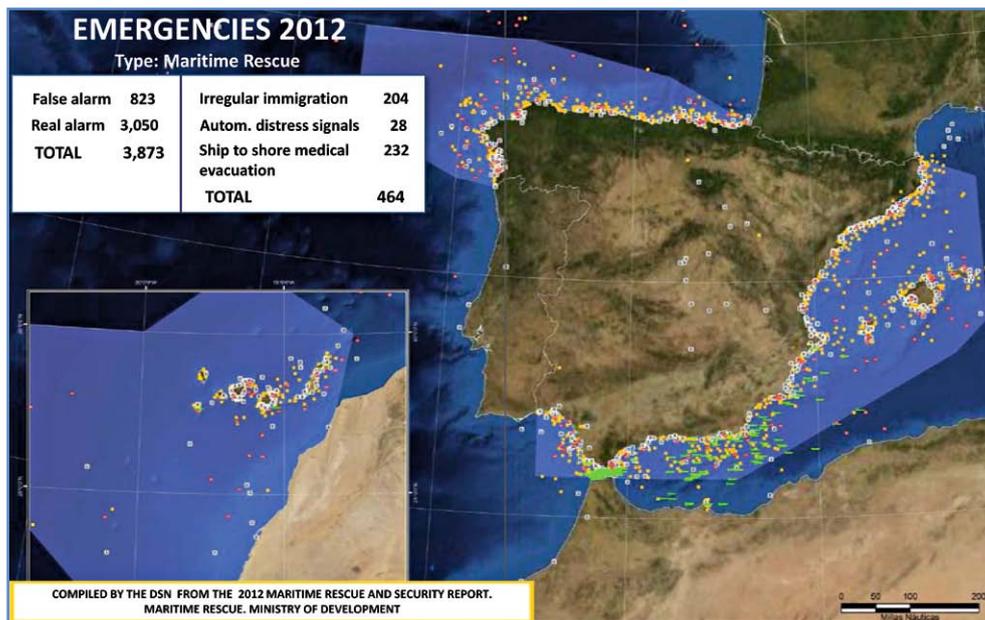
In accordance with this classification of risks and threats depending on whether or not their cause or origin is deliberate, this Strategy distinguishes, on the one hand, between illicit acts against maritime security and, on the other, maritime accidents and natural disasters.

In addition to the abovementioned risks and threats, it is possible to identify **factors** which, although not direct risks and threats to maritime security in themselves, **may contribute to their appearance**. The National Security Strategy of 2013 generally envisages poverty, inequality, ideological extremism, demographic imbalances, climate change and the harmful use of new technologies as **risk multipliers**. In this connection the group of freedoms applicable to the high seas and the vastness of the area it covers mean that a legal system based chiefly on the jurisdiction of the State whose flag a ship flies is insufficient. This situation is therefore conducive to the emergence of risks and threats which may appear at sea.

Other factors that may give rise to risks or threats are unsettled maritime boundaries with neighbouring countries – a situation which is not uncommon in marine areas. In this regard, Gibraltar poses security problems to Spain and Europe in various fields, which require effective solutions in accordance with the parameters established by the United Nations and enshrined in the 1984 Brussels Declaration, agreed by the Spanish and British governments.

“it is possible to identify factors which, although not direct risks or threats to maritime security in themselves, may contribute to their appearance”

The risks and threats envisaged here can emerge in areas under Spanish sovereignty and jurisdiction and beyond, in which case the response depends on the international commitments undertaken by Spain.



Map 4: Maritime emergencies in 2012

A. ILLICIT ACTS AGAINST MARITIME SECURITY

1. Illicit trafficking

Illicit trafficking in a broad sense is one of the most serious risks and threats to National Security owing to its direct consequences not only for the State, which must devote significant resources to preventing and suppressing these activities, but also for the everyday life of citizens who suffer the impact of these flows from the sea. To the extent that this illicit trafficking is mostly transnational and its response involves many actors, it should be addressed on the basis of cooperation, both national and international.

Illicit trafficking is also common at sea. The growing intensity of global shipping flows and the inability or unwillingness of certain States to effectively exercise their authority on land, and by extension at sea, have led to the increasing use of this domain by organised criminal networks for conducting criminal activities.

Drug trafficking graphically illustrates the severity of the impact of this phenomenon: each drug shipment arriving at the Spanish coasts not only draws specific people and destroys the environment of many families, but also contributes to increasing insecurity in certain areas of our towns and cities and is a burden in terms of response measures.

Other types of trafficking more similar to smuggling have a direct impact on government revenue and violate the rules of competition, thereby causing considerable economic damage.

The importance of container shipping should be stressed in connection with illicit trafficking. Its use has become widespread and it accounts for the largest part of world seaborne trade. According to the United Nations Conference on Trade and Development (UNCTAD), the estimated volume of container trade amounts to approximately 1.4 billion tons. In addition, 52% of the dollar value of maritime cargo is containerised.

The widespread use of containers in maritime transport and the large volume of containers in world seaborne trade make them difficult to control. These factors facilitate the use of this environment for illicit trafficking. The adoption of appropriate security standards without detriment to the needs of the logistic chain is one of the main challenges in this field.

Spain is located in one of the major world container shipping areas, the ports of Barcelona, Valencia and Algeciras being particularly important; this maximises the need for a comprehensive analysis of this phenomenon.

“Spain is located in one of the major world container shipping areas; this maximises the need for a comprehensive analysis of this phenomenon”

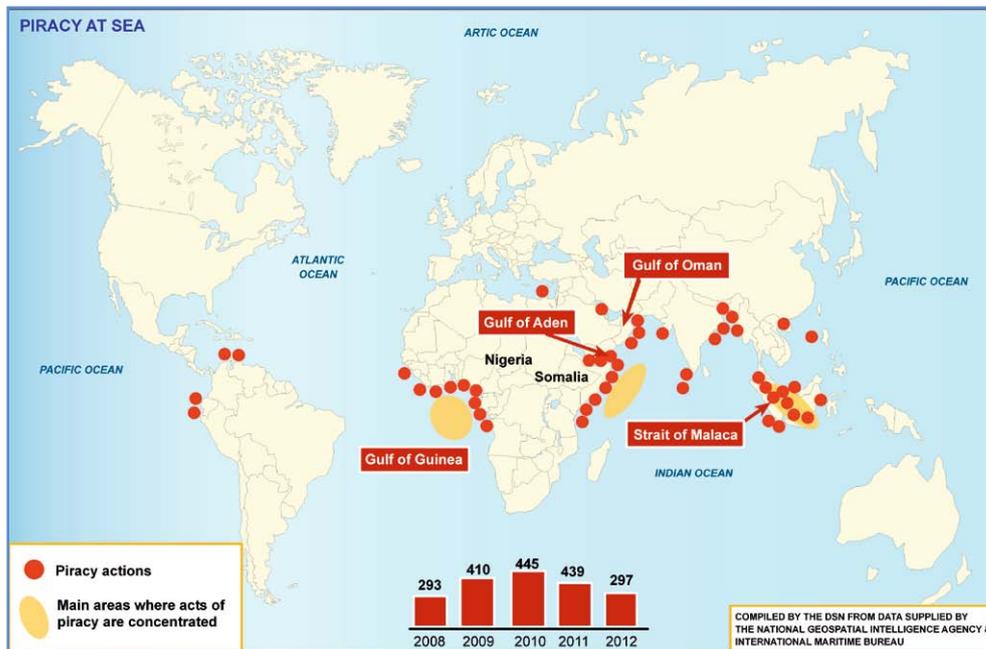
2. Piracy

Maritime piracy is one of the oldest crimes under the so-called Law of Nations. Acts of piracy and armed robberies against vessels continue to be of significant importance in some areas particularly at risk, such as the waters off the coasts of Somalia and the Gulf of Guinea. According to the International Maritime Bureau, about 1,900 attacks were perpetrated between 2008 and 2012, 50.51% of them in Africa. The total number of attacks recorded in the first six months of 2013 amounted to 138.

Part of Spain's merchant and fishing fleet transits or operates in areas that are particularly vulnerable to acts of piracy. Therefore, together with the international maritime com-

munity, it is necessary to ensure that the sea is used for lawful purposes. It is also essential to boost awareness among the relevant Authorities, owners and operators of vessels, captains and crews, among others, of measures to prevent and respond to acts of piracy in high-risk areas. In this connection codes of conduct and good practice are a key to addressing this threat.

“Part of Spain’s merchant and fishing fleet transits or operates in areas that are particularly vulnerable to acts of piracy”



Map 5: Piracy at sea

3. Terrorism

Terrorism is a threat that directly affects human lives and safety. The characteristics of the marine environment make it particularly conducive not only to attacks against moving maritime targets, underwater and coastal infrastructure, critical supplies and services, their access routes or adjacent areas, but also to being used as a means of infiltrating material and human resources for terrorist purposes.

The use of the sea to commit terrorist acts has a long history that includes hijacking passenger ships, attacks on warships and civilian vessels, and the use of vessels of varying capacity or their freight to infiltrate terrorists and facilitate the perpetration of attacks on land. Added to this are the cross-cutting effects that the combination of terrorism, weapons of mass destruction and the potential use of containers may have for committing a large-scale attack.

As a multiplier of the danger of terrorism at sea, it cannot be ignored that certain groups do not rule out recourse to a suicide vector, as has been witnessed in some scenarios.

In this connection, prevention and neutralisation of the maritime dimension of terrorism requires an emphasis on the need to raise awareness of the maritime reality of the phenomenon and the necessary involvement and collaboration of the private sector in putting suitable prevention measures into practice.

“prevention and neutralisation of the maritime dimension of terrorism requires drawing attention to raising awareness of the phenomenon”

4. Proliferation

The proliferation of weapons of mass destruction is among the most important concerns of States and the international community as a whole. Proliferation is facilitated by the marine environment owing to the inherent characteristics of this space, particularly the difficulty of controlling it and the continuity and discretion it offers, together with a legal system that is complex to implement.

“Proliferation is facilitated by the marine environment owing to the inherent characteristics of this space”

A number of international sanctions regimes are currently in force against certain States and non-state actors with connections with international terrorism; they restrict the import and export of certain materials, equipment, goods and technology capable of contributing to the implementation of programmes that contravene international regulations on non-proliferation.

The practical application of these resolutions entails banning the maritime transport of nuclear delivery vehicles or elements associated with the broad range of mass destruction capabilities.

5. Seaborne irregular immigration and smuggling of migrants

Seaborne irregular migratory flows take place in circumstances that endanger the lives, health and physical integrity of immigrants, among whom there are often minors and other vulnerable groups.

These irregular flows may constitute illicit trafficking in migrants if they are carried out by individuals, groups or criminal organisations that facilitate the irregular entry of migrants in exchange for material benefits. The activities of these traffickers pose an additional risk to maritime security and, in more general terms, to National Security. Owing to its geostrategic location, Spain is affected very directly by these phenomena as a country of destination for immigrants.

“A comprehensive approach is essential in order to address all the aspects involved in irregular seaborne immigration and the illicit trafficking of migrants”

In certain contexts preventing, managing and responding to this phenomenon, which often has dramatic human consequences owing to the conditions of the environment, exceeds the jurisdictional limits of each of the Authorities. It also has a prominent international dimension in prevention and response, as also occurs with other types of seaborne trafficking. A comprehensive approach is essential in order to address all the aspects involved in irregular seaborne immigration and smuggling of migrants.

6. Illegal exploitation of marine resources and destruction and degradation of the marine environment

The sea is a source of resources, both living and non-living, that are valuable to society. Limitations on the exploitation of certain land resources and greater knowledge of the possibilities the marine environment offers are spurring a growing search for alternatives in the sea.

Of the living resources, fisheries are of particular interest to Spain owing not only to their economic and social importance for certain coastal populations and regions but also to their positive contribution to the health and wellbeing of society.

Combating illegal, undeclared and unregulated fishing requires international cooperation structures but also the internal adoption of measures such as controlling the origin of catches. The effective implementation of these measures, both on land and at sea, requires the collaboration of different organisations and the private sector.

Actions which, either deliberately and directly or through the destruction of the marine environment, harm the sustainable exploitation of fishing resources deserve a firm response in the framework of a comprehensive conception of maritime security.

Marine biodiversity, as a whole and in its broadest sense, is a national asset which offers growing opportunities for sustainable exploitation. It is necessary to reduce pollutants from land and sea activities. As a common good, its preservation should be guaranteed by Spain, which is a signatory to various international conventions and treaties whereby it undertakes commitments to this end.

“Fisheries are of particular interest to Spain not only for their economic and social importance, but also for their positive contribution to the health and wellbeing of society”

Aside from accidental marine pollution, it is important to consider possible deliberate actions such as seabed dumping and the incineration of waste or other material. These actions not only have an impact on the protection of marine species and habitats and the processes of these ecosystems, including their regeneration, but can also have very significant social and economic implications, both direct and indirect, on any of Spain's coastal regions.

The investigation, exploration and, as the case may be, exploitation of non-living marine resources and the infrastructure used for these purposes also deserve to be protected against any maritime security risk or threat that may arise. In this connection energy resources are of particular importance to Spain given our high dependence on foreign energy.

We cannot be unaware of the importance of guaranteeing the protection of marine ecosystems vis-à-vis the expansion of many economic activities in this area, as stated in the EU Marine Strategy Framework Directive.

7. Acts against underwater cultural heritage

On account of our history, we have a rich, unique and geographically dispersed underwater heritage. Cultural property in marine waters over which Spain exercises sovereignty or jurisdiction is considered to be Spanish Underwater Cultural Heritage. As the National Plan for the Protection of Spanish Underwater Cultural Heritage states, Spain “may exercise a claim or invoke a right through national laws and International Law”.

While being aware of the need to act against the possible negative repercussions of activities that fortuitously affect underwater heritage, it is important to stress the determining impact on its preservation of illicit activities such as despoilment or unauthorised building work and topographical surveys that damage and erode our rich Underwater Cultural Heritage, which is a trace of our common past and, as such, deserves protection. These criminal actions, such as despoilment, are occasionally motivated by the potential economic benefits they generate.

“Illicit activities such as despoilment or unauthorised building work and topographical surveys damage and erode our rich Underwater Cultural Heritage”

The UNESCO Convention of 2001 on the protection of Underwater Cultural Heritage, which is higher than any other legislation on this matter, and the legal rules on this heritage are the point of departure for its preservation for the benefit of Spanish society as a whole.

The concerted action of the different organisations and authorities with responsibilities in this area is necessary to prevent damage and avoid actions outside the law, wherever they may take place.

8. Cyber threats

The National Cyber Security Strategy reflects how the considerable complexity of Information and Communications Technologies (ICTs), their presence in all areas of society and their cross-cutting, cross-border and interconnected nature have contributed to an exponential increase in cyber attacks. The vulnerabilities of the ICT systems used, easy access to the domain, the low cost of the tools used and the reduced exposure of attackers who can act anonymously and from anywhere in the world are characteristic features common to cyber attacks.

As in other sectors, the use of ICTs in the marine environment increases the likelihood of cyber attacks being carried out against elements that are essential to the performance of the usual activities of this domain. This makes it necessary to protect surveillance and control systems, critical maritime infrastructures and navigation and communication systems.

“The use of ICTs in the marine environment increases the likelihood of cyber attacks being carried out against elements that are essential to the performance of the usual activities of this domain”

B. MARITIME ACCIDENTS AND NATURAL DISASTERS

9. Maritime accidents

Owing to the geographical position of our nation, areas under Spanish sovereignty and jurisdiction are a point of confluence of some of the most important and busiest shipping routes. The Strait of Gibraltar, for example, is a strategic point of confluence of international maritime traffic.

It is therefore necessary to prevent and provide a response to accidents which can occur off our coasts, given the serious effects they can have on human lives. These accidents are due to different causes such as collisions, structural flaws in vessels, navigation failures, subsidence, fire or stranding. In any case anticipation and resolution measures are essential to safeguarding human life at sea.

Furthermore, navigation accidents can have direct effects on the marine environment near our coasts, with an impact on the rich biodiversity of their waters. Owing to the serious

damage it causes, the marine pollution resulting from the spillage of hydrocarbons or other harmful and potentially dangerous substances in accidents is particularly important.

With respect to accidents involving vessels carrying hydrocarbons, some areas of Spain's coasts are close to the shipping routes for oil and derivatives. The volume of oil tanker traffic is very high; oil is the most commonly transported commodity in the world. Owing to their geographical proximity and the fact that they are a strategic enclave, these coastal regions of Spain are vulnerable to the effects of oil slicks in the event of accidents involving oil tankers.

“Areas under Spanish sovereignty and jurisdiction are a point of confluence of some of the most important and busiest shipping routes”

10. Natural disasters

The sea is an environment where many potentially disastrous natural phenomena originate. Much of the Earth's geological activity is concentrated in the ocean ridges or in areas of transition between the continents and the maritime domain. This gives rise to considerable seismicity, which generates large-scale earthquakes with epicentres at sea. Devastating tidal waves also occur, such as in Southeast Asia (2004) and Japan (2011), as well as underwater volcanic eruptions, as in the Mar de las Calmas by the Island of El Hierro (2011).

Some adverse meteorological phenomena also originate in the marine environment (cyclones, hurricanes, waterspouts, storms, etc.), such as in the Philippines (2013). They are capable of causing maritime accidents or of accelerating erosive processes that destroy the coastline, creating dangerous situations in certain coastal areas. Lastly, the sea can be subject to red tides, situations which are caused by excessive proliferation of harmful microalgae and can have important economic effects on the fishing and shell-fishing sectors.

“The sea is an environment where many potentially disastrous natural phenomena originate”



Figure 2: Risks and threats to national maritime security

Objective, principles and lines of action

Chapter 3

**Objective, principles
and lines of action**

Chapter 3

Objective, principles and lines of action

The Spanish vision of maritime security consists of concerted action, which efficiently involves all the necessary resources of the State and the private sector. This approach is aimed at achieving shared strategic objectives which make it possible to anticipate, prevent and, if necessary, respond effectively to the risks and threats that arise in or from maritime areas under Spain's responsibility. This concerted action makes sense where the cross-cutting nature of the risks and threats or their extent exceeds the responsibilities or capabilities of a single actor and needs to be transferred to the international plane.

The ultimate aim of maritime security is to contribute to making the maximum use of the present and future opportunities provided by the lawful uses of the sea for the benefit of Spain's wellbeing and prosperity, always in consonance with commitments to, and common projects with, partners and allies and bearing in mind the aspirations of the international community as a whole.

In this connection, the National Security Strategy of 2013 establishes as an **objective** in the field of maritime security the promotion of a wide-ranging security policy aimed at protecting national maritime interests and for this purpose lays down five Strategic Lines of Action which are developed in this document. The **basic principles** of the National Security Strategy of 2013 are fully applicable to the field of maritime security and should guide the lines of action set out in this Strategy. These basic principles are as follows:

1. Unity of action: which means the involvement, coordination and harmonisation of all State actors and resources under the direction of the Prime Minister; as well as public-private collaboration and the involvement of society in general. The comprehensive approach to security, encompassing all its dimensions, accounts for this principle of action and must in turn be fully managed through a National Security System that is promoted and led by the Prime Minister.

2. Anticipation and prevention: which must guide Government action in detecting situations that may pose a potential risk or threat to National Security and steering them back on track.

3. Efficient and sustainable use of resources: a principle which must govern administrative action at all times but is especially significant in a context like the present one. It is based on prioritising resources and optimising their use, requires results to be monitored and assessed, and guides administrative organisation.

4. Resilience or ability to resist and recover: a principle relating to the ability of human and material resources to address crisis situations flexibly and forcibly and tackle them by minimising and cushioning their negative consequences.

Lines of action

In the framework of the above five Strategic Lines of Action and in accordance with these basic principles, this chapter defines a series of specific measures for preserving National Security in the marine environment. These lines of action and what they entail are described below.

LINES OF ACTION I

Adoption of a comprehensive approach which fosters the coordinated and cooperative action of the different authorities in solving problems that affect maritime security

It is particularly important to progress in the areas of knowledge of the maritime environment, operational cooperation among all the Authorities and appropriate control of maritime routes of access to the Spanish coasts.

Development of the maritime dimension of the organisational structure for the management of National Security crises is also a fundamental aspect that is addressed in chapter four of this Strategy.

Shared knowledge of the marine environment through a process that fosters: the revision of current inter-departmental agreements to improve the protocols for the exchange of maritime information requires the creation of a virtual collaboration envi-

ronment to allow the necessary information to be shared in real time for agencies that intervene in specific situations; the improvement of tools for pooling, correlating and analysing data on the marine environment; and the encouragement of the participation of the Spanish public and private sectors in projects related to national maritime security within international organisations.

Operational cooperation between the different departments of the Public Authorities with responsibilities in national maritime security and protection is essential to improving National Security. Without prejudice to the existing interdepartmental agreements, it is considered necessary to explore new modes of cooperation, especially in the areas of interoperability, maritime surveillance, a deterrent presence and the drafting of protocols for joint action in situations in which the action of two or more organisations or institutions is required.

Controlling maritime access to the Spanish coasts is equally important, as reflected in the National Security Strategy of 2013, which defines it as a strategic line of action within the field of managing migratory flows. The wide-ranging cooperation carried out in the framework of the European border management agency (FRONTEX) is particularly significant.

LINES OF ACTION 2

Adoption of effective and efficient measures in an optimal use that makes the most of the available resources

The necessary unity of action also involves progress towards achieving an efficiency based on the wide-ranging rationalisation of the costs of the different Public Authorities with responsibilities in the marine environment.

There are many human, technical and material resources for addressing the different dimensions of maritime security and protection. Different departments have very diverse facilities, vessels, aircraft, and education and training centres for exercising their competencies.

The operational, maintenance and training expenses of this differentiated network are considerable, from which it may be deduced that it is necessary to study ways of stepping up cooperation in these fields. In parallel, the technical possibilities will be analysed of advancing towards the standardisation and homogenisation of the resources that should be acquired in the future to replace those which are currently operational, when the technical requirements of such resources permit.

In particular, comprehensive information systems will be developed to facilitate decision making, inventories will be drawn up of the available resources and capabilities, good practices will be identified and the training of professionals in the field will be stepped up.

LINES OF ACTION 3

Fostering international cooperation

Spain's contribution to the good governance of the seas is materialised through its action in the international arena. The application of the principle of unity of action overseas requires the essential coordination of all the Public Authorities with responsibilities in the different sectors of this domain.

Maritime security is a responsibility shared with the international community. Spain's action in this sphere falls within the framework of the efforts of the UN (especially through the IMO) and the EU in this sector.

In order to progress in this field it is necessary to continue with the national implementation of international and European regulations on this matter; to promote bilateral and multilateral agreements with other countries to enhance the good governance of the seas, including both the exchange of maritime information and operational activities; and to promote negotiations with countries with which we have pending maritime delimitations.

Furthermore, the different Public Authorities with responsibilities in the maritime domain perform activities aimed at strengthening maritime capabilities in third countries. The purposes of these activities can be complementary. The coordination of all of them under the principle of unity of action or direction for the conception and planning of such activities is an essential requisite for achieving greater efficiency in the use of resources and more effective external action in this field.

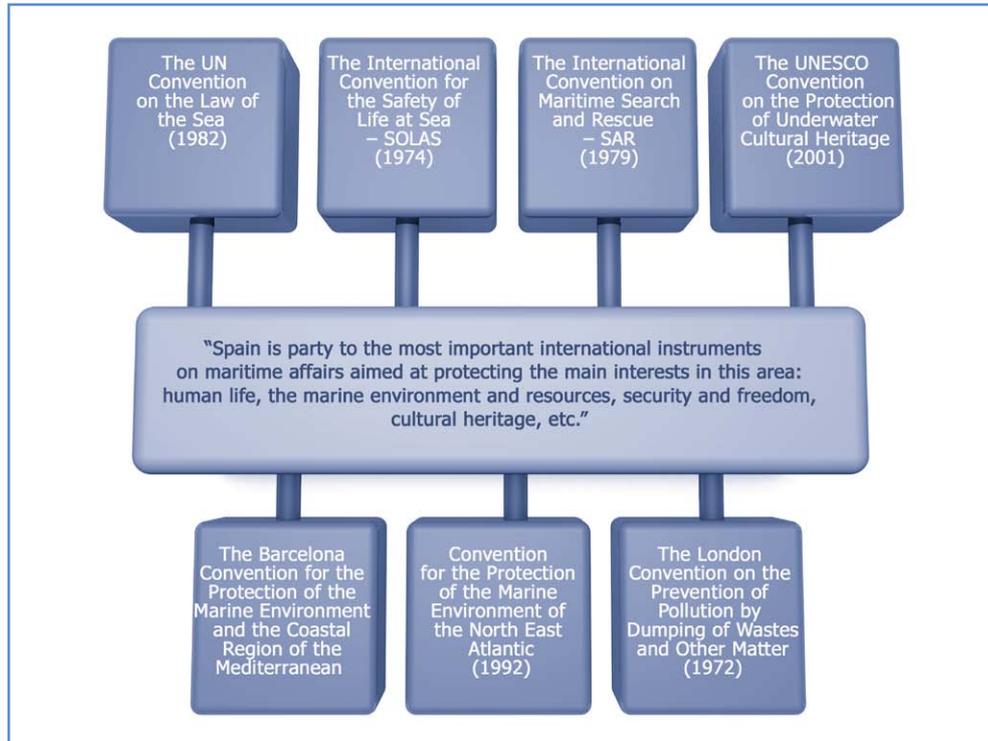


Figure 3: Maritime Security on the International Agenda

LINES OF ACTION 4

Fostering collaboration with the private sector

Interaction between the Public Authorities and the private sector in all aspects of maritime affairs is essential. This relationship must be fluent and ongoing and not limited to specific situations, in order to achieve the objectives established in the National Security Strategy of 2013 for the field of maritime security.

The large number of private actors with interests in the marine environment makes any public-private collaboration in security matters an added value when delivering a response. Furthermore, this collaboration is much more effective and efficient if it is underpinned by anticipation and prevention criteria. In this connection, the role of ship operators, shipping companies, the maritime transport sector and fishers should be stressed.

The interests of the national maritime sector cannot be guaranteed in advance unless awareness is previously raised about the importance of developing a culture of national maritime security that translates into practical and proactive actions from the public and private spheres. Structured, regulated and fluent collaboration in both directions is a basic enabler for achieving the objectives laid down in this Strategy.

LINES OF ACTION 5

Improving cyber security in the marine environment

The essential nature of ICT in the marine environment requires the establishment of specific actions in the framework of cyber security in order to contribute to improving national maritime security standards.

It is necessary to foster a comprehensive approach to cyber security based on the assessment of specific cyber risks and threats to the marine environment, and the identification of all the critical assets in the sector.

In order to limit the negative effects of a cyber attack, actions directed at boosting the prevention, defence, detection, exploitation, analysis, recovery and coordinated response capabilities to cyber threats in the maritime area will be supported.

Aspects of cyber security will be incorporated into the Telecommunications Networks and Maritime Information Systems, as well as into the development and application of specific technologies, in order to bolster the security structures and the surveillance, prevention and response capability of these systems.

The exchange of information, public-private cooperation and collaboration also in the international environment, and the development of standards and best practices in cyber security in the marine environment are also priority actions.

It is likewise necessary to create a framework for specific knowledge of these matters aimed at professionals of the marine environment, as well as awareness-raising and sensitisation actions in this specific field.

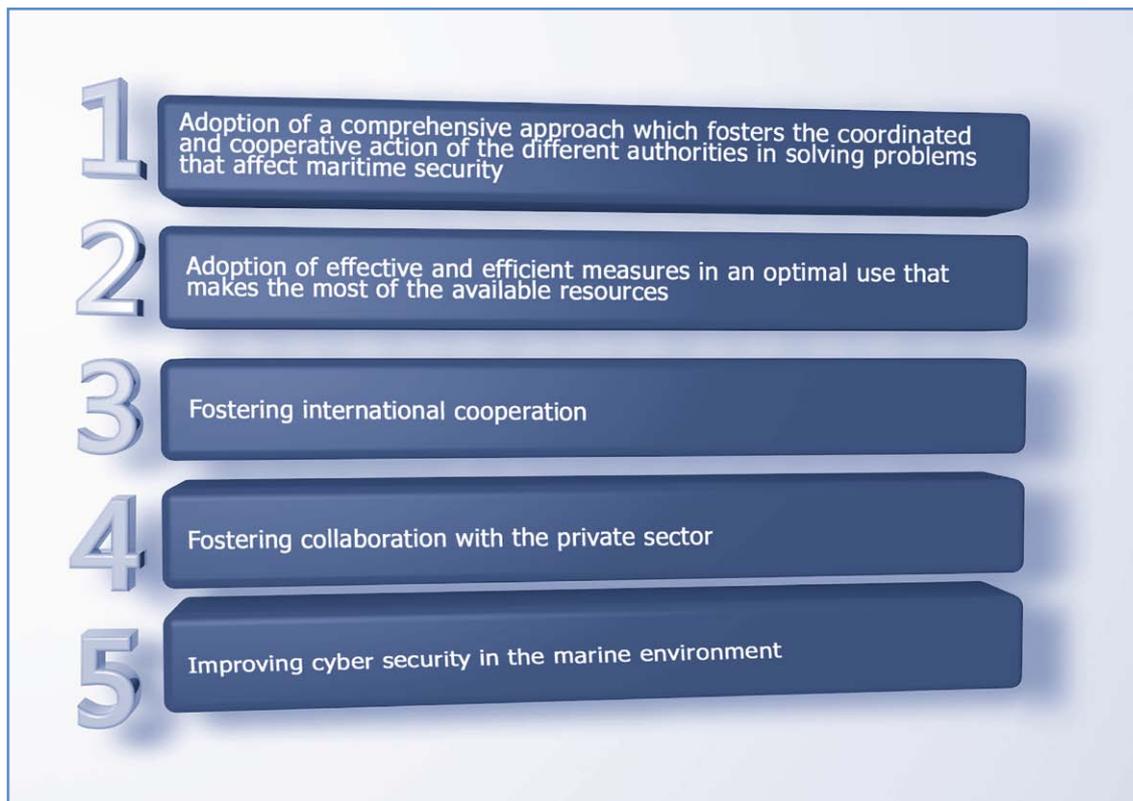


Figure 4: Lines of action

Maritime security in the National Security System

Chapter 4

**Maritime security in the
National Security System**

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Maritime security in the National Security System

The comprehensive vision of maritime security enshrined in this Strategy, the detected risks and threats that affect it and the stated objectives and lines of action for providing an appropriate joint response to preserving maritime security in accordance with the principles that underpin the National Security System explain the need for an organisational structure tailored to these purposes, which will consist of the following components under the direction of the Prime Minister:

- A. The National Security Council;
- B. The Specialised Maritime Security Committee;
- C. The Specialised Situation Committee, which is unique to the whole National Security System.

ORGANISATION OF MARITIME SECURITY

a) National Security Council:

The National Security Council (CSN), established as the Delegated Commission of the Government for National Security, assists the Prime Minister in directing the National Security Policy.

b) Specialised Maritime Security Committee:

The Specialised Maritime Security Committee will support the National Security Council in performing its functions, particularly in assisting the Prime Minister in directing and coordinating the National Security Policy in the field of maritime security. It will furthermore strengthen coordination, collaboration and cooperation relations among the different Public

Authorities with responsibilities in Maritime Security matters and between the public and private sectors, and will facilitate the Council's decision making by analysing, studying and proposing initiatives at both the national and the international levels.

The composition of the Specialised Maritime Security Committee will reflect the spectrum of areas covered by the departments, bodies and agencies of the Public Authorities with responsibilities in the marine environment, in order to coordinate actions that need to be addressed jointly with the aim of raising security levels.

Other significant private-sector actors and specialists whose contribution is deemed necessary may take part in the Committee.

In compliance with its functions, the Specialised Maritime Security Committee will be supported by the National Security Department (DSN) as a Technical Secretariat and permanent working body of the National Security Council.

c) Specialised Situation Committee:

The Specialised Situation Committee will be convened to manage crisis situations in the field of maritime security which, on account of the significant cross-cutting nature or the extent and impact of their effects, exceed the effective response capabilities of the usual mechanisms, while always respecting the responsibilities assigned to the different Public Authorities in order to guarantee an immediate and effective response through a single body in charge of the political and strategic direction of the crisis.

The Specialised Maritime Security Committee and the Specialised Situation Committee will act in a complementary manner, each in its own area of responsibility, but under the same strategic and political direction of the National Security Council chaired by the Prime Minister.

The Specialised Situation Committee will be supported by the Situation Centre of the National Security Department in order to ensure it is interconnected with the operational centres involved and to provide an appropriate response in crisis situations, facilitating their monitoring and control and the transmission of decisions.

To ensure the effective fulfilment of its functions of supporting the Specialised Situation Committee, the Situation Centre of the National Security Department may be reinforced with specialised personnel from ministerial departments or bodies with responsibilities in this area, who will make up the specific Coordination Cell in the field of Maritime Security.

IMPLEMENTATION

The setting in motion of the Specialised Maritime Security Committee and the Specialised Situation Committee and the harmonisation of their functioning with the existing bodies will take place gradually through the passing of the necessary regulations and readjustment of the existing ones, in order to achieve the coordinated and efficient functioning of these components of the National Security System.



Figure 5: Specialised Committees



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