

The EU as a Coherent (Cyber)Security Actor?*

HELENA CARRAPICO^{1,3} and ANDRÉ BARRINHA^{2,3}

¹Aston University, School of Languages and Social Sciences, Aston Triangle, Birmingham ²Canterbury Christ Church University, School of Psychology, Politics and Sociology, Canterbury ³Centro de Estudos Sociais, Universidade de Coimbra, Coimbra, Portugal

Abstract

The last three decades have seen the development of the European Union (EU) as a security actor. The transnational character of the security threats and the challenges identified by the EU have led to progressive integration between internal and external security concerns. These concerns have often led to calls for greater coherence within EU security policies. The literature, however, indicates that this need for coherence has, so far, not been systematically operationalized, leading to a fragmented security field. This article has two main aims: To devise a framework for the analysis of the EU's coherence as a security actor, and to apply it to the cybersecurity field. By focusing on EU cybersecurity policy, this article will explore whether the EU can be considered a coherent actor in this field or whether this policy is being implemented according to different and unco-ordinated rationales.

Keywords: coherence; European security; cybersecurity

Introduction

The European Union (EU) is an intricate security actor, covering an increasing number of areas and policies, ranging from the environment to cyberspace. A characteristic trait of this complexification has been the emphasis put by the EU on the merging of internal and external security and on the need to develop policies, actors and instruments that are coherent within this security context (Bossong and Rhinard, 2013). As acknowledged by former European Commissioner for Justice, Freedom and Security, Jacques Barrot, 'Justice and Home Affairs (JHA) policies have increasingly had an impact on international relations and play a vital role in the European Union's (EU) external policies. Conversely, many of Europe's internal policy goals depend on the effective use of external policy strategies' (2009, p. 11). More recently, the *EU Global Strategy* also refers to the need for further integration between internal and external security: 'In security terms, terrorism, hybrid threats and organised crime know no borders. This calls for tighter institutional links between our external action and the internal area of freedom, security and justice' (European Union, 2016, p. 50). However, as the degree of complexity in the EU's security increases, questions should be asked regarding the coherence underlining the combination of what is now a large plethora of instruments, actors and policies. The EU may be becoming an increasingly complex security actor, but is it becoming a more coherent one, as it purports to be?

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This is a particularly relevant question when considering cybersecurity (Wessel, 2015). Recognizing that information technology has become the backbone of European societies (European Parliament and Council, 2016), the EU has made cybersecurity one of its main security priorities. Such prioritization has been reflected not only at the level of new initiatives being proposed, but also in the idea that in order for the EU to be an effective cybersecurity actor it needs to be fully coherent. Cybersecurity questions a number of important dichotomies (internal/external, public/private, civilian/military) while, simultaneously, blurring the geographical distinctions between national, European and global levels (Kirchner and Sperling, 2007). As a security area, it provides an ideal ground to assess the coherence of the EU's security *actorness*. On this basis, the present article proposes to investigate whether the EU is becoming a more coherent security actor in cyberspace. Specifically, the article aims at contributing to two main bodies of literature – one on coherence and one on cybersecurity. Where the first is concerned, the article offers an innovative case study that points out that numerous coherence problems observed in other areas of security have spilled over to cybersecurity. Discussing coherence in this policy context implies focusing on the policies and institutions that sustain the EU's cybersecurity approach and contrasting them against the underlying security understandings within which they are framed. Although cybersecurity as a unified domain is still a recent field of action for the EU (the EU's first strategy in this area only dates to 2013), the article argues that it is possible to trace a search for coherence in this field prior to that point. Regarding the contribution to cybersecurity, the article proposes to add to this literature by offering conceptual tools to assess the EU's activities in this field from a coherence-base perspective. This mapping exercise will allow for the progressive assessment of the EU's developments in this field, by matching its practices against its official rhetoric and policy objectives.

In terms of structure, the article is divided into three sections. The first one explores how the concept of coherence has gradually been integrated into EU security policies and presents an analytical framework, which focuses on the institutional practices and shared security understandings along two axes: Vertical relations (between Member States, European institutions and private actors) and horizontal relations (within Member States, European institutions and private actors). The second section introduces the EU's rhetoric on the importance of cybersecurity and of achieving coherence in this policy area. The third section applies the analytical framework to cybersecurity and contrasts the EU's practices of coherence with its rhetoric. It suggests that significant obstacles to a fully coherent policy approach are still visible both in terms of horizontal and vertical relations. The article concludes by offering a few normative reflections on the EU's coherence as a cybersecurity actor.

I. Conceptual Reflections on Coherence as a key Organizational Principle of the EU

Coherence has long been a topic of policy and academic discussion, reflecting the positioning of this concept at the heart of the construction of the European project (Cremona, 2008; Pomorska and Vanhoonacker, 2016). Since the 1990s, the focus of this literature has been on the association of coherence with efficiency and on how best to achieve it, namely through the identification of areas suffering from capability-expectations gaps (Hill, 1993). Although the concepts of coherence and consistency have

been abundantly explored in the academic literature, in particular the legal one (Cremona, 2008; Van Vooren, 2012), this article has chosen not to embark on a definitional discussion, but rather adopt the conceptualization used by the EU. The reason for this choice is determined by the purpose of this article, which is to explore whether the EU is becoming a more coherent cybersecurity actor, according to its own proposed coherence objectives. In the European Security literature, this coherence is debated along the lines of whether the Foreign and Security Policy and the Area of Freedom, Security and Justice can be seen as coherent, including coherence within each individual policy area (Missiroli, 2001; Trauner, 2011) and across the different security policy areas (Pawlak, 2009).

For the purposes of this article, and having the European Commission documents as a guiding reference, we propose to adopt a dual definition of coherence as institutional co-ordination and as shared understanding of security (European Commission, 2006). The institutional co-ordination focuses on two elements – operational and political: the concrete practices of the actors involved in the co-operative efforts (or absence of) on the one hand, and the political obstacles and incentives framing those relations, on the other. For these relations to be solid and fully coherent, they should be based on similar views about security, threats and potential responses between those same actors, which corresponds to the second coherence dimension considered in this article.

As the external and internal dimensions of security became more relevant within the EU framework, so did the perception of their increased blurring (Bigo, 2000; Trauner and Carrapico, 2012). The emergence of a post-Cold War security environment led to the replacement of nuclear deterrence with the prospect of new non-state security threats, such as organized crime and terrorism (Tickner, 1995). In Europe, new transnational solutions, better adapted to these emerging threats and coherently articulating the EU's security *actorness*, had to be devised. Although there had been references to coherence since the early 1970s (Juncos, 2013), it is in the post-Cold War context that the concept of coherence starts to permeate EU discourse in a clearer way.

This shift in security priorities reflects a larger trend in the development of the EU legal order, in which coherence has gradually become one of the main constitutional principles (Cremona, 2008). The Maastricht Treaty, for example, was explicit about this goal: 'The Union shall in particular ensure the consistency of its external activities as a whole in the context of its external relations, security, economic and development policies' (Art. C). Since then, the importance of developing and strengthening a coherent approach to European security has continued to expand (European Commission, 2006; European Council, 1999). As a recent example, the European Agenda on Security stressed that 'EU internal security and global security are mutually dependent and interlinked. The EU response must therefore be comprehensive and based on a coherent set of actions combining the internal and external dimensions' (European Commission, 2015, p. 4). The *Joint Framework on Countering Hybrid Threats: A European Union Response*, presented in 2016, follows the same line when it promotes 'a holistic approach that will enable the EU, in coordination with member States, to specifically counter threats of a hybrid nature by creating synergies between all relevant instruments and fostering close cooperation between all relevant actors' (European Commission, 2016, p. 3). As mentioned above, the same logic has now been replicated in the recently launched *Global Strategy for the European Union's Foreign and Security Policy* (European Union, 2016).

The concept of ‘coherence’ is, in our view, currently at the heart of the EU’s security *actorness* and strategic vision and it has been used to further justify institutional reform. It is the case, for instance, of the creation of the High Representative for Foreign and Security Policy, aimed at increasing coherence between EU institutions (Juncos, 2013). However, and despite having attracted substantial policy and academic attention, this is a concept that remains rather fuzzy and problematic.

Incoherent Coherence?

For the European Commission, coherence should be equated with ‘better strategic planning’, ‘better delivery and impact’ and ‘better co-operation’ (2006, pp. 6–9). The European Security Strategy mentions that coherence is about ‘bringing together different instruments and capabilities’, ‘better coordination’ and ‘unity of command’ (Council of the European Union, 2003, p. 13). Despite some degree of specification, however, the concept of coherence remains considerably vague. A good example of this fuzziness is the EU’s interchangeable use of coherence and consistency, as explored in Missiroli’s work. In his view, the usage of different terms is significant as, legally, consistency is defined as the ‘absence of contradiction’, whereas coherence implies ‘an added value’ (2001, p. 4). Politically, however, as the author concludes, such distinction is less relevant as ‘[b]oth terms hint at the need for coordinated policies with the goal of ensuring that the EU acts unitarily’ (2001, p. 4). The expectation is that by acting in a co-ordinated fashion, the EU will be a stronger actor. Despite having taken some important steps in that direction in the last few years, there is still, we argue, an important gap between rhetoric and practices between the EU’s aspired role as a unified security actor and the developments carried out for that purpose (Argomaniz, 2009).

As mentioned in the introduction, assessing the EU’s coherence in this field entails looking at both its institutional co-ordination and the existence (or not) of shared views on security, threats and potential responses. In Table 1, each of these conceptualizations is analyzed along a horizontal and a vertical axis (Nuttall, 2005). The horizontal one includes the elimination of contradictions in terms of policies, agency and instruments, at EU level, as well as between Member States and private actors, whereas the vertical axis explores the co-ordination between actors from a multilevel perspective (Biscop and Andersson, 2008).

Coherence as institutional co-ordination should be understood as the optimal alignment of procedures, policy outputs, instruments and actors, necessary to tackle security threats that are not bound by national borders (Brattberg and Rhinard, 2012). According to the academic literature (Trauner, 2011; Wessel, 2015), there is considerable indication that the proposed increase in coherence has not yielded the expected results in terms of co-ordination, leading to a capability-expectations gap (Hill, 1993). On the one hand, the EU has made considerable progress in terms of promoting common policy outputs, implementing new procedures to develop common instruments and encouraging security actors to work together.¹ On the other hand, however, issues of inter-institution

¹ The streamlining of internal procedures has been accelerated through the elimination of the pillar system and the replacement of unanimity voting with qualified majority voting in Justice and Home Affairs (*Treaty of Lisbon*, 2009). In addition, integrated security approaches have been promoted through the co-production of joint instruments, such as the *Cyber Security Strategy* (European Commission and HREU, 2013).

Table 1: Coherence in the security field

	<i>Horizontal Axis</i>	<i>Vertical Axis</i>
Institutional co-ordination/integration	Are Member States' security institutions/ bodies co-ordinating policies and instruments efficiently at national level?	Are Member States and EU institutions co-ordinating effectively across security policies?
	Are EU institutions co-ordinating initiatives efficiently at European level?	Are European institutions gaining competences in the area of security?
	Is there co-ordination between private companies in the area of security?	Is the private sector, as an emerging actor in European security, co-ordinating effectively with Member States and EU institutions?
Shared understandings Threats, approaches, responses	Has there been an approximation or harmonization of national understandings of specific security threats?	Are Member States' understandings of security threats similar to those of EU institutions?
	Do Member States prioritize a European response to security issues?	Do EU documents reflect national security understandings?
	Do European institutions share the same understanding of security threats?	Do Member States apply at national level the security threat definitions used in EU documents?
	Are threat responses framed within a similar conceptual framework?	Does the private sector share the same understandings of security threats as the State sector?
	Does the private sector project a shared understanding of security threats?	

and inter-agency conflict, overlap and lack of communication are said to be particularly worrying.²

Coherence as shared understanding of security threats, implies looking at how different actors both vertically and horizontally define security as a concept and identify both the threats and ideal policy responses to best address them. In this area, clear progress in Member States' convergence towards a number of security-related concepts (Calderoni, 2010), such as 'transnational organised crime group', 'human trafficking' or 'terrorism' has been reported. Despite these developments, authors such as Trauner (2011), have pointed out discrepancies in terms of how European values are applied in the context of

² Referring to Civilian Crisis Management and to the division of labour between the Commission and the Council, Howorth highlights that the CSDP 'missions embarked on to date have all revealed serious problems of inter-agency rivalry' (2007, p. 132).

the convergence between internal and external security. Although the EU argues that it is highly committed to the upholding of democracy, rule of law and fundamental rights, it is not unusual to observe the EU co-operating with countries that do not share the same respect for these values.³ If we focus specifically on the issue of convergence towards common threat understandings at national level, considerable differences have also been identified among national definitions (Calderoni, 2010).

The first section of this article proposed a conceptual mapping to analyze the level of coherence in EU security. The following section will now provide a detailed insight into the case study of cybersecurity, not only by exploring the origins and development of this policy field, but especially by focusing on the rhetoric of a policy field that is considered to represent one of the main successes in security coherence. The mapping of the EU's rhetorical construction of its cybersecurity policy will then serve as a comparative basis for the third section and draw conclusions regarding the level of coherence of the area.

II. EU Cybersecurity as a Coherent Policy Field?

Cybersecurity is a broad term that covers occurrences and risks of different nature, from cybercrime and cyber-attacks to critical infrastructure and personal data protection (Klimburg and Tirmaa-Klaar, 2011). An indirect concern of the EU since the early 1990s (Porcedda, 2011), the origins of this policy can be found in the area of information and computer security, which later expanded to a comprehensive cybersecurity policy encompassing not only cybercrime but also critical information infrastructure protection and more recently cyber defence. According to the *White Paper on Growth, Competitiveness and Employment. The Challenges and Ways Forward into the 21st century* (European Commission, 1993) and the *Report on Europe and the Global Information Society* (Bangemann Group, 1994), information and communication technologies were seen as essential to the continued development of economies and the completion of the single market. Both these documents already contained the idea that information and communication technologies would only benefit the economy if they were coherently articulated and integrated with older sectors of activity. The EU's interest in cybersecurity thus started off as an economic concern, which was related to the advancement of the Single Market, and whose association to a coherent economic policy appears from an early stage.

The addition of a security rationale to the already existing economic one occurred towards the end of the 1990s, driven by the international community's interest in computer-related crime (European Commission, 2001). The development of this security rationale was also reflected within the EU's rhetoric, which was by then particularly concerned about illegal and harmful content on the Internet, as well as rapidly growing high-technology crime (Council of the European Union, 1997). From the late 1990s to the mid-2000s, a flurry of non-legally binding instruments and initiatives emerged in this area, aimed at fostering Member State awareness and shared concern. Examples of such instruments include the introduction of the term 'high tech crime' in Council conclusions

³ For instance, the EU external border agency, FRONTEX, has co-ordinated operations where the EU intercepted suspected illegal migrants and handed them over to third countries, including to authoritarian regimes such as Qaddafi's Libya (Frontex, 2007).

for the first time in 1999 (European Council, 1999); the *eEurope 2002 -- Information Society for All -- Action Plan*, which focused on fostering a more secure Internet in order to create the most dynamic knowledge-based economy in the world (Council of the European Union and European Commission, 2000); and the *Commission Communication on Improving the Security of Information Infrastructures and Combating Computer-related Crime* (2001). Similarly to the international shift, the idea of coherence also moved in the direction of increased co-operation at EU level.

Notwithstanding the above-mentioned evolution, cybersecurity did not become a top security priority until the mid-2000s (even the 2003 *European Security Strategy* was notably silent on the topic). The change emerged with the growing realization that information systems and technologies were vulnerable to external attacks, particularly of a terrorist nature (European Commission, 2004). This shift led to two main outcomes: 1) the move from non-legally binding to legally binding instruments, as was the case of the Council Framework Decision on *Attacks against Information Systems* (Council of the European Union, 2005); and 2) the further reinforcement of the idea of coherence as a necessary element of efficiency and as a desirable result best achieved at the EU level. Both outcomes were connected by the perception that organized crime and terrorism represented a clear threat to the achievement of a safer information society, which was being put at risk by the existence of gaps and differences, and indeed gaps, between Member States' laws. The national level was presented as being insufficiently equipped to adequately answer to these increasingly transnational threats and a common approach, characterized by approximation and developed at EU level was, instead, introduced as a necessary response (Council of the European Union, 2005).

Since then, there has been a clear effort to consolidate the EU's activities in the field, namely by raising public awareness, by investing in a comprehensive and coherent strategy and corresponding instruments, such as the recently approved NIS Directive. As the second part of this section will demonstrate, the EU's consolidation efforts have been focused on the three main pillars of this policy's institutional architecture: Cybercrime, critical information infrastructure protection (CIIP) and, to a lesser extent, cyber defence.

Consolidating a Coherent EU Cybersecurity Policy

There has been a concerted attempt within the EU to promote coherence throughout the field. The publication of the 2013 *EU Cyber Security Strategy -- An Open, Safe and Secure Cyberspace* (EU-CSS) is particularly representative of the push towards increased coherence, as it resulted from a combined effort between then Home Commissioner Cecilia Malmström, High-Representative Catherine Ashton and DG Connect Commissioner Neelie Kroes, with the input of DG JUST (Fahey, 2014). The EU-CSS rests on three main action pillars – critical information infrastructure protection, cybercrime and cyber defence (European Commission and HREU, 2013). The strategy aimed at improving the co-ordination between these three dimensions, which gradually came to be included in the area of cybersecurity but were still regarded as fairly separate (Christou, 2016). Critical information infrastructures correspond to physical and information technology facilities or services that are essential to society (health services,

water and energy networks, telecommunications, banking), which, if disrupted, could seriously affect the wellbeing of citizens (Dunn Cavelty and Kristensen, 2008). Cybercrime refers to a large set of different criminal activities where computers and information systems constitute either the primary tool of the attack or their main target (European Commission, 2007). Finally, cyber defence covers the safeguarding of the communication and information systems at the basis of national defence mechanisms (European Commission and HREU, 2013).

As previously mentioned, coherence in the EU's security approach can be divided into two broad categories: 1) Institutional co-operation, and 2) Shared understanding of security. Where the first is concerned, considerable rhetorical emphasis is being put on the development of a common approach to cybersecurity based on the enhancement of co-operation among actors, instruments and policies (European Commission and HREU, 2013). Institutional co-operation is understood as being particularly important given that the European governance of cybersecurity is rather decentralized, with relevant bodies to be found in the public and private sectors. In addition to national cybersecurity authorities and international bodies such as the Council of Europe, the main actors in cybersecurity include: DG Migration and Home Affairs (cybercrime), the European Cybercrime Centre (EC3) (cybercrime), the European External Action Service (cyber defence), the European Defence Agency (EDA) (cyber defence), DG for Communications Networks, Content and Technology (network and information security), the European Network and Information Security Agency (ENISA) (network and information security) and Computer Emergency Response Teams (CERTs) (cybercrime).

Co-operation with the private sector is also understood as essential, as companies are considered to have a better insight into the practices of cybercrime (either as victims or as producers of anti-cybercrime products), and critical information infrastructures are often in the hands of the private sector (European Commission and HREU, 2013). In order to reinforce the need for intra-actor coherence, a Cooperation Group has been proposed by the Directive on Security of Network and Information Systems (NIS Directive) that entered into force in August 2016 (Directive (EU) 2016/1148). Similar trends can be observed regarding instruments and policies. Considerable emphasis has been put on harmonizing Member States' capabilities and infrastructures, and on ensuring a minimum level of requirements among private sector actors to allow co-operation to take place from a technical point of view (Directive (EU) 2016/1148). There is also a clear interest in ensuring that cybersecurity is being mainstreamed into larger policy areas, namely EU external relations and Common Foreign Security Policy (European Commission and HREU, 2013). Cybersecurity has recently been framed as a priority area in the EU Global Strategy (2016).

Coherence as shared understanding of security is directly connected with the perceived need for a EU-wide approach to cybersecurity: 'attacks against private or government IT systems in EU member States have given [cybersecurity] a new dimension, as a potential new economic, political and military weapon' (European Council, 2008, p. 5). This need for a more common approach implies the encouragement of a holistic effort by all stakeholders, including international partners, the private sector and civil society (European Commission and HREU, 2013). There is the clear perception that cyberinsecurity cannot be controlled directly by state institutions and therefore requires the full collaboration of the different sectors of society. Security is understood in this

context as collaborative, preventive and resilient. Furthermore, it is also an understanding of security that is intimately tied to the promotion of EU values and principles: ‘Cyber security can only be sound and effective if it is based on fundamental rights and freedoms as enshrined in the Charter of Fundamental Rights of the European Union and EU core values’ (European Commission and HREU, 2013, p. 4). This issue has been rather salient with regard to the post-Snowden relations between the EU and the US where divergences between both – particularly regarding privacy and data protection – have been visible regarding the fundamental norms that underpin governance in cyberspace (Bendiek, 2014; Christou, 2016).

III. From Rhetoric to Practices

Following this analysis of the EU’s cybersecurity rhetoric, this article will now more thoroughly assess whether the EU can be considered a coherent actor in this field. The analysis will proceed by first exploring the differences between rhetoric and practices within the horizontal axis (inter- institutional relations at the different EU, national and private levels), and then within the vertical axis (relations between Member States and the EU, and between these actors and the private sector) (Table 2).

Horizontal Relations

Europe, the EU included, has been witnessing a shift towards a greater awareness of the importance of cybersecurity and the need to mainstream it into all areas. Interviews conducted with EU and national officials in Brussels have confirmed the growing centrality of cybersecurity in policy discussions. The EU Global Strategy was unambiguous about it: ‘The EU will be a forward-looking cyber player, protecting our critical assets and values in the digital world’ (European Union, 2016, p. 42). However, the interviews also revealed that despite these important steps, much remains to be done to achieve coherence in this area. As a security field, and when compared with other major cybersecurity players, the EU’s actorness in cyberspace is still rather limited (Christou, 2016) and it faces multiple challenges, including inter-institutional co-ordination and other factors that limit its operational capacity, such as financial investment and human resources. When making the distinction between operational institutional co-operation and political co-operation, the former is presented as less problematic and having progressed quicker whereas the latter seems to have remained a more sensitive area (Interview, CERT EU, 2016). Let us look at the different levels of the horizontal analysis to better unpack these differences.

As mentioned above, cybersecurity is now a policy priority for EU institutions (Kroes, 2012, p. 3). Present and future measures in the European security field will prioritize cyberspace, as made clear in the EU-CSS (European Commission and HREU, 2013), in the December 2013 European Council Conclusions, the *European Agenda on Security* (European Commission, 2015), the *Joint Framework on countering hybrid threats: a European Union response* (European Commission, 2016) and the *Shared Vision, Common Action: a Stronger Europe. A Global Strategy for the European Union’s Foreign and Security Policy* (European Union, 2016). In fact, the EU institutional architecture has

Table 2: Coherence in the cybersecurity field

	<i>Horizontal Axis</i>	<i>Vertical Axis</i>
Institutional co-operation	<p>Growing culture of co-ordination between EU institutions, visible through increase in number of official documents referring to the need for closer co-ordination and through representation of EU bodies in management boards (namely EC3, ENISA and CERT EU).</p> <p>However, increased rhetorical co-ordination has not produced evidence of co-ordinated practices.</p> <p>Coherence is hindered by limited financial resources, low staff numbers and confusing division of labour.</p> <p>Lack of evidence of greater co-ordination among private actors through efficient self-regulation and the setting of benchmarks.</p>	<p>There are clear problems of co-ordination between the EU level and the national one due to different levels of preparedness of Member States.</p> <p>Cybersecurity governance remains the responsibility of Member States.</p> <p>Fragmentation of the European approach through the creation of sub-regional partnerships.</p> <p>ENISA and EC3 are gaining new competences in the area of cybersecurity and their influence in shaping national policies has also increased.</p> <p>There is evidence of the willingness of the private sector to collaborate in cybersecurity governance, but results have so far been limited.</p>
Shared understandings Threats, approaches, responses	<p>Growing rhetoric on shared cybersecurity threats both at the EU and at national level through the production of official documents.</p> <p>However, Member States' commitment to a shared understanding of cybersecurity is not always clear.</p> <p>Lack of evidence regarding whether the private sector shares the same understanding of cyber threats. Prevention and preparedness practices show that not all companies share the same understanding of risk.</p>	<p>Member States have added responsibilities, given the central role they assume in Europe's cybersecurity architecture, but they, overall share the same threats and concerns.</p> <p>They do not, however, share the same responses, due to different levels of cybersecurity development and lack of trust.</p> <p>Only part of the private sector shares the EU and national concerns as responses continue to diverge considerably.</p>

developed considerably since 2004, with the creation of specialized agencies, such as ENISA and Europol's EC3, as well as co-ordination mechanisms such as the Horizontal Working Party on Cyber Issues, specifically created to offer additional co-ordination between Member States. The latter has succeeded the Friends of the Presidency Group on Cyber Issues and is responsible for bringing a large range of cyber related topics to the attention of COREPER and the Council in order to ensure coherence between areas as different as criminal justice in cyberspace and cyberdiplomacy (Council of the European Union, 2016). There is now a much clearer idea of who the key stakeholders in the field are and where the need for greater coherence lies (Interview, German Permanent Representation, 2016). The NIS Directive (European Parliament and Council,

2016) appears to further contribute to this by bringing together the European Commission, Member States and ENISA as members of the new Cooperation Group, which has been created to offer strategic guidance and facilitate co-operation between Member States on information security.

Bendiek refers to this progress when she mentions that ‘this cooperation finds expression in the joint meetings of the Political and Security Committee (PSC) and the Committee on Operational Cooperation on Internal Security (COSI), as well as in the joint sessions of the Parliamentary Committee on Civil Liberties, Justice and Home Affairs (LIBE) and the Committee on Foreign Affairs (AFET)’ (2012, p. 20). It is also embodied in the mutual representation of ENISA in the EC3 board and vice-versa. The two agencies signed a co-operation agreement in 2014 that contributed to a higher level of co-ordination between them. More recently, they have been developing a common taxonomy for practitioners to refer to cyber incidents, a common format for relevant information and a mechanism for information exchange (ENISA, 2015b). EEAS representatives also sit on the board of EC3. In fact, interviews conducted by the authors in 2015 and 2016 reveal an emerging ‘cybersecurity community’ across EU institutions that is based upon a culture of communication, co-ordination and the acknowledgment of limited resources (Interview, EEAS, 2015; Interview, European Commission, 2016).

The attempt to increase co-ordination has not, however, always resulted in coherent inter-institutional work. On the contrary, the EU’s approach to cyberspace continues to be fragmented, (Christou, 2016; Klimburg and Tirmaa-Klaar, 2011), and possesses characteristics of an emerging policy field with a ‘lack of clearly delineated areas of responsibility and accountability among the different institutions’ (Bendiek, 2012, p. 12). There are co-ordination problems between, but also within institutions, which are related to the historical evolution of the different cybersecurity areas, as well as the perception that each area still experiences different separate challenges. It is not unusual to find projects whose objectives clash with those of other institutions (Interview, European Parliament, 2016). Furthermore, states, via the Council, seem to be more reluctant than other institutions (such as the European Parliament) to enhance EU powers in this area (Interview, CERT EU, 2016).

As a consequence, the allocated resources are often extremely low when compared with other security areas and other parts of the world. For instance, in 2013 the Pentagon requested USD 3.2 billion worth of funding be allocated to cybersecurity (Comminos, 2013). Comparatively, the EU’s network and information security agency, ENISA, has an annual budget of €11 million (ENISA, 2016a), the European Cybercrime Centre, EC3, had an initial budget of €7 million (*BBC News*, 2013), and until recently the European External Action Service (EEAS) had only four people working on cybersecurity (Renard, 2014b, p. 14).

Regarding the level of coherence at the national level, the problems are similar, although more acute. Cybersecurity is regarded, on the one hand, as a sensitive area where the sharing of information does not come naturally to all Member States, and on the other hand as an emerging area which is new to many countries (an idea consensually shared by all the stakeholders interviewed in Brussels for this article). Whereas Member States such as France, Germany, the Netherlands and Italy would like to go further than the current EU cybersecurity framework, other countries prefer forms of sub-regional co-operation. One such example is the Visegrad countries plus Austria, who created the Central

European Cyber Security Platform (CSCSP) that promotes co-operation between their respective CERTs and Computer Security and Incident Response Teams (CSIRTs) (Interview, CERT EU, 2016). The problem of differing priorities does not lie only in political preferences but also in security capabilities, including the necessary institutional framework to exchange information with other countries and the capacity to conduct cybercrime and cyber defence operations. Where the first is concerned, there is still no agreement regarding the most appropriate model for the collection and sharing of information between Member States (Interview, European Parliament, 2016). There is also the issue that national authorities have different models of cybersecurity co-ordination at national level, which further complicates the choice of a model for information exchange (Christou, 2016; Guitton, 2013). Furthermore, not all countries are ready to make the financial commitment that is involved in creating the necessary infrastructure and as a result tend to not prioritize cybersecurity (Interview, European Parliament, 2016). This difference in capabilities and prioritization is particularly visible in the number of existing national cybersecurity strategies among EU Member States, which in 2016 was still limited to 23 (ENISA, 2016b). The NIS Directive recognizes these discrepancies between Member States, suggesting that this 'results in an unequal level of protection of consumers and businesses, and undermines the overall level of security of network and information systems within the Union' (European Parliament and Council, 2016, p. 2).

Regarding the level of private actors, we can also identify similar coherence problems. As mentioned previously, the private sector plays a central role in this security area: It acts as an agenda setter – as it raises awareness of specific trends – and as a partner to EU institutions and Member States (Interview, European Parliament, 2016). The fulfilment of this role also implies a considerable amount of intra-sector co-operation. In particular, ENISA feels that it is extremely important for different sectors of the economy to collaborate on the development and adoption of security standards in order to better protect consumers, the Digital Single Market and the industries themselves from cyber-attacks (ENISA, 2015a). However, there is indication that the level of co-ordination among companies and levels of cybersecurity maturity vary considerably depending on the sector of activity. Whereas the financial sector is more open to co-operation, the telecommunications one is more hesitant (Interview, Commission, 2016). The hesitation can in part be explained by the fear that information exchange could result in the eroding of a competitive edge (Interview, European Parliament, 2016; Giacomello, 2014).

Vertical Relations

When asked about the coherence between the EU, national and private actors levels, most of the interviewees agreed that we have witnessed an increase in coherence, linked to the Europeanization of national approaches to cybersecurity. The Europeanization has become visible in the greater awareness of cybersecurity issues and in gradual development of cybersecurity standards. This trend is particularly linked to three main elements: 1) the perception that cybercrime is increasing; 2) the response to the massive usage of the Internet and digital services; 3) the reaction to international cyber-attacks and their impact on countries such as Estonia and The Netherlands (Interview, German

Permanent Representation, 2016). Despite growing Europeanization, cybersecurity in Europe ‘remains almost exclusively a national prerogative’ (Renard, 2014a, p. 13). This point is particularly relevant, given the EU’s claim, as seen above, that cybersecurity is too complex and too transnational in nature to be left to Member States. In 2012, officials from the European Commission publicly criticized the low level of preparedness of a considerable number of Member States (Nielsen, 2012). The problems of co-ordination that were described above among Member States are also reflected in the co-operation between Member States and EU institutions. Brussels often has difficulty convincing Member States of the importance of furthering integration in this area, often resorting to projects ‘à la carte’ where national participation is voluntary as is the case of EDA projects. The problem, however, does not stem only from the national level. The Network and Information Directive is a specific example which could lead to co-ordination problems and a lack of coherence, particularly regarding the division between network information infrastructure bodies and law enforcement ones, as EC3 plays a very limited role in the directive (European Parliament and Council of the European Union, 2016, p. 9).

In terms of co-operation between private and public actors, similar problems emerge. Although public private partnerships (PPPs) are widespread in this sector, their level of co-operation varies considerably and there is often a degree of uncertainty regarding what the partners can offer each other (Interview conducted in Brussels, 2016). One of the problems, long identified, but not yet solved, is the existence of diverging interests where the private sector privileges efficiency and profit, and the public sector prioritizes security (Dunn Caveltly and Sutter, 2009). According to Bossong and Wagner (2016), this divergence in interests is reflected in the large multitude of ill-defined forms of public–private co-operation in the area of cybersecurity. These authors show through a comparative study of many PPPs in this area that these forms of co-operation often remain at the rhetorical level because they have little to offer to the private side. As an example, an ENISA report from 2015 revealed that the main PPP led by this agency, the European Public Private Partnership for Resilience (E3PR), failed to produce meaningful results because of multiple conflicts of interests relating to the costs of mandatory security measures and of data confidentiality (ENISA, 2015c).⁴ This divergence eventually affects the level of trust between partners, which is essential for information sharing regarding the disclosure of cyber-attacks at national level. Finally, PPPs also have the problem of being too narrow and not taking into account the level of integration of specific markets (Dunn Caveltly and Sutter, 2009): a PPP focusing on the protection of electric grids might not consider the security of third party companies, which the electric grid relies on to produce energy.

Overall, we could argue that there is a contradiction within the EU’s vertical axis of cybersecurity: On the one hand, it clearly highlights the limits of national approaches, both due to the transnational character of the threats and to the heterogeneous approach to the field, and, on the other hand, it promotes, in its strategy, ‘a decentralized

⁴ In addition to E3PR, other PPP-related initiatives can also be found in the NIS Public–Private Platform, which was proposed in the EU Cybersecurity Strategy of 2013. More recently, a contractual Public–Private Partnership (cPPP) has also been signed in this area in July 2016 with the aim of structuring and co-ordinating digital security industries in the EU.

organization, where cybersecurity governance remains in the Member States, while the EU supports capacity building, ensures consistency across Member States, and facilitates co-ordination and outreach' (Ramunno, 2014, p. 1).

Conclusion

Our understanding of European security in 2016 is certainly less assertive than a decade ago, when authors such as Allen G. Sens argued that '[t]he EU will increasingly become the institutional centre of gravity for security policy deliberation, coordination and action by European governments' (2007, p. 25). However, even if such a favourable view of the EU's security actorness is far from being accomplished, one cannot deny that in areas such as cybersecurity the EU is gradually becoming an important actor (Christou, 2016; Wessel, 2015). If to this we add the increasingly complexity of issues the EU needs to deal with (from border management to counter-terrorism), it becomes clear that a coherent EU might be necessary to tackle the multiple security issues that affect its citizens and Members States.

The mapping presented above allows for a structured approach to the issue of coherence in EU security, focusing both on the vertical relations between the EU, its Member States and private actors, and on the horizontal relations between its multiple institutions and agencies. Focusing on the specific case of cybersecurity, it was possible to conclude in this preliminary study, that the EU has an explicit ambition to be a coherent security actor. However, both the architecture put in place under the EU-CSS and the resistance from Member States to allow the EU to have a more stringent control over their cyber activities, limit the EU's coherence in the field. That said, both the rising political importance given to cybersecurity and the progressive consolidation of what is still a rather recent field of activity, means there are signs the EU might move towards a more coherent actorness in the field.

We should, however, conclude this article on a cautionary note. When discussing the coherence of the EU as a security actor, there are a few normative assumptions that are, by default, associated with it. First, and foremost, the idea that it is better for the EU to act as a unitary actor, as that will mean a more 'effective' EU. This is an assumption that is far from self-evident, at least in the realm of foreign policy, where the EU 'has often achieved unanimity at the expense of effectiveness' (Missiroli, 2001, p. 5). Furthermore, 'a policy can be effective without necessarily being consistent (as the "carrot-and stick" metaphor and the "good cop-bad cop" example epitomise)' (Missiroli, 2001, p. 5). Second, there is also the notion that a more coherent Union is, in the security field, a more integrated union where different policy areas coincide to offer the best possible toolkit of action. In such a case, security threats are presented in a spectrum where continuity, rather than difference, occupies central stage, but that ultimately, might encourage 'an exaggeration of connections between them' (Anderson, 2007, p. 43). Finally, the idea that a more effective EU is 'a good thing' due to the values it portrays, as visible in the European Security Strategy: 'An active and capable European Union would make an impact on a global scale. In doing so, it would contribute to an effective multilateral system leading to a fairer, safer and more united world' (European Union, 2003, p. 14). That might not always be the case. As alerted by Bendiek, 'regulative strategies such as the planned EU strategy on cybersecurity cannot be measured only by their efficiency. Instead, they

also have to fulfil the fundamental criteria of democratic governance: transparency, rule of law, accountability and participation' (Bendiek, 2012, p. 26). Particularly in the field of cybersecurity, where decision-making 'is characterised by a lack of transparency and accountability' (Bendiek, 2012, p. 24), it is fundamental that we understand that a coherent actor must also be coherent with the values it defends.

Correspondence:

Helena Carrapico
Aston University
School of Languages and Social Sciences
Aston Triangle
Birmingham B47ET
United Kingdom
email: h.farrand-carrapico@aston.ac.uk

André Barrinha
Canterbury Christ Church University
School of Psychology, Politics and Sociology
N Holmes Road
Canterbury CT11QU
email: andre.barrinha@canterbury.ac.uk

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