

Ongoing emergency

French security reforms fail to resolve concerns

Ahead of the second anniversary on 7 January 2017 of the Charlie Hebdo attack in Paris, **Alix Valenti** surveys how well a comprehensive reorganisation of the French security apparatus, amid growing police discontent, has addressed rising security threats.

Key points

- The strain of maintaining a heightened state of alert is stretching French armed and security forces, with negative effects on morale and response.
- Problems of inter-agency co-ordination and interoperability continue to exist despite a series of security reforms since 2008.
- The current state of emergency is unlikely to be rescinded before the 2017 presidential election, given politicians' reticence to be held responsible for another attack.

The 7 January 2015 terrorist attack on the offices of satirical newspaper *Charlie Hebdo* in Paris led to the deaths of 12 people – including two police officers and four renowned cartoonists – and brought about a significant alteration in the organisation of security forces in France. A new version of the security protocol 'Plan Vigipirate' was enacted in January 2015, and a state of emergency was implemented on 13 November 2015 that has translated into increasing demands on the armed forces and internal security personnel. Security services were further challenged throughout 2016 by a wave of civil protests against a new labour law and the hosting of the Euro 2016 football championship in eight cities. Moreover, police officers have protested since 18 October on the streets of a number of cities – including Marseilles, Paris, and Toulouse – against the

pressures that these simultaneous challenges have generated.

The consequence has been to place the whole security apparatus under intense scrutiny. The rationale behind the continued extension of the state of emergency, which was initially meant to last three months, according to national law – and which is clearly straining the country's security forces – is also being questioned by security experts.

Strained Sentinelle

Following the *Charlie Hebdo* attacks, the government established Opération Sentinelle as the successor to Plan Vigipirate, which was established in 1978 and has been active since 1995. Opération Sentinelle is a joint forces security mechanism based on a 2013 Defence White Paper, which stipulates that "the deployment of the army as back-up for the Interior Security Forces (Forces de sécurité intérieure: FSI) in the event of a major crisis can involve up to 10,000 men [sic] from the army". Currently, 7,000 armed forces personnel are actively deployed on national territory to support the FSI (police, gendarmerie, and customs) and a further 3,000 personnel are on standby to be deployed in case of emergency.

"In its first two to three months, Opération Sentinelle worked exactly as planned and we witnessed 10,000 military personnel flooding the streets of Paris and other cities across the country," François Heisbourg, special adviser at the Foundation for Strategic Research (Fondation pour la recherche stratégique: FRS) in Paris, told *IHS Jane's* on 24 October. He continued, "The problem is that this mecha-

nism was meant for an emergency only, and not for an extended period of time". This was also clearly stated in the White Paper, which indicated, "In order to fulfil the various protection missions, army personnel will be called upon occasionally when necessary."

However, after nearly two years of Opération Sentinelle, approximately 70,000 personnel have been deployed on national territory, and the government has so far shown no sign of wishing to scale back the operation. For Elie Tenenbaum, a research fellow at the French Institute of International Relations (Institut français des relations internationales: IFRI) and author of the June 2016 report *The lost Sentinelle? The French army facing terrorism*, this has become a problem for the armed forces. He told *IHS Jane's* on 19 September 2016, "[The armed forces] are seeing 10% of their personnel mobilised on the national territory, thus forcing the army command to rely on regiments that are technically in a pre-deployment state or rostered off active duty to continue carrying out foreign operations."

This is resulting in moral and psychological fatigue for the regiments involved in foreign operations and for the troops deployed domestically. Additionally, the end of conscription in 1997 resulted in the decommissioning of a large number of barracks, which has led to a significant housing problem as soldiers are redeployed across France.

The prolonged presence of the armed forces on the national territory is also being questioned in terms of added value. "The Ministry of the Interior is very clear on the role of the armed forces on the national territory, and

law enforcement is not part of their mission,” Rémy Hémez, a battalion commander and researcher at the Defence Research Laboratory within IFRI, told *IHS Jane’s* on 19 September. “They are a third category force”, he continued, “and can only engage if they receive orders from the Ministry of the Interior or the Prefect [departmental government head]”.

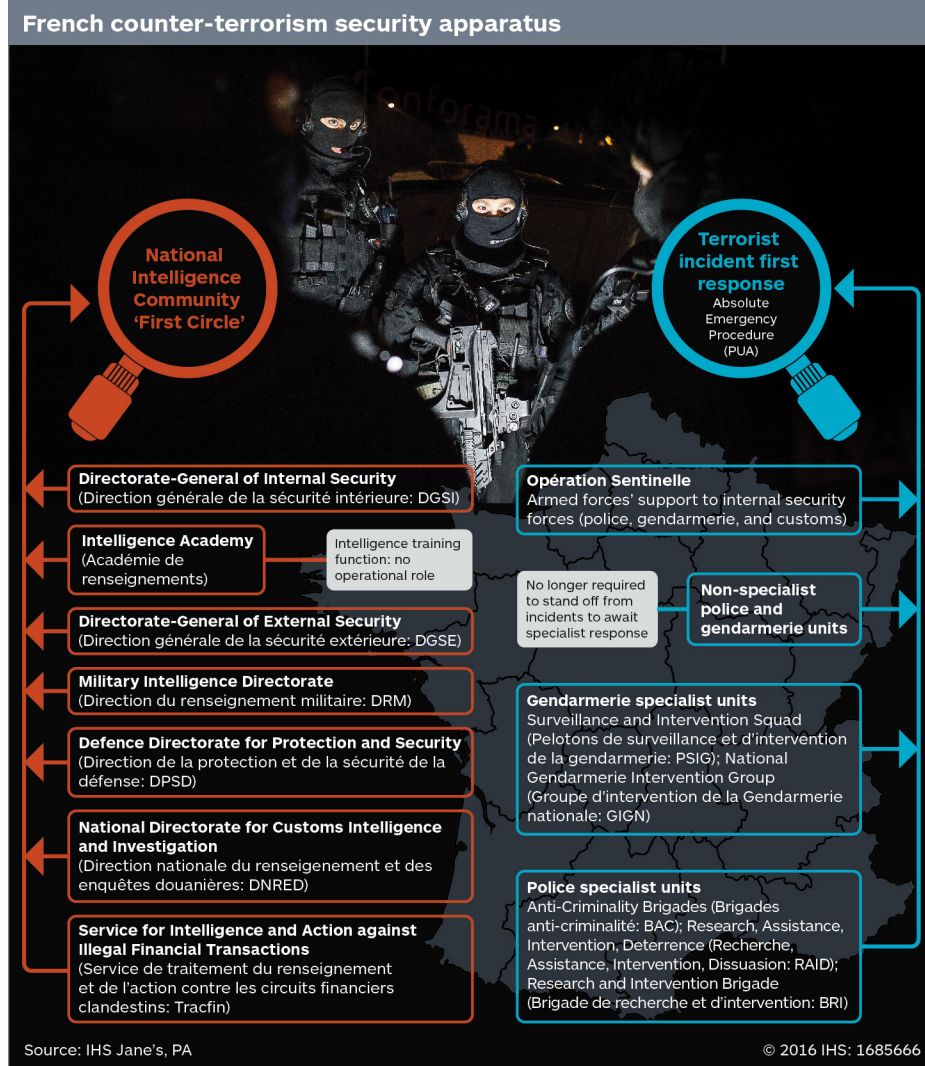
Otherwise, the armed forces’ mission is limited to maintaining a presence at sites at risk, such as mosques, synagogues, or schools, which – according to Tenenbaum – limits their “operational security added-value”.

FSI in times of crisis

The subsequent 13 November 2015 Paris terrorist attacks, in which 130 people were killed, raised a large number of questions about the efficiency of the FSI’s response to the threats and what could have been done to prevent the attacks. At the beginning of 2016, the National Assembly established an inquiry commission, which spent six months interviewing people involved in the state’s crisis response mechanism and published a *Report on the means implemented by the state to fight terrorism since 7 January 2015*.

One of the main points highlighted by the report was that the FSI were inadequately prepared for situations of extreme crisis such as the ones suffered by Paris on 13 November. Working with intervention procedures aimed primarily at the management of a hostage crisis, the *modus operandi* of the FSI was based on a clear division between the police and gendarmerie on one side, and the special intervention units of these two forces on the other – the Anti-Criminality Brigades (Brigades anti-criminalité: BAC), the Research, Assistance, Intervention, Deterrence (Recherche, Assistance, Intervention, Deterrence: RAID) units, and the Search and Intervention Brigade (Brigade de Recherche et d’Intervention: BRI) of the police, and the Gendarmerie’s Surveillance and Intervention Squad (Pelotons de surveillance et d’intervention de la gendarmerie: PSIG) and National Gendarmerie Intervention Group (Groupe d’intervention de la Gendarmerie nationale: GIGN).

In the event of a crisis, ‘traditional’ police and gendarmerie units were required to cordon off the area, to wait for the arrival of the specially-trained BAC and PSIG and, where necessary, the RAID and GIGN. However, the government recognised that such a system was no longer viable when the threat to civilians’ lives had become immediate and focused on mass murder rather than hostage-taking.



Instead, the need became to ensure that all FSI members were trained and equipped to respond to the threat as soon as they arrived at the location, an issue that the new National Intervention Plan, unveiled by Minister of the Interior Bernard Cazeneuve in April 2016, sought to address. Amongst its key points were the Absolute Emergency Procedure (Procédure d’urgence absolue: PUA), which enables all units to intervene in a crisis regardless of their jurisdiction, and the extension of the police and gendarmerie mandate to evaluate the situation and prevent the attacker from doing more damage.

“This new plan has legitimised long-standing demands from the BAC and PSIG for more adequate weapons to respond to the increased threats,” Thibault de Montbrial, a Paris lawyer with a long history of defending FSI personnel, told *IHS Jane’s* on 7 October 2016. Both groups received Heckler & Koch G36 5.56x45

mm assault rifles, as well as anti-ballistic protection and additional vehicles. The plan also resulted in new training for the police and the gendarmerie on how to co-ordinate in times of extreme crisis.

However, despite the positive advances that the plan signifies in adapting to the increased terrorist threat, a number of issues persist. “There are not enough shooting ranges in France to allow the police and gendarmerie to train with their new rifles”, said de Montbrial, “thus requiring a careful allocation of time between the military, who own the shooting ranges and who need to continue training as well, and the FSI”.

Moreover, according to a mid-ranking police source consulted by *IHS Jane’s* who wished to remain anonymous, “The training provided to the police for co-ordination with all the other units remains too short, too superficial, and does not take into account the significant



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Police officers protest outside the National Assembly in Paris, France, on 26 October. Their concerns centred on a lack of equipment and rising anti-police violence across the country.

lack of personnel that all the FSI are currently suffering from.” The source continued, “While the new plan may respond to operational needs on paper, the state of emergency has increased the number of tasks required of the police force, while on the other hand we struggle to recruit and retain new personnel.” The police protests in Paris and other French cities that began on 18 October are an indicator of this general fatigue.

Reforming intelligence services

One of the most pressing questions in the aftermath of 13 November focused on how the attacks could have been avoided and where the intelligence services may have failed. The National Assembly report went a long way in responding to these questions, highlighting some key deficiencies in the French intelligence system that have persisted despite significant improvements since 2009.

Co-ordination of France’s intelligence services significantly improved in that year with the formal establishment of a national intelligence community (see chart on page 39). Philippe Hayez, a former deputy director of the Directorate-General of External Security (Direction générale de la sécurité extérieure: DGSE) and currently a scientific adviser at the Paris School of International Affairs (PSIA), told *IHS Jane’s* on 24 October 2016, “The level of co-operation between the French intelligence and security services can be rated as good, but problems arise from some imperfections in the organisation of domestic intelligence.” For Heisbourg, this problem hinges on “an organisational culture of incompatibility between the police and the gendarmerie”,

leading to a number of re-organisations of the intelligence community that have had significantly negative consequences.

Chief among those was the decision by former president Nicolas Sarkozy in 2008 to merge the police general intelligence service (Direction centrale des renseignements généraux: DCRG) with its Directorate of Territorial Surveillance (Direction de la surveillance du territoire: DST) to create the Central Directorate of Internal Intelligence (Direction centrale du renseignement intérieur: DCRI), leading to the creation of a further sub-directorate, the Sub-Directorate of General Information (Sous-direction de l’information générale: SDIG), to replace the DCRG.

“While the culture of the [DCRG] was focused on non-repressive intelligence-gathering, the DST worked more as a counter-intelligence unit, which was remarkable for spear-fishing intelligence but unable to follow social movements like the [DCRG]”, said Heisbourg, “and unfortunately in the process of the merger the DST culture prevailed over the [DCRG]”.

The National Assembly report confirmed that, for many experts, the merger of the DCRG within the SDIG had been “particularly harmful”, allowing for Islamist radicalisation issues to remain unnoticed. Both the DCRI and the SDIG were dismantled in 2014 as part of a national effort to improve the efficiency and co-ordination of the intelligence community, with the DCRI becoming the Directorate-General for Internal Security (Direction générale de la sécurité intérieure: DGSI) and the SDIG becoming the Central Service for Territorial Intelligence (Service central du

renseignement territorial: SCRT).

According to Heisbourg, “The mistake that was committed during this positive national effort was to exclude the gendarmerie from it [the process of reorganising] ... [The gendarmerie’s] jurisdiction extends to 90% of the territory and affects 50% of the population.” Consequently, the gendarmerie created its own intelligence service, the Sub-Directorate of Operational Anticipation (Sous-direction de l’anticipation opérationnelle: SDAO). Co-operation between the SCRT and the SDAO is through liaison officers within the two structures: a gendarmerie deputy works with the SCRT chief, and a police superintendent and captain work with the SDAO.

Although this system ensures a level of co-ordination, “The need to have liaison officers adds yet another administrative layer to the intelligence community,” said Heisbourg. Moreover, according to the National Assembly report, the gendarmerie “is still too absent within the DGSI despite the importance of information exchange fluidity between the two services”.

Surveillance flaws

The National Assembly report also highlighted flaws in the surveillance of the perpetrators of the January and November 2015 attacks, most of whom were already known to the authorities and some of whom were even listed in the ‘S-Card’ (‘Fiche S’) system. Having an S-Card (surveillance card) indicates that a person has either engaged in an activity that could suggest involvement in acts of terrorism, such as travelling to Afghanistan or Syria over extended periods of time, or has been in contact with a suspect already under surveillance and might therefore at some point be affiliated.

However, the surveillance of S-Card individuals is not a 24/7 operation; rather, it entails the inclusion of these individuals on national and international security databases, which theoretically trigger alerts if these individuals are stopped by the police or gendarmerie for any reason, or if they attempt to cross an international border.

This inevitably leads to a number of caveats. First, and arguably most controversially because of the international migrant crisis since 2014, the lack of border controls between Schengen Area European countries means that S-Card suspects can travel freely, as happened with the terrorists who perpetrated the November 2015 attacks that were organised from Belgium. Second, as Hayez noted to *IHS Jane’s*, “You cannot maintain permanent

surveillance over several thousand people in a democracy, whatever the techniques or the number of staff.”

The S-Card mechanism is therefore efficient for bringing someone to the authorities’ attention, but it remains impossible to place all S-Card suspects under constant, real-time intrusive surveillance. Moreover, the police source told *IHS Jane’s*, “The police search mandate, when someone is stopped by a patrol, is limited to a visual search, even in times of a state of emergency, which significantly limits what can be done.”

A further blind spot in the French surveillance system is a lack of co-ordination between administrative surveillance (for intelligence purposes) carried out by the different elements of the FSI, and judicial surveillance (of released convicts) carried out by a Sentence Application Judge (Juge d’application des peines: JAP). This blind spot was also highlighted in the National Assembly report and by Heisbourg, who noted that one of the killers of a priest in a church in Saint-Etienne-du-Rouvray on 26 July 2016, “was known to the authorities, yet was not under judicial surveillance. The judicial authorities had not made a request for surveillance to the gendarmerie, and his surveillance fell outside the jurisdiction of the DGSI”.

Outlook

Since the implementation of Opération Sentinelle and the declaration of a state of emergency, France has gone a long way in adapting its security system to the increasing terrorism threat. Yet, according to Hayez, “Measures taken by the authorities since 2015 can be seen merely as a patch.”

The deployment of the military, although reassuring for the population at large, lacks operational added value in the fight against terrorism, yet weakens the armed forces’ capability to conduct foreign operations. “It would be good to reduce the number of forces on the national territory”, Heisbourg advocated, “but it is doubtful that the government will take such a decision as it would be deemed too politically risky in the event of another terrorist attack, if forces had been reduced or removed”.

Changes to the National Intervention Plan will no doubt bear fruit in the event of other terrorist attacks, prioritising early intervention and therefore saving more lives. However, it appears that greater efforts will still be needed within the Ministry of the Interior to support the various elements of the FSI,



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French paratroopers patrol Pampelonne beach near Saint Tropez, France, on 31 July after a further series of terrorist attacks hit the country. The National Intervention Plan enables all units to respond in a crisis and does not require regular units to stand off from terrorist attacks.

operationally and in terms of morale.

“While we are out there patrolling the streets, being insulted, injured, and putting in more overtime than we ever had, we feel there is little moral support from the Ministry of Interior, which fails to communicate the importance of our involvement, and very few efforts to promote recruitment at the scale needed,” the police source told *IHS Jane’s*. Heisbourg was also concerned about security forces’ efficiency in the future, claiming that it was “possible to assume that the response to the attack in Nice might have been more rapid, if the forces present on site had not already been worn out by months of extended work hours”.

Perhaps most decisive will be the political will to actively promote a change in organisational culture to facilitate co-ordination between the different security and intelligence services in the fight against terrorism. “The increase in the number of services authorised to use surveillance measures since the Intelligence Law of 24 July 2015 was passed is a positive answer [to the threat] but will need careful co-ordination,” said Hayez.

This sentiment was echoed by Heisbourg, who said, “At the judicial level France has all the right tools, but what is missing is the intelligence that would allow all these legislative and judicial dispositions to realise their full potential.” There also appears to be a need for a more comprehensive perspective on fighting terrorism, to include the establishment of a counter-terrorism fusion centre with all

services effectively and efficiently centralised, transcending organisational boundaries. Models for such co-operation already exist in the form of the US National Counterterrorism Center (NCTC), Spanish Intelligence Centre Against Terrorism and Organised Crime (Centro de Inteligencia contra el Terrorismo y el Crimen Organizado: CITCO), and UK Joint Terrorism Analysis Centre (JTAC).

However, at present, with the French presidential election set to take place in April–May 2017, few changes are likely to materialise, and the state of emergency – which is draining resources and diverting attention – is unlikely to be lifted. This, according to Heisbourg, is “because nobody will want to take responsibility for any terrorist attack taking place once the state of emergency has ended”. ■

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On the web

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