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**After the Madrid Bombings: Internal Security
Reforms and the Prevention of
Global Terrorism in Spain**

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At the time of the Madrid bombings on 11 March 2004, Spain was equipped with well-developed internal security structures that were highly efficient in the fight against terrorism. Indeed, the current Spanish democracy has been affected from its very beginning by activities carried out by different endogenous terrorist organisations, though none has been as persistent over time or has produced as many victims and social consequences as ETA. This armed group, ideologically inspired by ethnic nationalism, pursues both political independence and cultural homogeneity for the Basque Country, in which they include four provinces of Spain and three territories in south-western France. In a context characterised by both democratisation and regional decentralisation, the Spanish security forces (*Fuerzas y Cuerpos de Seguridad del Estado* or FCSE) have confronted ETA for more than three decades, improving their capacity to prevent and combat terrorism under the rule of law.¹ Furthermore, when the 11 March attacks occurred, ETA was going through one of the worst periods of its history, if not the very worst, due mainly but not exclusively to the effectiveness of the Spanish police.

But it is also true that the country's internal security structures were not as well adapted to dealing with the much more recent challenges of terrorism related directly or indirectly to al-Qaeda, a phenomenon that had spread across much of the world during the 1990s. However, this is a statement that must be considered in more detail. For example, within only two days the central external information unit of the National Police (*Cuerpo Nacional de Policía* or CNP) was able to identify most of the main direct perpetrators of the blasts on the local trains that were making their way to Madrid's Atocha station in the early morning of 11 March. They arrested some of them and then located an apartment in the nearby dormitory town of Leganés, where other terrorists ended up committing suicide less than a month later, on 3 April, when they realised that the police had discovered them and were surrounding the building they were using as a hideout. While this operation did not result in the arrest of the terrorists, who chose instead to blow themselves up, causing the greatest possible damage, it very likely did prevent those responsible for the 11 March attacks from carrying out others, either in Madrid or beyond, over the following months.

It must also be borne in mind that starting in November 2001, the Spanish police dismantled the al-Qaeda cell that had been established in the country during the previous decade and whose links with the Hamburg cell, which included many of the perpetrators of the New York and Washington attacks in September of the same year, became clear shortly afterwards. This operation was ordered by Judge Baltasar Garzón, the National Court (*Audiencia Nacional*) judge who was well-known at the time for the attention he was already paying to the problem of global terrorism and its implications for Spain. These and other police actions were possible because the corresponding police information services had been investigating this international terrorist network since the early 1990s and were able to present sufficient incriminating evidence to the courts. Before the March 11 massacre, more concretely as from January 2001, the security forces had arrested a few dozen individuals for their involvement in Jihadist terrorist activities. Also, by that infamous date, several investigations had begun which resulted, since the last quarter of the year, in a series of new police operations focused on global terrorism and in many arrests.

¹ On this issue, see Fernando Reinares & Oscar Jaime, 'Countering Terrorism in a New Democracy: The Case of Spain', in Fernando Reinares (Ed.), *European Democracies Against Terrorism. Governmental Policies and Intergovernmental Cooperation*, Ashgate, Aldershot, 2000, p. 119-146; Oscar Jaime, *Policía, terrorismo y cambio político en España, 1976-1996*, Tirant lo Blanch, Valencia, 2002; Fernando Reinares, 'Democratization and State Responses to Protracted Terrorism in Spain', in Marianne van Leeuwen (Ed.), *Confronting Terrorism. European Experiences, Threat Perceptions and Policies*, Kluwer Law International, The Hague and London, 2003, p. 57-70; and Fernando Reinares & Rogelio Alonso, 'Confronting Ethnonationalist Terrorism in Spain: Political and Coercive Measures Against ETA', in Robert J. Art & Louise Richardson (Eds.), *Democracy and Counterterrorism. Lessons from the Past*, United States Institute of Peace, Washington DC, 2007, p. 105-132.

The Spanish police was badly prepared to face the risks and threats of current global terrorism, not so much because this phenomenon was unknown to the few officials dealing with this issue in Spain, but rather precisely because of the fact that there were indeed very few of them in this task, with very limited resources to carry out their work.² Things would have likely been different if the decision had been taken in time to give the problem of global terrorism the importance it deserved since at least the mid-1990s, and especially after the 9/11 attacks in the US and the May 2003 attacks in Casablanca, where one of the targets was Spanish. A decision which, based on timely information from the intelligence services and police information units, was ultimately a political one. But the Spanish government, then formed by the liberal-conservative Popular Party (*Partido Popular* or PP) did not take that decision. Its former President, José María Aznar, acknowledged in the epilogue to a book of memoirs published shortly after leaving office, following the general elections of 14 March 2004, that ‘the very successes achieved in the struggle against ETA in recent years may have led us to lower our guard against the fundamentalist threat’.³ Some may think that it is easy to build these arguments now and quote this kind of statement *a posteriori*. However, in January 2003 I completed a book in which I concluded: ‘al-Qaeda has used Spain as one its main European bases. It is likely that the citizens and government of Spain will become targets of global terrorism’.⁴

Towards a Reform of Internal Security

After the tragic events of 11 March, followed by the subsequent attempt to derail a high-speed train on the Madrid-Seville railway line, and once the suicide episode in Leganés took place, it was necessary to determine whether global terrorism remained a threat to Spain and introduce measures to neutralise it. At the time, a not insignificant portion of Spanish public opinion seemed convinced that what happened in the Madrid commuting trains that day was a result of the Aznar government’s alignment with the US administration on the invasion of Iraq. This was graphically expressed in the so-called ‘Azores photo’, which was disseminated world-wide through the news media. In the photo, taken on the archipelago, the US President George W. Bush, Britain’s Prime Minister Tony Blair and Spanish Prime Minister José María Aznar, with his host, the Portuguese Prime Minister José Manuel Durão Barroso, all posed together days before the first bombs fell on Baghdad on 20 March 2003. In which case, from that same perspective, the withdrawal of the Spanish troops deployed in the country would have effectively meant the end of the terrorist threat related one way or the other to al-Qaeda. Indeed, the new Spanish government formed by the socialist party (*Partido Socialista Obrero Español* or PSOE) did just that after winning a relative parliamentary majority in the general elections held three days after the Madrid bombings. On the other end of the political spectrum, there was also an equally considerable proportion of Spaniards who thought that the 11 March bombings had less to do with Jihadist terrorism than with the already very familiar terrorism of ETA.

Both of these perspectives were erroneous and tended to explicitly or implicitly minimise the problems inherent to global terrorism. However, those who in April 2004 took charge of the Interior Ministry –Spain’s central institution in preventing and fighting terrorism, although the president of the government has ultimate responsibility for counterterrorism policy– very quickly understood that this phenomenon posed a lasting threat that was not going to disappear any time soon, either in Spain or in the surrounding European and Mediterranean environment. José Antonio Alonso,

² In this sense, one shall mention the work done in those years by the head of the central external information unit of the National Police, Superintendent Mariano Rayón, and also by Superintendent José Manuel Gil and by Rafael Gómez Menor, who later became Superintendent as well. For a documented consideration of the action taken by the police forces for external intelligence in relation to the al-Qaeda cell in Spain and its associated components, from the 1990s to March 11, 2004, at the level of investigative journalism, see José María Irujo, *El agujero. España invadida por la yihad*, Aguilar, Madrid, 2005, especially p. 23-275.

³ José María Aznar, *Ocho años de Gobierno. Una visión personal de España*, Planeta, Barcelona, 2004.

⁴ Fernando Reinares, *Terrorismo global*, Taurus, Madrid, 2003, p. 131. On this book and its prediction, see the lengthy article by Paul Ingendaay published in *Frankfurter Allgemeine Zeitung*, 22/IV/2004.

Interior Minister from April 2004 to the spring of 2006, when he took on the Defence portfolio, put it this way to the parliament's Interior committee: '... this Minister, his team and the entire government have been aware from the start that we should implement a set of measures which, while not eliminating the threat, would nevertheless make us more prepared to respond to this threat to our security, and therefore to our freedom and the democratic values that uphold it, to our lifestyle and our progress, and also to the security and freedom of our allies'.⁵ As events unfolded, this perspective proved correct. Throughout the legislature, over 300 people were arrested for their involvement in activities related to global terrorism, plans to commit new attacks were thwarted in time, and, since at least 2006, al-Qaeda's propaganda has often identified Spain as a target.⁶

When making a series of decisions on how to adapt Spanish internal security structures to the risks and threats of global terrorism, neither the Interior Ministry nor the national government as a whole were able to refer back to the electoral programme on which the PSOE had campaigned in the general elections, since it contained no specific proposals in this regard. As a result, the decisions made in the months following the Madrid bombings –that is, the key decisions made regarding global terrorism during the four years of the legislature, since the rest of the time was focused mainly on their implementation– were shaped from within the Interior Ministry itself, essentially by top specialists from the security forces. This does not mean that the network of institutions and actors involved in elaborating and implementing the various measures to reform the counter-terrorist sector was limited to the police forces. Gradually, other domains of the state administration and very diverse interest groups became involved, depending on the issue at hand. These included, for instance, human rights movements, business organisations and Internet users associations, following a logic which was similar to any other area of public policy.

Initially, however, the decisions involving the changes that would later be made to Spanish internal security structures were shaped by the security forces. Following his first speech as Minister before the parliamentary committee on the Interior, José Antonio Alonso commented, at the questions-and-answers session after the presentations made by the spokespersons of the various parliamentary groups to the Interior committee, that '... when we arrived to the Interior Ministry, we told the professionals at the Police and Civil Guard information services: We have a serious problem in terms of Islamic terrorism, al-Qaeda terrorism and new international terrorism. Do we have sufficient resources? Do we have a strong enough structure? [...] Basically, the Police and Civil Guard information services told us two things: one, that we clearly have to increase the resources and personnel available to the external information units, that is, the Police and Civil Guard units that focus on international terrorism; and two, they also told us that we should create a professional structure that can receive information, analyse it, assess the risks of the new terrorism and, consequently, make operational recommendations to the Police and Civil Guard. And this is what the current team at the Interior Ministry is doing and we are hoping for results from this'.

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In any case, the 11 March attacks in Madrid made it clear that the fight against global terrorism had not received due priority from the government before the event, and that as a result, the police information and intelligence services could not meet existing needs. Also, it became clear that there were serious problems of coordination, both between police forces and within each of them. Since

⁵ Appearance by the Interior minister, José Antonio Alonso, before the parliamentary Interior Committee (in the Chamber of Deputies), on 27 October 2005, in which he reported on the actions carried out by the Interior Ministry in relation to the issues mentioned in the recommendations of the committee investigating the 11 March bombings (Comisión de Investigación del 11-M), *Diario de Sesiones del Congreso de los Diputados, Comisiones, Interior*, VIII Legislature, nr 407, p. 4.

⁶ Fernando Reinares, '¿Cuál es la amenaza que el terrorismo yihadista supone actualmente para España', ARI nr 33/2007, Elcano Royal Institute, Madrid, www.realinstitutoelcano.org; and Javier Jordán, 'Las redes yihadistas en España: evolución desde el 11-M', Athena Intelligence Occasional Paper nr 17, 2007, www.athenaintelligence.org.

⁷ Appearance by the Interior Minister, José Antonio Alonso, before the parliamentary Interior Committee (Chamber of Deputies), on 24 May 2004, in which he reported on the general lines of his department's policy, *Diario de Sesiones del Congreso de los Diputados, Comisiones, Interior*, VIII Legislature, nr 30, p. 34 and 35.

global terrorism was seen as a persistent threat to Spain, the Interior Ministry's first decisions were aimed at correcting these weaknesses. Although such initiatives were not incorporated in the state budgets for 2004 and funds had to be redirected from other areas, the government did not wait for the recommendations contained in the conclusions of the parliamentary commission that investigated the Madrid bombings, as approved by a full sitting of the Chamber of Deputies in June 2005. José Antonio Alonso said in October of that year that these were decisions the government began to make 'as soon as we took power or as soon as we possibly could make them. For this reason, the great majority of them naturally preceded the Commission's recommendations for action in this area'.⁸

In fact, the executive committee for the unified command of the national security forces (*Comité Ejecutivo para el Mando Unificado* or CEMU) –an important innovation introduced to the structure of the Interior Ministry in May 2004 and chaired by the Secretary of State for Security– approved that same spring a wide-ranging counter-terrorism plan (the *Plan Operativo de Lucha Contra el Terrorismo*) aimed at preventing and responding to the different varieties of terrorism that pose challenges to Spain, though specific attention focused on al-Qaeda related terrorism. In May 2006, when one of Spain's most experienced politicians, Alfredo Pérez Rubalcaba, became the new Interior Minister, he did not change the line of action initiated by his predecessor in terms of the planned initiatives to adapt internal security structures to the new challenges of global terrorism after March 11, nor did he make changes to the measures implemented during the two previous years. In his role as Secretary of State for Security, Antonio Camacho thus personifies continuity in this area, bridging the mandates of the two different Interior Ministers during the legislature and up to the start of the following one. This in itself bears witness to the key role he has played in making Spain, if not invulnerable (as no other country in the world is either), then at least better prepared to deal with the risks and threats associated with global terrorism.

Strengthening Intelligence Capabilities

Spain's accumulated experience in the fight against terrorism, and more concretely in the struggle against ETA, gives the country a certain comparative advantage over most other western nations in general and over most of its European neighbours in particular, when it comes to dealing with the challenges of global terrorism. But this experience is not necessarily immediately or easily transferable to the fight against global terrorism, though it provides lessons that cannot be ignored when adapting the instruments and state security agencies to deal with the different aspects of this phenomenon. In this regard, we know, for example, that in order to prevent attacks, dismantle terrorist groups and break up their financing networks, it is essential, above all, to have well-gathered and very well analysed information. It is therefore reasonable that one of the basic aims of the adaptation of Spain's internal security structures to deal with the risks and threats of international terrorism has been to strengthen intelligence capacities, more specifically police intelligence.

This is why, very early in the legislature opened shortly after the Madrid bombings, the decision was made to strengthen police central units of information and intelligence, as well as their branches deployed on the periphery of the country. Local information groups were even created in especially significant places such as Ceuta and Melilla, both within the National Police and the Civil Guard. That is to say, within Spain's only two police forces –the Civil Guard in fact being a militarised police force– with counter-terrorism powers throughout the entire country, in order to

⁸ Appearance by the Interior Minister, José Antonio Alonso, before the parliamentary Interior Committee (in the Chamber of Deputies), on 27 October 2005, in which he reported on the actions carried out by the Interior Ministry in relation to the issues mentioned in the recommendations of the committee investigating the 11 March bombings (Comisión de Investigación del 11-M), *Diario de Sesiones del Congreso de los Diputados, Comisiones, Interior*, VIII Legislature, nr 407, p. 2.

better prepare them to prevent and respond to global terrorism.⁹ Catalonia and the Basque Country also have regional police forces responsible to the executives of their respective autonomous communities, known as the *Mossos d'Esquadra* and the *Ertzaintza*, respectively. In recent years, and especially since the 11 March attacks, both these regional police corps have shown clear interest in developing their know-how with regard to global terrorism, and have even carried out a few operations in this respect within their corresponding territorial jurisdictions.

The decision by the National Police and the Civil Guard to strengthen their counter-terrorism services in order to make them better equipped to face the risks and threats of global terrorism has led to an increase in the number of jobs aimed at preventing and fighting it. Over the entire four-year term of the legislature that began a few weeks after the March 11 attacks, about one thousand Police and Civil Guard agents were added. More specifically, in 2004, 300 new positions were created for these agents; in 2005, another 300 were added; more were added later, bringing the total to about a thousand for the whole period. This tended to cover the needs estimated by the security forces themselves in order to prevent and combat international terrorism in Spain. Personnel were added at a pace that responded not so much to political will as to the practical capacity of the various police external information units to take on new human resources specialized in international terrorism.

All this did not mean a reduction in the number of the National Police and Civil Guard members working in the fight against ETA. Quite the contrary, the counter-terrorism services increased their staff by nearly 35% during the legislature, although about three quarters of the new positions involved external information work. Human resources in external information services or units, which are those dealing with issues of international terrorism, grew by 72% in the National Police force and 22% in the Civil Guard.¹⁰ This disparity may well be due to the fact that the National Police has carried out most of the operations against international terrorism in Spain since the 1990s and also since the March 11 attacks, which put it in a more favorable position to increase prior capabilities, while the Civil Guard has taken on most of its new personnel to develop and consolidate such capabilities. Based on the actual number of police agents who dealt with international terrorism at the time of the Madrid bombings, the increase in personnel may be in the order of six to tenfold, depending on the criteria used to calculate it. At the start of a new legislature in May 2008, the Interior Minister promised to increase the number of police agents specialised in the fight against international counter-terrorism by several hundred more.

Once the political decision has been made to increase the number Police and Civil Guard staff working in countering international terrorism, it takes time to select the adequate people and give them specialised training before they can start their new work. This is provided by the counter-terrorism services of each one of the two national law enforcement bodies and by its corresponding training divisions. It includes both technical training in information and intelligence work, and training on the specific characteristics and socio-cultural aspects of current global terrorism. In Spain, those arrested, prosecuted and convicted for crimes related with this type of terrorism are mainly foreigners from countries with majority Muslim populations, in particular from North Africa. However, the vast majority of immigrants from these countries –about a million at present– have nothing to do with terrorism. It is imperative that this basic but certainly crucial distinction be

⁹ Throughout this paper, the expressions international terrorism, global terrorism, terrorism related to al-Qaeda, Islamist terrorism and Jihadist terrorism, though not exactly the same, are used interchangeably. Regarding the definition of these terms, see Fernando Reinares, *Terrorismo global*, Taurus, Madrid, 2003; Fernando Reinares, 'Conceptualizando el terrorismo internacional', ARI nr 82/2005, Elcano Royal Institute, Madrid, and Fernando Reinares, 'El terrorismo global: un fenómeno polimorfo', ARI nr 84/2008, Elcano Royal Institute, Madrid, www.realinstitutoelcano.org.

¹⁰ Data from the Gabinete de Estudios de Seguridad Interior, of the Office of the Secretary of State for Security in 2008, thanks to its director, Commissioner José Antonio Rodríguez, was kind enough to provide me with it. In the case of the National Police force, the percent increase includes operational and support personnel, including translators, while the figure for the Civil Guard does not include the latter.

made –along with other distinctions, for example between Islam, Islamism and Jihadist Salafism– in order to understand the circles in which terrorists move. This is essential for proportionate and selective police action that is effective rather than counterproductive.

It is very important that in their work preventing and fighting global terrorism, the security forces are able to earn the respect and confidence of the Muslim communities established in Spain. It was very interesting to hear the Interior Minister José Antonio Alonso, in his first appearance before the parliamentary Interior committee on May 2004, refer to ‘recruiting as many personnel as possible for the Police and Civil Guard from the related ethnic groups’ with respect to human resources measures adopted to properly face current global terrorism.¹¹ This initiative, however, is limited to some cohorts of Spanish citizens born in Ceuta and Melilla, since the great bulk of Arab and Berber immigration is made up first generation immigrants who either are not Spanish citizens or whose descendents have not reached legal age nor acquired Spanish citizenship themselves. Nonetheless, some interesting people have been hired. In any case, it is also true that, in the prevention of global terrorism, the police forces require both temporary and regular collaborators and informants who are embedded in the communities where the terrorists move. But the investigation of the 11 March attacks made it very clear that this is an extraordinarily complex issue and its regulation is still pending, given the many practical and legal obstacles encountered.¹²

In addition to the increase in human resources aimed at improving the police knowledge and action against current global terrorism, the number of translators and interpreters working in the internal security structure in Arabic and certain other highly relevant languages such as Urdu, rose from 11 to 86 between April 2004 and November 2007. Another aspect of strengthening the central police information and intelligence services in order to prepare the security forces to deal effectively with the challenges inherent to global terrorism has been the creation of new departments specialised in matters directly related to the procedures and operational methods used by international terrorists, as well as investments in new material resources. For example, the *Comisaría General de Información*, that is the counterterrorism branch of the National Police force, established new units in areas such as strategic analysis, information systems and technologies, and what has become known as cyber-terrorism. As mentioned above, in order to cover the costs of initiating these reforms in the Spanish counter-terrorism sector, as well as other reforms described and analysed in this paper, it was necessary to redirect funds from other areas, since the decisions made at the start of the post 3/11 legislature were not included in the 2004 budget. The direct cost of counter-terrorism services came to approximately €350 million in 2005. This amount rose to €368 million (an 11% increase) in the 2006 budget. The figure for direct costs includes specific funding for the fight against international terrorism, and funding under this heading has continued to keep pace with funding for security in general, which has grown by 48.4% over the four-year period.¹³

¹¹ Appearance by the Interior Minister, José Antonio Alonso, before the parliamentary Interior Committee (Chamber of Deputies), on 24 May 2004, in which he reported on the general lines of his department’s policy, *Diario de Sesiones del Congreso de los Diputados, Comisiones, Interior*, VIII Legislature, nr 30, p. 4.

¹² This was acknowledged by Interior Minister Alfredo Pérez Rubalcaba during an appearance before the parliamentary Interior Committee (Chamber of Deputies), on 6 November 2007, in which he reported on the action taken by the government in relation to the recommendations of the 11 March Commission. See *Diario de Sesiones del Congreso de los Diputados, Comisiones, Interior*, VIII Legislature, nr 933, p. 27.

¹³ Appearance by the Interior Minister, José Antonio Alonso, before the parliamentary Interior Committee (in the Chamber of Deputies), on 27 October 2005, in which he reported on the actions carried out by the Interior Ministry in relation to the issues mentioned in the recommendations of the committee investigating the 11 March bombings (Comisión de Investigación del 11-M), *Diario de Sesiones del Congreso de los Diputados, Comisiones, Interior*, VIII Legislature, nr 407, p. 11-12; Appearance by the Secretary of State for Security, Antonio Camacho, before the Senate Budget Committee, in which he reported on the national government’s draft budget (Proyecto de Ley de Presupuestos Generales del Estado), on 22 November 2007, *Diario de Sesiones del Senado, Comisión de Presupuestos VIII Legislatura, Comisiones*, nr 546, p. 75.

Despite the increase in human resources, organisational changes and acquisitions of new material resources used to adapt internal security structures to deal with the risks and threats of global terrorism after the 11 March attacks, it must be kept in mind that the police information and intelligence services are subject to existing legislation. Also, that even though this phenomenon is very difficult to investigate and it is especially complicated to present judges with incriminating evidence, no significant changes have been made in counter-terrorism legislation, except for some that involve the storage and use of explosives, and the transfer to Spanish legislation of binding decisions made at the EU level. This situation is in contrast to other European and western countries whose citizens have also suffered serious terrorist attacks related to al-Qaeda, such as in the US, Australia and the UK, where special legislation has been introduced. It is also in contrast to other countries such as France and Italy, where attacks are feared and special legislation has also been passed. On one hand, the fact that Spain has not substantially changed its terrorism laws means that fundamental rights and civil liberties have not risked being eroded on the excuse of combating global terrorism. But on the other, it suggests that we should consider whether or not the provisions of the Criminal Code (*Código Penal*), designed essentially to deal with ETA, are equally applicable to another terrorist threat, one with significant differences in its organisational structure, internal make-up, transnational scope and operational procedures. It may be time to consider reforms to the characterisation of certain preparatory activities that lay the groundwork for violent radicalisation, recruitment and terrorist training, which do not always meet the technical legal criteria of collaboration with an armed group. We might also consider making the financing of international terrorism a crime in itself, while looking into witness protection, the use of intelligence sources before the courts, and wire tapping without previous judicial authorisation, for example.

Advances in Antiterrorism Coordination

One of the most substantial innovations to occur during the legislature following the Madrid bombings, in terms of adapting intelligence capabilities to more effectively prevent and fight global terrorism, is at the same time a clear step forward along another of the main lines of action taken to adapt internal security structures to the risks and threats posed by the phenomenon. Specifically, it is a fundamental step towards strengthening coordination between national security forces, in light not only of the weaknesses in this area that became clear upon examination of events leading up to the attacks of 11 March 2004, but also the problems in the relationships among the various security forces. This has been a constant in the Spanish police model, although such problems are certainly not exclusive to Spain, and indeed affect other European and western countries whose internal security sectors are also made up of different agencies. Anyone familiar with the ins and outs of Spanish internal security knows the amount of political will needed to overcome deeply rooted resistance from corporate subcultures and institutional rivalries.

In any case, the development I am referring to is none other than the creation, on 28 May 2004, of the National Antiterrorism Coordination Centre (*Centro Nacional de Coordinación Antiterrorista*, or CNCA), after the Cabinet approved a proposal from the Executive Committee for the Unified Command (CEMU, mentioned above). Considering that this committee had been formally created only days earlier to coordinate the security forces within the Interior Ministry, it certainly took quick action in this matter. In fact, the CNCA is functionally dependent on the CEMU, though organisationally speaking it was originally attached to the office of the Secretary of State for Security, then later was handed over to the Interior Minister's own office, very likely in order to provide it with a higher profile and to facilitate the operations it began to carry out in September of that year, six months after 11 March. These functions include regular assessments of terrorist risks and threats to Spain, assessments that provide high-quality strategic intelligence that includes possible scenarios for intervention and operational recommendations for dealing with such risks and threats. The CNCA was initially directed by a reputed Superintendent, Miguel Valverde, who was replaced in 2006, when he became head of the counter-terrorism division of the National Police, by another prestigious Superintendent namely Eugenio Pereiro.

To carry out its mission, the CNCA has its own headquarters on the outskirts of Madrid. Approximately 60 persons work together at these headquarters. Around half of them are analysts from the National Police and the Civil Guard, who work alongside a delegation from the National Intelligence Centre (*Centro Nacional de Inteligencia*, or CNI), an agency that reports to the Defence Ministry.¹⁴ The rest of its members are other police and security forces professionals, translators and administrative support staff. Some experts from the National Penitentiary Institutions Office (*Dirección General de Instituciones Penitenciarias*, or DGIP) have also come on board and there is a protocol for collaboration with the *Mossos d'Esquadra*. Another such protocol with the *Ertzaintza* would also seem to be a reasonable step. The CNCA has regular contacts with similar institutions in other European and western countries, including agencies as important in their respective intelligence communities as the JTAC (UK), UCLAT (France) and the NCTC (US). It also works with some parallel agencies in the Arab world and the Asian region, and with the African Union's CAERT, which is based in Algiers. In this way it contributes to Spanish government's increased international cooperation against global terrorism since the 11 March attacks.

The CNCA is clearly a big step forward both in terms of integrated intelligence analysis –a key tool enabling the national government to make good decisions on security policy– and the coordination of counter-terrorism among the various security forces, for whom the CNCA acts as a complementary and auxiliary body.¹⁵ Regarding this latter function, it is more than significant that, in December 2006, a System for the Coordination of Counter-terrorism Operations (SICOA) was established inside the CNCA. This is basically a database in which the National Police's Anti-Terrorist Division (*Comisaría General de Información*) and the Civil Guard's information service enter data corresponding to current terrorism investigations, as well as any other actions related to the same. This is a way of quickly detecting possible duplications, thereby preventing overlaps and disruptions in the work done by the security forces in the prevention and response to the various manifestations of terrorism.

The fact that the National Antiterrorism Coordination Centre was created only two months after the 11 March attacks highlights the great importance of establishing an agency that could assess the risks and threats posed by terrorism related in one way or another with al-Qaeda. At the same, although ETA may well be on the decline as an armed group, fact is that it continues to exist and it is reasonable that the CNCA should also focus on ETA's terrorist activities as well as on other autochthonous varieties of the terrorist phenomenon. It is nevertheless striking that, despite the fact that Spain's democratic institutions and citizens suffered ETA's terrorist attacks for nearly three decades, especially though not solely in the Basque Country, it was not until after the massacre on the so-called 'death trains' in Madrid that the decision was made to create an institution in which specialists from the various security forces could jointly assess the situation and coordinate counter-terrorism activities. In any case, though the CNCA was created in the framework of a series of initiatives designed to deal with the risks and threats of global terrorism, it adds also value to the fight against ETA.

¹⁴ This is why it has sometimes been discussed whether the CNCA should be directly responsible to the office of the Prime Minister or whether some similar formula should be considered. However, given its structure, make-up and functions, it is reasonable for it to be part of the Interior Ministry, which is the key government institution for preventing and fighting terrorism in Spain.

¹⁵ For some other considerations on the significance of the CNCA in the context of security policy and its place in the intelligence community, see Félix Arteaga & Enrique Fojón, *El planeamiento de la política de defensa y seguridad en España*, Instituto Universitario General Gutiérrez Mellado, Madrid, 2007, p. 334-337, and Antonio M. Díaz, 'El papel de la comunidad de inteligencia en la toma de decisiones de la política exterior y de la seguridad de España', *Fundación Alternativas*, working paper nr 3, 2006, p. 26-27.

Closely related to the developments in the coordination of antiterrorism and counter-terrorism activities is an initiative taken by the Spanish government after the Madrid bombings, based on the same general principle of the public interest that underlies the decisions aimed at strengthening this coordination and also on the more specific principle that calls for information and intelligence to be made available and shared among the various state security agencies. The initiative involves putting into practice this principle of ensuring the availability of information that is in the interest of public security and specifically relevant to the fight against terrorism. It makes use of a new formula for managing police databases to guarantee quick, joint and shared access for all security forces, something which, surprising as it may seem, did not previously exist. As a result of a programme whose development began early in the legislature which started just a few weeks after the Madrid bombings, shared access for the National Police and for the Civil Guard became a reality by mid-2006 for databases including the national identity document (DNI), arms and explosives, passenger lists, and voice and fingerprint identification systems. Upon ratification of an act (*Ley Orgánica 10/2007*) passed on 8 October 2007, identifiers obtained through DNA testing were added to this list. Also, there is now immediate access to the police records and passenger lists for flights from third countries. Overall, between 2004 and 2006, establishing the CNCA and the programme for unifying police databases called for an investment of nearly €19 million, and initial annual cost estimates for personnel and general expenses amounted to €1.6 million and €550,000, respectively.¹⁶

The regulations governing the configuration and functions of the Interior departments in Spanish diplomatic missions, implemented when Alfredo Pérez Rubalcaba was already Minister of the Interior, may be considered another improvement to counter-terrorism coordination, one that facilitates the adaptation of Spanish internal security structures to better deal with the risks and threats of terrorism connected with al-Qaeda. While concern regarding the reform of this important issue predated the arrival of the new minister in May 2006, it was only after a government order on 10 November 2006 (Royal Decree 1300/2006), that the aforementioned Interior departments in Spanish diplomatic missions and permanent delegations to international organisations received the details of their mandate to provide information to higher bodies and directors of the Interior Ministry and the CNCA regarding terrorism in all its manifestations that might affect Spain's internal security. One of the aims of these regulations is to avoid situations in which the National Police or Civil Guard agents in those positions –and others that may be added or liaison officers– act as if they were responsible only to their own particular security force on matters relating to the fight against global terrorism. This is something that has in fact been occurring and perhaps it would not be easy to change completely in the short term.

New Measures for Prevention and Protection

The need for specific measures to prevent new attacks that could cause a large number of victims or disrupt the normal functioning of our society –given the evidence that the threat of global terrorism is persistent, both in Spain and in other European and western countries– explains why the Executive Committee for the Unified Command (CEMU) approved a Terrorism Prevention and Protection Plan (*Plan de Prevención y Protección Antiterrorista*) in March 2005, in addition to improving police coordination and intelligence capacities.¹⁷ Prior to this plan, in December 2004, the Secretary of State for Security had already given two instructions regarding stricter security measures to be adopted in places where large numbers of people would be gathering for the Christmas festivities that year. The plan established now a set of permanent standards for actions by both the National Police and the Civil Guard in these and other similar situations.

¹⁶ Economic estimates provided by the Ministry of the Interior's General Office for Security Infrastructure and Material.

¹⁷ Regarding the logic behind this initiative, and for a presentation of its characteristics, see the appearance by the Secretary of State for Security, Antonio Camacho, before the Senate Budget Committee on 23 May 2005, in which he reported on the Terrorism Prevention and Protection Plan, published in *Diario de Sesiones del Senado, Comisión de Interior*, VIII Legislatura, Comisiones, nr 168, p. 2-18.

The standards set by the Terrorism Prevention and Protection Plan implies the extraordinary mobilisation of a large number of police officers. Even military personnel could be called, by decision from the Minister of the Interior, for a number of support tasks, including the monitoring of air space. Regional and local police forces could also take part in the activities described in the plan. The measures included in the plan are activated and coordinated through the office of the Secretary of State for Security at three possible levels, according to the assessment of the risks and threats involved. They can vary according to the season of the year or changes in the national or international situation, in order to protect places with high concentrations of persons or major infrastructures, among other possible terrorist targets of a strategic or symbolic nature. For example, it was activated at level three, the highest possible, in June 2005, shortly after news of the London bombings, and at level two in 2007, when the National Court was in session for the trials of the suspected 11 March bombers and their collaborators.

Although the Terrorism Prevention and Protection Plan focuses on safeguarding essential public services for Spanish citizens, CEMU approved a National Plan for the Protection of Critical Infrastructures in May 2007 (that is, in the last year of the legislature initiated shortly after the Madrid bombings, until then there had been no plan of any kind) after preparing a list of such infrastructures (declared secret by the Government in November of the same year), and after studying the risks affecting each piece of infrastructure and determining both preventative and proactive operations to be implemented by the police forces. The National Plan for the Protection of Critical Infrastructure calls for broad inter-ministerial collaboration, as well as an effective partnership between the public and private sectors, with links to European programmes and networks tackling this issue. There is also now a specific plan for the protection of maritime transport and port facilities in Spain. This is especially important considering that fact that maritime terrorism is one of the potential facets of global terrorism today. Also, regarding what is considered an unlikely but increasingly plausible scenario for global terrorism involving attacks with nuclear, radioactive, bacteriological or chemical (NRBC) components, authorities at the Interior Ministry also decided in 2005 to establish a Prevention and Reaction Plan to deal with possible incidents involving non-conventional components and to prepare an appropriate response to threats of this nature. This is a specific plan whose development has been entrusted to the Civil Guard and which involves thousands of its personnel. Nevertheless, the units specialised in the deactivation of explosive devices, now of an integral character and known as Tedax-NRBC, belonging to the Anti-Terrorist Division within the National Police, are the better prepared to deal with episodes involving these kind of non-conventional terrorist risks and threats.

Furthermore, the fact that the terrorists who carried out the 11 March attacks acquired the necessary explosives through Spanish criminals highlighted the urgency of increasing controls over these substances. In this regard, the regulations governing their transport, storage and use were made considerably stricter as from the Madrid bombings. This included new requirements for books that detail their movements and use, and the obligation to submit records each month on the corresponding use of weapons and explosives. Also, the Civil Guard developed an extensive action plan to monitor these records. Between November 2004 and November 2007, this led to over 166,000 inspections throughout the country, with particular attention to certain areas of special interest and concern. About 2,500 infractions were detected. Specifically, over three tons of explosives, over 11 kilometres of detonating cord and over 15,000 detonators were seized.¹⁸ Also, through a law passed on 10 October 2005 (Organic Law 4/2005), the Criminal Code was modified to increase the penalties for trafficking and illegal use of explosive substances that could be used by terrorist groups.

¹⁸ This information was provided by Interior Minister Alfredo Pérez Rubalcaba during an appearance before the parliamentary Interior Committee (Chamber of Deputies), on 6 November 2007, in which he reported on the action taken by the government in relation to the recommendations of the 11 March Commission. See *Diario de Sesiones del Congreso de los Diputados, Comisiones, Interior*, VIII Legislature, nr 933, p. 5.

The Spanish government, within the bounds of the Interior Ministry, has also made headway in a development that complements the work being done by the police intelligence services in the area of the financing of terrorism. In late 2005, the police were actively involved in nearly 500 investigations relating to the financing of international terrorism. This eventually led to a series of police operations and a considerable number of arrests. Effective measures were implemented to monitor activities suspected of providing economic and financial resources to terrorist groups or organisations. This was accomplished through enabling regulations for the current law on the prevention and blocking of financing for terrorism, which dates from May 2003. These enabling regulations are necessary in order for the system to be able to implement some of the measures aimed at monitoring, banning or blocking any financial flow, position or operation likely to be related to the financing of terrorism. While adaptation to the third European directive on banking systems and the prevention of the financing of terrorism is completed, between 2004 and 2007, the four-year period that largely corresponds to the post-3/11 legislature, the Commission for the Monitoring of Activities related to the Financing of Terrorism (*Comisión de Vigilancia de Actividades de Financiación del Terrorismo* or CVAFT) closed a total of 730 files, of which about half (exactly 369) involved the financing of Islamist terrorism.¹⁹

Responsibility for Spanish prisons resided for years with the Ministry of Justice, but this was handed over to the Interior Ministry in the mid-1990s. Given its great importance in terms of counter-terrorism policy, the decision was made in November 2004 that prisoners convicted of or charged with crimes related to international terrorism would be dispersed among about 30 prisons, including two operated by the regional government of Catalonia, instead of remaining at the two facilities where the majority of them had been kept. The goal was to prevent them from turning into places where violent radicalization would develop and terrorists could be recruited. Operation Nova, a major police operation carried out earlier the same month, had in fact proved that this was taking place. This initiative was accompanied by the application of other organisational and disciplinary measures to this category of prisoners, who numbered close to 200 four years after the 11 March attacks. These measures included the specific monitoring of particular prisoners through the FIES system (*Fichero de Internos de Especial Seguimiento*), which was already in use for those charged with or convicted of different types of crimes involving terrorism or other particularly serious offences.

This special monitoring of individuals incarcerated for Jihadist terrorism offences means a very rigorous, closed prison regime that always involves limited interaction with other prisoners and monitored communications. Other prisoners who, due to their fanatic behaviour and their Jihadist proselytising attitude in prison may be a cause for concern but who are not subject to this same programme, are also monitored closely. In relation to all this, both penitentiary directors and assistant directors for security at the different prisons have since then received specific training on international terrorism. Also, translators have been made available in over 20 of these institutions, religious assistance is provided to Islamic inmates and, since the end of 2004, a protocol has been in place to provide the security forces with the information generated through the monitoring of prisoners associated with international terrorism. Since these prisoners are also part of the larger group of foreign inmates, they nevertheless have access to an education and social reinsertion plan that includes options ranging from Spanish language courses to vocational training. This could help to inhibit violent radicalisation processes and could even encourage de-radicalisation, outcomes that will have to be evaluated with particular attention.²⁰

¹⁹ Information also provided in June 2008 by the Internal Security Studies Group (GESI), which is responsible to the Office of the Secretary of State for Security.

²⁰ Regarding this issue, see José Antonio Gutiérrez, Javier Jordán & Humberto Trujillo, 'Prevención de la radicalización yihadista en las prisiones españolas. Situación actual, retos y disfunciones del sistema penitenciario', *Athena Intelligence Journal*, vol. 3, nr 1, 2008, p. 5-13.

The success of the government measures taken against international terrorism perpetrated by individuals and groups who claim to be followers of Islam, depends to a large extent on the perceptions of the Muslim communities in Spain toward these terrorists and towards state counter-terrorist activities. Within these communities a significant minority has been found exhibiting positive attitudes towards al-Qaeda, Osama bin Laden and the global Jihad, among other relevant indicators.²¹ It is inside these communities where self-proclaimed Jihadist terrorism must be challenged, in particular, but not only, by recognised religious authorities. This would inhibit processes of radicalisation and socialisation in a type of violence whose promoters put forward justifications based on an intransigent, inflexible and irrational reading of the Koran and other traditional texts that are the basis of the Muslim creed. In this regard, it is significant that the Ministry of the Interior and, in particular, the office of the Secretary of State for Security, through its head, Antonio Camacho, has been cultivating a fluid dialogue with the leaders of the Islamic Commission of Spain, a stable organisation that has been in dialogue with the Spanish state since the signing of a cooperation agreement in 1992. These Muslim leaders have acknowledged the efforts made by the Spanish authorities to maintain an ongoing dialogue. As a result of this, the Ministry of the Interior receives first-hand information if, for example, an undesired consequence of a given counter-terrorism operation is a feeling in the Muslim community that they are the victims of harassment. In such cases, the Ministry can use this information to manage the situation in the best way possible. However, it is a dialogue limited by problems of representation that affect the leaders of the main Muslim associations, who strive –not without interference from beyond our borders– to articulate the interests of Muslims living in Spain. It is also limited by the divisions found both within each association and between associations.

Europeanising and International Cooperation

International terrorism related one way or another with al-Qaeda is a widely transnationalised and even globalised phenomenon. As a result, the efficiency of governmental initiatives to increase national capabilities in terms of police information and intelligence, to improve coordination among state security agencies and to develop protection plans –among the measures adopted by Spanish authorities in the aftermath of the March 11 attacks– would be very limited in the absence of effective international cooperation. As the experience of the fight against ETA has shown, such cooperation is essential to combat a form of terrorism that crosses borders. In the specific case of ETA, it is Spanish-French cooperation that is essential, notwithstanding the fact that cooperation is also necessary both within and beyond Europe, particularly with certain Latin American countries. However, preventing, containing and fighting global terrorism requires a much broader agenda of cooperation with authorities in other nations, in the realm of internal security. Bilateral cooperation is especially important, but participation in multilateral forums is also important. Increasing and diversifying this international cooperation was a top goal of those responsible for Spanish internal security as soon as the PSOE came to power after the general elections on 14 March 2004. To accomplish this, they established action plans for geopolitical zones and countries identified as top priorities in terms of global terrorism.

These action plans starting, of course, with our immediate European neighbours and the EU itself. As was the case during the two previous legislatures with the Popular Party in government, 1996-2000 and 2000-04, Spain's Interior Ministry has continued to be very active in the EU Council of Ministers of Justice and Home Affairs, an inter-governmental decision-making body that deals with matters relating to the fight against terrorism of all kinds, an issue that came to fore after the 9/11

²¹ Regarding Muslims living in Spain, see the information contained in the study *How Europe's Muslims See Themselves at Home and in the World. Findings from Surveys in Britain, France, Germany, Spain and The Netherlands*, prepared in 2005 by the Office for Research of the United States Department of State; also, the information found in the report *The Great Divide: How Muslims and Westerners View Each Other*, prepared by The Pew Global Attitudes Project, whose field work was carried out in the spring of 2006 and whose results were published in June 2006.

attacks.²² Some of the initiatives taken by the Spanish government since the 11 March attacks have been subsequently passed on to this inter-governmental framework of cooperation, in the context of the so-called 'Third Pillar'. Since the attacks, the first related to the current global terrorism network to occur on European soil, collective decisions have been made there aimed at the prevention and fight against this phenomenon, the implementation of which is mandatory in Spain and the other member states, thus helping Europeanise national counter-terrorism policy both in Spain and in other EU member countries.²³ In 2005, for example, Spain became the first country to transpose the EU directive of April 2004 (designed for counter-terrorism purposes) that makes it mandatory for passenger carriers to provide a prior list of the persons who plan to cross an external border of the EU. Spain has also taken steps, through Law 25/2007 (18 October 2007), to incorporate the directive approved in March 2006 by the European Parliament and Council on keeping information relating to electronic communications and public communications networks. This is also considered a key legal instrument in the fight against global terrorism.

Since 11 March 2004, the authorities at the Ministry of the Interior have taken an active role in the implementation of the EU Action Plan for the Fight Against Terrorism, revised in March 2004. They have also been involved in the preparation of the EU Strategy on the Fight Against Terrorism, whose final wording was adopted in late 2005. Through the Interior Ministry, the Spanish government is also among the EU countries that has been most actively involved in developing the Hague Programme, adopted by the European Council in November 2004 as a multi-year plan which, from 2005 to 2008, is meant to improve the capacity of the EU and its member states to fight the terrorist threat, among other goals. The Spanish security forces have also continued to take part in different mechanisms for inter-governmental dialogue on this issue in the context of the EU's Third Pillar, such as the Working Group on Terrorism and the Task Force of Police Chiefs. And, of course, they participate in Europol, an agency devoted to gathering, analysing and facilitating the exchange of information between police agencies in EU member states, with terrorism being one of its fundamental objectives. However, for at least two years following the 11 March attacks, Spain did not make a very strong contribution to that agency's file on international terrorism, ranking seventh in terms of the number of contributions and 11th in terms of quality. It is also true, though, that Europol adds far less value to the prevention and fight against global terrorism within the respective national jurisdictions than would be needed to make it significant at an operational level.

Indeed, the Spanish authorities, like those in other European countries, continue to put much more faith in bilateral arrangements than in any other form of international counter-terrorism cooperation –even within the EU region– mainly due to the very sensitive nature of much of the information exchanged. In this regard, the Spanish security forces cooperate especially well with their counterparts in the UK and France. In fact, in September 2004 Spain and France formed a joint investigation team that includes police officers from both countries working specifically on the issue of Islamic terrorism. The Spanish government is at the forefront of EU countries that have chosen to become involved in other initiatives to strengthen cooperation on matters of internal security in general and counter-terrorism in particular, issues that do not always coincide. Among the most significant initiatives are those taken by the G-6 countries (known as the G-5 until 2006) and the Prüm Treaty. The G-6 is an informal forum for discussion between the Interior Ministers of Germany, Spain, France, Italy and the UK. Poland joined in 2006, when it joined the EU. The Prüm

²² Continuity, in terms of the Spanish government's policy on counter-terrorism cooperation, is sometimes closely associated with specific, high-profile civil servants. This is the case of Luis Luengo, top Superintendent on the National Police force, and the also police Superintendent Javier Albaladejo in their capacities within the Permanent Representation of Spain to the EU and the Ministry of Interior.

²³ Among the preliminary explorations leading to later developments in this regard, see Fernando Reinares & Óscar Jaime, 'Europeización de la actividad policial y lucha contra el terrorismo transnacionalizado', in Iván Llamazares & Fernando Reinares, *Aspectos políticos y sociales de la integración europea*, Tirant lo Blanch, Valencia, 1999, p. 249-268.

Treaty on increased trans-border cooperation in the fight against terrorism and other crimes, also known as Schengen III, was signed in May 2005 by Germany, Austria, Spain, France, Luxembourg and the Netherlands.

Secondly, the international cooperation against global terrorism developed by the Spanish authorities has led to increased cooperation with the US. Despite what many believe, the political distance and total lack of dialogue between the Spanish Prime Minister, José Luis Rodríguez Zapatero, and the US President George Bush, which may have affected other aspects of Spain's foreign policy during the post-3/11 legislature, have not had an impact on cooperation with the US in the area of counter-terrorism. This may be because this area of cooperation is conducted with some degree of autonomy from the political level and disagreements that may affect the relationship between national leaders, though, of course, within certain limits. In fact, it may be disrupted more by informal issues related to the human factor that is still so important to effective international cooperation between police and intelligence forces, than by formal issues *per se*. Nonetheless, the Spanish Interior Minister and the Secretary of State for Security, as well as the top police officials responsible for the fight against terrorism, have maintained stable and fluid relationships with their US counterparts, making mutual visits that have facilitated police cooperation, especially on issues relating to global terrorism.²⁴ This is true despite the fact that this cooperation has been characterised by a rather unequal exchange in which US agencies tend to benefit more from the information they receive from their Spanish counterparts, who are often disappointed by the lack of response they receive to their requests for information from the US.

Third, the adaptation of Spain's internal security structures aimed at preventing terrorism related in one way or another with al-Qaeda has been facilitated by increased cooperation with police forces in predominantly Muslim countries where al-Qaeda, its territorial extensions or associated groups or organisations are established, and which could penetrate Spanish territory. At the start of the post-3/11 legislature, the Maghreb was identified as the top priority for this kind of cooperation. And as an obvious result of the 11 March attacks, Morocco became the country receiving top attention, along with Algeria. This is perfectly understandable, since individuals from the Maghreb make up over 80% of all prisoners in Spain for crimes related to so-called Jihadist terrorism. About four out of 10 are Moroccan and nearly the same proportion came from Algeria.²⁵ These are somewhat striking figures considering that the number of Moroccan immigrants residing in Spain is estimated to be 10 to 15 times higher than the number of Algerians. But statistics are more understandable considering the development of Islamist terrorism in Algeria since the early 1990s and the fact that that country is now the main scene of attacks by the regional branch of al-Qaeda in the Maghreb, which was formed in late 2006 or early 2007 from the Salafist Group for Preaching and Combat (GSPC). While there have been intensive, ongoing exchanges of information between the Spanish and Moroccan security forces since 11 March 2004, it has required more effort to achieve a fruitful level of cooperation with the Algerian authorities. However, all this has produced results. In any case, police cooperation with the authorities in Maghreb countries is important not only to prevent global terrorism on Spanish soil, but also against Spanish interests and Spanish citizens in these countries, which have been specifically targeted (as have the French, for example) by the North African branch of al-Qaeda since it first appeared.

By the autumn of 2005 –a year and a half into the post-3/11 legislature– as part of an initiative to reinforce the deployment of police attachés and liaison officers abroad (designed and coordinated by the office of the Secretary of State for Security), agents specifically devoted to issues of global

²⁴ On p. 90 of the report, titled *Country Reports on Terrorism 2007*, prepared by the Office of the Coordinator for Counterterrorism, of the US Department of State, and made public in April 2008, Spain is referred to in the following terms: 'Spain cooperated closely with the United States to investigate and prosecute acts of terrorism and to prevent future attacks, and worked hard to disrupt terrorists acts that possibly were directed against US interests'.

²⁵ Fernando Reinares, 'Hacia una caracterización social del terrorismo yihadista en España: implicaciones en seguridad interior y acción exterior', ARI nr 34/2006, Elcano Royal Institute, Madrid, www.realinstitutoelcano.org.

terrorism had been assigned to posts in countries where previously there had been none, despite the fact that the al-Qaeda cell established in Spain in the 1990s had maintained regular contacts with individuals and terrorist groups in those countries. More specifically, new Interior Ministry attachés were posted to Libya and Morocco, to Mauritania in the increasingly important Sahel region, to Syria and Jordan in the Middle East, to Pakistan in south Asia or to Indonesia and the Philippines in south-east Asia. This external network of police contacts spread gradually to other countries such as Mali, Lebanon, and Saudi Arabia, among a list of especially significant locations in terms of global terrorism, while bilateral counter-terrorism agreements were negotiated with countries such as Algeria in 2007 and Egypt and Mali in 2008. This cooperation was fostered through contacts such as those between the Spanish Interior Ministry and the Arab League, and through Spain's participation in forums such as the ones periodically held by the Ministers of the Interior of the Western Mediterranean (CIMO).

Do the Government and the Citizens Agree?

Having reached this point, we may well ask what Spanish citizens think of the measures that their national government has taken since the 11 March attacks to adapt our internal security structures to face the risks and threats of global terrorism. Have the actions taken by the Interior Ministry in this regard been well received by the general population? A Barometer of the Real Instituto Elcano (BRIE) carried out in June 2006 –by which time most of the initiatives mentioned in this working paper had already been adopted and was at an advanced stage of implementation– provided interesting data on public opinion on this issue.²⁶ For example, regarding the increase in police intelligence capabilities and, more specifically, the increase in human resources in the respective external intelligence services and units within the national security forces –the services specifically working to prevent and combat international terrorism– the survey showed that 84% of respondents felt it was important or very important to ‘greatly increase the number of Police and Civil Guard agents’ as a way to fight this problem, and up to 61% considered this very important.

Those interviewed for the same study of Spanish public opinion were also asked for their assessment of two other government initiatives –both also taken shortly after the start of the legislature following the general elections held three days after the 11 March attacks– involving two developments in counter-terrorism coordination. Ninety-seven percent of respondents felt that ‘obliging the Civil Guard and the National Police to coordinate’ was an important or very important measure to be taken against international terrorism, while up to 88% agreed that this was very important. Of all the government initiatives on this issue mentioned in the survey, this was the one that received the greatest and strongest support from Spanish citizens. According to the same survey, 94% of respondents agreed that, above and beyond joint, shared access to information, it was important or very important to ‘unify the databases of the national security forces’ as a measure to counter international terrorism. Eighty-one percent considered this a very important measure.

The existence of ‘special prevention plans on special dates or for special events’ was identified by 87% of those interviewed as being important or very important, while 61% considered it simply a very important measure to prevent attacks related to global terrorism. The BRIE survey also indicated that 72% of Spanish citizens believed that it was important or very important to have ‘plans [in place] to deal with terrorist attacks with nuclear, radioactive, bacteriological or chemical weapons’, while 57% said this was a very important measure in the fight against international terrorism. The fact that these plans were identified as important by 15% fewer people than in the case of plans for terrorism prevention and protection for special dates and events, may be because there is a part of Spanish public opinion that is not convinced by the idea that Jihadist terrorists

²⁶ In this epigraph, I summarise part of the content of my analysis ‘¿Coinciden el Gobierno y los ciudadanos en qué medidas adoptar contra el terrorismo internacional?’, ARI nr 78/2006, Elcano Royal Institute, Madrid, www.realinstitutoelcano.org.

could acquire and use non-conventional weapons or weapons of mass destruction on Spanish soil. 'Increasing control over financial institutions to prevent the financing of terrorism' was identified by 91% of respondents to the same survey as an important or very important measure in the fight against international terrorism, while up to 78% agreed it was very important. The importance of 'preventing prisoners convicted of crimes of international terrorism from staying together in the same prison' was an issue on which there was less agreement among citizens. Seventy-four of the respondents agreed it was important or very important, and 57% alone that it was very important. 'Keeping up an ongoing dialogue with Muslim communities in Spain' –as, in fact, the Ministry of the Interior and, particularly, the Secretary of State for Security have been doing– was identified as an important or very important measure in the fight against international terrorism by 80% of those interviewed in the BRIE survey of June 2006, and as very important by 57%.

While cooperation on counter-terrorism within the EU is very highly valued, with 97% of those interviewed identifying it as important or very important and as many as 91% as very important, these figures drop to 81% and 64%, respectively, in the case of cooperation with Morocco, to 79% and 64% for cooperation with countries in the Muslim world, and to 79% and 61% for cooperation with the US. The relatively lesser importance indicated by Spanish public opinion regarding counter-terrorism cooperation with the authorities in Spain's North African neighbour and in the rest of the Muslim world may be due to the negative opinion observed in some segments of Spanish public opinion vis-à-vis the political regimes now typically found in that geo-political region. As for cooperation with the US, while a sizeable majority of Spaniards favour counter-terrorism cooperation with the US authorities, there seems to be a palpable discontent among Spanish citizens regarding the so-called war on terror undertaken by the leaders of this superpower, as well as a certain latent anti-Americanism in Spanish political culture.

On the whole, the actions that the government took during the post-3/11 legislature to adapt internal security structures to the risks and threats of global terrorism do indeed correspond to measures that Spanish public opinion considers either important or very important. Both in terms of the increase in intelligence capacities and counter-terrorism coordination, through general or specific prevention and protection plans, including some of the initiatives discussed in this analysis, and in terms of international cooperation to more effectively face the risks and threats of global terrorism, the decisions taken by the Ministry of the Interior after the March 11 attacks were in harmony with a series of generic measures that the BRIE survey showed were favoured by a large majority of Spanish citizens. This widespread social acceptance suggests, first of all, that the authorities responsible for internal security enjoy a great deal of public support to continue making headway with the measures adopted; and secondly, that there are solid grounds for an explicit and stable political consensus on this important issue, at least between Spain's two main political parties.

Such a political consensus, however, did not exist during the post-3/11 legislature and, while it is difficult to assess to what extent a lack of consensus had a negative impact on the implementation of the measures taken by the government to adapt internal security structures to the challenges of global terrorism, it is reasonable to assume that this political climate did nothing to facilitate things, since the lack of agreement between Spain's two main political parties, which was echoed in the news media, ended up having some impact on the officials who ultimately implement the decisions that had been legitimately made by the authorities. The lack of political consensus in the prevention and fight against global terrorism was made clear in the aftermath of the Madrid bombings of 11 March 2004, when, due to the different interpretations of the attacks given by the two main parties and the impact of this on the results of the general elections held three days later, the Spanish Socialist Party (PSOE) beat the Popular Party (PP), which had expected to renew its parliamentary

majority and keep control of the executive branch of government.²⁷ It is a well-known fact that the lack of consensus was aggravated by the strong disagreements caused by the ultimately futile attempt by José Luis Rodríguez Zapatero, in his capacity as Prime Minister, to put an end to ETA terrorism through a controversial process of dialogue and negotiation with the armed group and with the political party that represents the group's base of social support. Meanwhile, this lack of consensus made its way into civil society and even led to divisions within associations of victims of terrorism, in a dynamic that was not mitigated by the decision to create a High Commissioner, Gregorio Peces-Barba, to deal with these associations. Fortunately, the new legislature, as from April 2008, opened with much more promising prospects for achieving the political consensus that the government requires to act against terrorism in general and against global terrorism in particular.

Conclusion: 'We Must Not Lower Our Guard'

The set of measures adopted by the Spanish government after the 11 March attacks to adapt internal security structures to the risks and threats of global terrorism are part of a counter-terrorism plan (the already mentioned *Plan Operativo de Lucha Contra el Terrorismo*) approved in the spring of 2004, but are closely linked to other initiatives in the same direction developed since that date beyond the confines of the Interior Ministry. While this is the main institution that elaborates and implements counter-terrorism policy, it is not the only ministerial department involved one way or another in the government's response to the continued challenges to Spain posed by al-Qaeda, its regional branches, groups associated with it and the local cells it inspires. Due to the complexity of global terrorism, its cross-border nature and the international regime in place to counter it, the government initiatives to prevent and fight the phenomenon necessarily require collective action at both inter-governmental and intra-governmental levels. At the same time, the participation of actors in areas of decision making that are not strictly related to internal security has become increasingly important.

For example, the number of personnel working in the various security forces to adapt police intelligence and information capacities to the fight against global terrorism has increased at the same pace as this has also happened at the National Intelligence Centre. In turn, the Centre contributes to the work being done by the National Centre for Antiterrorist Coordination, despite the fact that the latter is responsible to the Ministry of the Interior, while the former is part of the Ministry of Defence. In other words, it is integrated in the same department that includes the Armed Forces, but whose human and material resources can be mobilised according to the level at which the Secretary of State for Security decides to set the Counter-terrorism Prevention and Protection Plan. That is also the location of the Emergency Military Unit (*Unidad Militar de Emergencias*, or UME), which was created in 2005 to assist other public agencies and authorities in situations such as, for example, the aftermath of a major terrorist attack. Furthermore, both the general and specific plans for prevention and protection against terrorism require the participation of other ministries, regional autonomous governments and local authorities, as well as the private sector, depending on the situation.

The actions carried out by the Commission for the Monitoring of Activities related to the Financing of Terrorism (CVAFT) also illustrate the interrelations between the internal security sector and other areas of the national government and civil society. Though it is headed by the Secretary of State for Security, with the participation of other services attached to the Interior Ministry, such as the security forces, it also needs input from the Ministry of the Economy, the Treasury office, the Office of the Attorney General and the Bank of Spain. The latter, for example, provides a Money

²⁷ A critical discussion of this issue is proposed in Edurne Uriarte, *Terrorismo y democracia tras el 11-M*, Espasa, Madrid, 2004, from a different point of view, José María Maravall, *La confrontación política*, Taurus, Madrid, 2008, pp. 99-122.

Laundering Prevention Service (SEPBLAC) which, in its capacity as a Spanish financial intelligence unit, plays a decisive role in the Commission's work as a technical support service that works alongside police units specialised in investigating the financing of terrorism. Meanwhile, the dialogue between the makers of Spanish internal security policy and representatives of Muslim communities, an interesting issue in itself, is an initiative included in the renewed efforts by the General Directorate of Religious Affairs to regulate Islam in Spain since 2004. This Office is, however, part of the Ministry of Justice, which maintains close contact with authorities at the Ministry of the Interior on a long list of matters of common interest –one of which is how to deal with global terrorism– including issues discussed at European forums on cooperation that the heads of both departments attend.

In this regard, the participation of two or more ministerial portfolios is often required to implement EU decisions at the national level in Spain or in other member countries involved in a given initiative. For example, to implement the Hague Programme, the Spanish government had to set up an inter-ministerial group which, coordinated by the Interior Ministry, included participation by the Ministries of External Affairs and Cooperation, Justice, Economy, and the Attorney General's office, as well as other Administration units involved more or less directly in counter-terrorism issues. In any case, the closer international cooperation that the Interior Ministry has implemented as one of its measures to adapt internal security structures to the challenges of global terrorism, has been combined with the efforts made in the area of counter-terrorism cooperation implemented during the post-3/11 legislature by the Ministry of Foreign Affairs and Cooperation, specifically through the General Directorate for International Affairs of Terrorism, Non-proliferation and Disarmament, created in June 2005 and whose name was changed at the start of the following legislature to the General Directorate for Strategic Affairs and Terrorism. This office carries out its multilateral activities with international organisations such as the United Nations, the Organisation for Security and Cooperation in Europe (OSCE), the European Council and the Financial Action Task Force (FATF), often developing frameworks for counter-terrorism collaboration and cooperation, and implementing counter-terrorism initiatives through public diplomacy or bilateral talks, often prior to establishing effective channels for police collaboration and cooperation against global terrorism.

All in all, the action that the Spanish government has taken against global terrorism is both multifaceted and multi-departmental, and goes beyond the measures adopted in the internal security sector. However, while integrated, consensus-based national strategies to deal with this issue have been formalised in other European and western countries, this is not the case in Spain. Such a strategy would have to be consistent with a national security strategy and it could also lead to inter-ministerial plans on such important issues as the prevention of radical violence and terrorist recruitment. Some of the actions taken in the internal security sector, both by police forces and in prisons, will have clear effects on these processes. However, there should be an integrated, multifaceted plan to interweave them with other actions taken in relation to the social integration of immigrants, the regulation of religious groups, socialisation in schools and foreign policy, among other areas. This is necessary, in light of the worrying developments observed in some groups of foreign Muslims in Spain and in other European countries, in order to avoid even more serious problems among second-generation immigrants. In the case of Spain, such a plan could be studied by and promoted with the help of the national Security Policy Council, whose members include representatives of the Interior Ministry, the autonomous communities and the Spanish Federation of Municipalities and Provinces. Valuable contributions could also be made by the National Council on Public Security (CNSC), which is headed by the Secretary of State for Security and receives input from the Interior Ministry, the Ministry of Justice, the Governing Council of the Judiciary (*Consejo General del Poder Judicial*), the Office of the Attorney General, the Ministry of Labour and Social Affairs, the Economic and Social Council, the Spanish Federation of Municipalities and Provinces, the General Council of Spanish Lawyers (CGAE), the Youth Council, the Spanish Confederation of Neighbourhood Associations, the Confederation of Parents of Schoolchildren, the

Spanish Federation of Press Associations and other representatives from the non-governmental organisations sector.

The need to deal with two terrorist threats at the same time (ETA on the one hand and the terrorism associated with al-Qaeda on the other), will likely be an obstacle to developing a national strategy and an integrated plan to prevent violent radicalisation. Another obstacle is the number of government administrations that have to be included, from the national to the local level, in a country as decentralised as Spain. But this in no way reduces the value of the headway made since 11 March 2004 in the adaptation of Spain's internal security structures to better prevent and combat global terrorism. In response to questions put to him in the Senate in May 2007, Alfredo Pérez Rubalcaba, Interior Minister during the second half of the post-3/11 legislature and the early part of the following period, concluded with two questions of his own –questions that anyone might ask–: ‘Are we better prepared to fight international terrorism?’ ‘Is this a safer country now?’ The Minister answered that, in his opinion, the answer is yes. And I believe he is right. The fact that another 11 March attack has not occurred in Spain is a success in itself, because there are individuals and groups related one way or another with al-Qaeda that have tried to make this happen since then. Of course, no society –including Spain– is invulnerable to current global terrorism, and the risks and threats that this phenomenon pose for Spain are not going to go away any time in the near future. For this reason, in his appearance before the Senate, the Interior Minister added a third question: ‘Can we lower our guard?’ The answer is obvious: ‘Absolutely not. We must not lower our guard’.²⁸

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²⁸ Response by the Interior Minister, Alfredo Pérez Rubalcaba, on behalf of the government, to a question on 30 May 2007, posed by Senator Eduardo Cuenca, of the Mixed Parliamentary Group, on intensifying the measures considered in the recommendations of the committee investigating the attacks of 11 March 2004, aimed at dealing with international terrorism, in light of the recent Islamist attacks in Casablanca (Morocco) and Algiers (Algeria), *Diario de Sesiones del Senado*, VIII Legislature, nr 123, p. 7558.