

American Homeland Security – Should Europe Care?

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After 9/11 American policy-makers have been faced with the question: how to protect an open, complex and interdependent society against large-scale terrorism? The American response has by no means been unproblematic, but in March 2003 a new Department of Homeland Security was established. In Europe, on the other hand, the various homeland protection functions consist of a patchwork of numerous initiatives. Thus, Europe should create an European Directorate-General for Homeland Protection.

INTRODUCTION

The United States was not unacquainted with terrorism when the 9/11 hijackers caused the most deadly terrorist incident in history. In 1993 a failed attack on the World Trade Center caused a dozen casualties and in 1995 a massive car bomb reduced the federal offices of Oklahoma City to rubble. But the illusion of a secure homeland was not decisively discarded until the fatal attacks of September 11th. Thus, American policy-makers were catapulted into a new area of security concerns: How best to protect an open, complex, and interdependent society against large-scale terrorism.

Eventually, a broad and ambitious strategy took shape: The U.S. embarked on an effort to integrate a vast variety of different fields into one comprehensive effort: Intelligence, border and transportation security, domestic counter-terror and law enforcement activities, protection of critical infrastructure, protection against chemical, biological, radiological, and nuclear threats (CBRN threats), and emergency preparedness and response. With the greatest government restructuring in more than 50 years, the efforts were given an institutional anchor in a new Department of Homeland Security.¹⁾

Unsurprisingly, the European reaction was more measured as Europe had not been hit directly. After an initial period characterized by complete sympathy with the US, the notion emerged that the

Americans were overreacting. The fact that a number of European countries had previous experience with terrorism from the 1970s and 1980s made for a certain complacency and limited the European interest in American homeland security. Whereas most European countries responded to September 11th by strengthening counter-terrorism instruments within the area of intelligence and law enforcement, vulnerability reduction and protection against catastrophic terrorism were granted relatively low priority, and there were no major bureaucratic adjustments.

Surely, the American response to September 11th is by no means unproblematic and should not be uncritically replicated in Europe. Still, the attacks on New York and Washington DC forced US policy-makers to look at the problem of international terrorism and societal vulnerabilities with fresh eyes. The American response therefore contains a number of elements from which Europe could learn.

AMERICA'S DOMESTIC RESPONSE TO SEPTEMBER 11TH

American policy-makers reacted swiftly to September 11th. Shock and disbelief soon gave way to a torrent of activities and initiatives to improve the security of the homeland.

The Federal Aviation Administration took action to strengthen airport security, the FBI was re-oriented to focus on prevention of terror rather than on its

traditional investigative tasks, the US Department of Defense restored territorial defense as its main concern, and the Department of Health and Human Services boosted its nascent bio-terror research programs. Priority was given to instant vulnerability reduction and discussions about overall strategy for a while remained on the margins. Different federal agencies each acted within their area of responsibility giving the overall American response a rather inchoate character.²⁾

The proposal to create a new Department of Homeland Security, put forward in May 2002 and President George W. Bush's *National Strategy for Homeland Security*, presented the following month, aimed to introduce more coherence.

The *National Strategy* defined homeland security as "a concerted national effort to prevent terrorist attacks within the US, reduce America's vulnerability to terrorism, and minimize the damage and recover from attacks that do occur."

To that end the strategy called for upgraded and tightly integrated efforts in six critical mission areas - intelligence and warning, border and transportation security, domestic counter-terror and law enforcement, protection of critical infrastructure, protection against chemical, biological, radiological, and nuclear threats (CBRN threats), and emergency preparedness and response.³⁾

Increased intelligence sharing between police, customs, and immigration authorities were to make it more difficult for known or potential terrorists to enter the US. Stronger domestic counter-terrorism measures, fusion of intelligence from more different sources, and enhanced analytic capabilities should increase the chance of interdicting attacks. Tightened standards for port security, increased resources for the Coast Guard, and physical inspection of more of the containers crossing US borders were to make the smuggling of dangerous materials that could be used in a terrorist attack more difficult.

Inside the US particularly vulnerable or attractive targets such as nuclear and chemical plants, symbolic buildings and monuments, or important government installations should be hardened or physically protected. Critical physical and cyber infrastructure was to be charted in order to devise better ways of protecting it and, since the ownership of much of this infrastructure was in private hands, new strategies for public-private cooperation were to be devised.

Finally, the training, equipment, and interoperability of first responders were to be upgraded and an extensive information campaign should educate

and inform the public about how to react in case of different forms of attack.

To ensure the implementation of this vast program and coordinate its various elements a new Department of Homeland Security, combining units from more than 20 federal agencies was established. By March this year most of the affected agencies had joined the Department, creating an almost 190.000 strong bureaucracy.

EUROPE'S RESPONSE AND EUROPEAN VULNERABILITY

On the European side the attacks of September 11th prompted a somewhat different reaction. When the hijacked aircraft hit their targets in New York and Washington DC, Europe was well positioned to respond in the area of intelligence, law-enforcement, and justice – the traditional field of counter-terrorism.

Cooperation between secret services and police agencies inside individual European countries had improved over the 1970s, 80s, and 90s as waves of terrorism hit France, Germany, Italy, Spain, and Great Britain. A number of countries therefore already had experience with terrorism and measures in place to counter it. Most reacted to September 11th by strengthening existing counter-terrorism instruments further.⁴⁾

The efforts to reduce societal vulnerabilities and strengthen protective capabilities were, in contrast, significantly weaker and less focused, both at the national and the EU level. Today, there is no single agency, which has it as its primary responsibility to protect European civil populations against large-scale terrorism.⁵⁾

Yet, intelligence, arrests, and interrogations have made it clear that Europe should not consider itself immune to the new terror. The continent served as logistical base for the 9/11 attackers and has itself been the target of a number of foiled plots. There is little doubt that cells sympathizing with Al Qaida are active in Europe.

Moreover, as made clear by September 11th terrorists no longer operate under self-imposed limits as to the number of civilian casualties they are willing to inflict. High body counts have apparently become an end in itself. Combined with the continued democratization of technology and proliferation of weapons of mass destruction this lends new poignancy to an old problem.⁶⁾

A biological or nuclear attack aimed at one European country would almost certainly hit a number of other European countries as well. A

chemical or radiological attack on a major city could conceivably have consequences for several countries in the region. Even conventional attacks are likely to cause ripple effects far from their target in today's increasingly complex and interdependent societies. Critical IT systems are frequently connected with utilities, transportation networks, telecommunication, financial networks, and emergency services.

Thus, chances are that a terrorist attack will spill over borders between countries and between different functional sectors. Therefore, an effective strategy for vulnerability reduction and protection must be based on close international and European cooperation, it must include numerous actors, span several sectors, and cover multiple disciplines. Prioritizing, integrating and sustaining the efforts, not to talk about establishing the cost-effectiveness of various measures, represent a formidable task.

The probability of a large-scale terrorist attack in Europe might still be low, the potential consequences, however, would be grim. Though individual European countries and different EU institutions have taken various measures to upgrade their defenses, European protective efforts still consist of a patchwork of point solutions contributed by the Union, the member states, and individual ministries, agencies, and services within the nation states. The question is whether this is good enough.

THE NEED FOR ORGANIZATIONAL STREAMLINING

Today, homeland protection functions and responsibilities in Europe are scattered between numerous ministries, agencies, and different levels of government within member states with vastly diverse national bureaucratic set-ups. At the European level several different Directorate-Generals and numerous committees, networks, and agencies each cover different parts of the homeland protection area.

Currently the Council and the Commission are responsible for coordinating instruments and initiatives within their respective areas of competence. But in times of relative quiet on the terrorism front the top politicians sitting on the Council will naturally turn their attention to other pressing problems.

Moreover, it could be argued that the sheer complexity of the field and the variety of actors, institutions, and organizations involved means that effective coordination would require some bureaucratic consolidation as well as the full time attention of an organization dedicated to the purpose.

One solution would be the establishment of a Directorate-General dedicated to the task of vulnerability reduction and protection.

A DIRECTORATE-GENERAL FOR HOMELAND PROTECTION

A Directorate-General for Homeland Protection would differ from the U.S. Department of Homeland Security by focusing mainly on protection – the area where European efforts are lacking – instead of both counter-terrorism and protection like the U.S. Department of Homeland Security.

It would not be necessary to transfer vast new powers to the EU-level in order to improve Europe's defenses significantly. The EU already has the competence to issue standards in a number of relevant areas such as food safety, transportation, and nuclear safety. In these areas it would simply be a question of upgrading the importance of defending against terrorism in the way current responsibilities are exercised. This would be achieved by transferring units responsible for food safety, communicable and emerging diseases, air and maritime security and nuclear safety from the Directorate-Generals for the Environment, Health and Consumer Protection, and Energy and Transportation respectively into a new Directorate General for Homeland Protection.⁷⁾

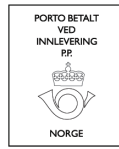
However, additional competence to issue binding standards in the areas of biopreparedness, infrastructure protection, and cyber security would enhance the protection of civil populations and prevent that competitive single market pressures result in the lowest common security denominator.

These steps, by ensuring functional coherence, effective coordination, and sustained attention to the challenge of homeland protection would create a Europe much better prepared to face the challenge of the new terror.

CONCLUSION

The intellectual, organizational, and practical challenges posed by homeland protection are daunting. Everything is a potential target. The attacker operates anonymously, is willing to die for the sake of harming others, and has more and more destructive weapons at his disposal.

Inevitably, the efforts to protect against large-scale and complex terrorism will involve a substantial measure of learning by doing and most policy-initiatives and bureaucratic constructions will have to be re-adjusted along the way. Moreover, homeland security is about staying ahead of a learning enemy. An effective defense therefore requires willingness to learn and continuous adaptability on our part as well.



The US approach to homeland security is by no means unproblematic. Yet, the shock caused by the attacks of September 11th forced an effort to rethink what it takes to protect a modern society against modern terrorism. The resulting attempt to forge a cross-sector strategy and the creation of an institution dedicated to the task of protection are relevant for Europe as well.

The establishment of a European Directorate-General for Homeland Protection does not provide the final answer to the question of how to protect Europe's civil populations. However, it would create an institution dedicated to the challenge, provide a more rational and effective way of approaching it, and make sure that the issue does not slide from the political agenda in times of relative quiet.

Part of the content of this article has earlier appeared in A European Department of Homeland Security? Organizing to Protect Europeans against Large-Scale Terrorism, DIIS Research Brief no. 32, 2003.

NOTES

1) *National Strategy for Homeland Security*, Office of Homeland Security, Washington, D.C., July 2002, p. vii-x and p. 3.

2) Michael E. O'Hanlon, Peter R. Orszag, Ivo H. Daalder, I. M. Destler, David Gunter, Robert E. Litan, and James Steinberg *Protecting the American Homeland: A Preliminary Analysis* (Washington, D.C.: Brookings Institution Press, 2002); *Protecting America's Freedom in the Information Age*, New York: The Markle Foundation, 2002).

3) *National Strategy for Homeland Security*, Office of Homeland Security, Washington D.C., July 2002, p. vii-x and p. 3. See also David McIntyre, *A Quick Look at the Proposed Department of Homeland Security*, Anser Summary and Analysis, Anser Institute for Homeland Security, November 2002.

4) European Union Council Decision 2002/475/JI; Council Document 14867/1/01REV 1.; Oliver Lepsius, "The Relationship Between Security and Civil Liberties in the Federal republic of Germany after September 11," in *Fighting Terror: How September 11 is Transforming German-American Relations*, Baltimore, American Institute for Contemporary German Studies, 2002, p. 85; Erik van de Linde, Kevin O'Brien, Gustav Lindstrom, Stephan de Spiegeleire, and Han de Vries, *Quick scan of post 9/11 national counter-terrorism policy-making and implementation in selected European countries* (Leiden: RAND Europe, 2002), pp. 4-6; Jeremy Shapiro and Benedicte Suzan, "The French Experience of Counter-terrorism," *Survival*, vol. 45, no. 1, Spring 2003, pp. 75-77.

5) Jonas Holmgren and Jan Softa, *Functional Security. A comparative Analysis of the Nordic States' Political Agenda in the Fields of Critical Infrastructure, IT Security, NBC Issues and Terrorism*, The Swedish Institute of International Affairs, Stockholm 2002, p.101.

6) Thomas Homer-Dixon, "The Rise of Complex Terrorism," *Foreign Policy*, January/February 2002, p. 53; Brian Michael Jenkins, *Countering al Qaeda* (Santa Monica: Rand, 2002), p. 28; Philip C. Wilcox, "The Terror" in Robert B. Silvers and Barbara Epstein (eds.) *Striking Terror. America's New War* (New York: New York Book Review, 2002), p. 6.

7) For instruments and legislation in the area of nuclear safety and security, cyber security, maritime safety, air safety and threats to health see the EU's official web-sites respectively, <http://www.europa.eu.int/comm/energy/nuclear/legislation.htm>
http://europa.eu.int/information_society/topics/telecoms/regulatory/index_en.htm

http://www.europa.eu.int/comm/transport/themes/maritime/english/safety/index_safety.html

http://www.europa.eu.int/comm/transport/air/safety/index_en.htm

http://www.europa.eu.int/comm/health/ph_threats/com/comm_diseases_en.htm

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