



## **National Security and the National Security System**

12 September 2022

### **National Security Concept**

Spain embraces a concept of National Security based on human security, placing the protection of people as the center and primary goal of the National Security State policy.

Security —as a whole— is an essential condition for the growth of human beings and the progressive development of community life. In other words: without security it is impossible to lay the necessary foundations for freedom, progress and the well-being of citizens and society, which are the building blocks on which the State is built and based. With this in mind, and within the framework of a social and democratic State under the rule of law, the Spanish government undertakes the guarantee of human security as its primary function. At the same time, this commitment —in which the individual, collective and State security prevails — requires a coordinated and comprehensive action of the State to generate a broad awareness and a culture of security. This includes, in particular; knowing, understanding and enhancing the efforts required to safeguard human security and the key role of social co-responsibility to achieve this goal.

This concept of human security places freedom and welfare of the individual at the very center of the protection system and requires a security approach oriented towards cross-cutting responses, in order to address threats from a multidimensional perspective.

### **Legal definition of National Security**

On the legal side, National Security is defined under Law 36/2015 on National Security, as "the State action aimed at:

- Protecting the freedom, rights and welfare of citizens;
- ensuring the defense of Spain and its constitutional principles and values; and
- contributing together with our partners and allies to international security.



This definition encompasses three fundamental components of national security: National Defense, Public Security and State Foreign Action, supported by the State Intelligence Services.

In addition, the Spanish legislation includes other components, known as "areas of special interest" such as, health, energy, economy, transport, supply or cybersecurity, which must also be considered. All these areas of security converge to protect and guarantee the daily life of citizens.

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### **National Security System**

Pursuant to Law 36/2015 on National Security, **the National Security System (SSN)** is composed of the bodies, agencies, resources and procedures integrated in the system as provided in article 20 of the aforementioned regulation, allowing the competent bodies to exercise effective, coordinated and timely their functions.

Law 36/2015 states that the responsible authorities for National Security are integrated within the General State Administration, the Administrations of the Autonomous Communities, the Autonomous cities of Ceuta and Melilla — within the competent bodies trusted with National Security—, and in the local Administration; which shall exercise the responsibilities set out in the legislation, in the local regulations and in any other applicable laws.

Under the direction of the President of the Government, the System is responsible for evaluating the factors and situations that may affect National Security as well as for gathering and analyzing the information required to take the necessary decisions to direct and coordinate a response to any crisis described in the National Security Law. In addition, the system is also responsible for detecting needs and proposing measures on planning and coordination with all the Public Administrations, in order to guarantee the availability and correct functioning of the System's resources.



Within the SSN, the National Security Department (DSN) acts as the Technical Secretariat and permanent working body of the National Security Council and its supporting bodies.

It follows that National Security —and the System that supports it— is crosscutting in both its nature (structure) and its mission (crisis management). Therefore, it needs to integrate information from public bodies (Ministries, Agencies and Institutions, Autonomous Communities and Cities, Government Delegations and Sub-delegations) as well as from other external sources (i.e., international organizations, national and international news, Internet or social networks.)

*The development of ESN 2021 through the National Security System.*

The new National Security Strategy 2021, adopted last December, lists the main risks and threats. It includes 16 areas of security that must be addressed and reflect the main security challenges for Spain that is ready to guarantee.

In this context, the National Security System is the tool to implement this strategy and to respond to the crises that may occur. It consists of the set of agencies, resources and procedures that allows the competent authorities to perform its duties in terms of national security.

In terms of its structure, the following bodies are worth mentioning (in summary form):

- The National Security Council (NSC), in its capacity as the Government's Delegate Commission for National Security, is responsible for assisting the President of the Government in directing National Security policy and the National Security System. The President of the Government chairs the NSC. If the King is in attendance, HM the King will chair. Main ministries related to National Security, the National Intelligence Center and the Spain's CHOD (Defence Chief of Staff) have a permanent seat.
- The support bodies of the National Security Council —known as Specialized Committees or under such other terms as may be determined— perform the duties assigned by the National Security Council in the areas of action provided for in the National Security Strategy or where circumstances for crisis management so require.



The following Councils and Committees are currently constituted and acting on a permanent basis:

- National Maritime Security Council
- National Cybersecurity Council
- National Aerospace Security Council
- Specialized Committee on Nonproliferation
- Specialized Council on Immigration
- Specialized Council on Counterterrorism
- Specialized Council on Energy Security

In addition, the Situation Committee has been established as the main support and coordinating body for crisis management. This Committee is unique for the National Security System as a whole and it provides recommendations on the management of situations of interest to National Security —among other functions—.

- Finally, the Department of National Security, which is the advisory body to the President of the Government in matters of National Security, is also trusted with the following tasks:

- Technical secretariat and working body of the National Security Council and of all supporting bodies, including the Situation Committee;
- to maintain and ensure the proper functioning of the Situation Center of the Department of National Security for the exercise of its functions of monitoring and crisis management;
- to drive the development and integration of the National Security System; and
- to manage and ensure the special communications of the Presidency of the Government.