CURRENT PROBLEMS IN INTELLIGENCE COOPERATION

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The security environment tends to push states and intelligence services to take important steps towards intelligence cooperation at both bilateral and multinational levels. If at NATO level we can speak of a rather strong integration and intelligence cooperation, things are still at an early stage at EU level. There is also a tendency for NATO and the EU to approach, but the current cooperation is just at the beginning.

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The security environment in the Euro-Atlantic area seems to be more vulnerable than ever. More or less visible threats emerge daily. Some are widely described by the media, others are only dealt with by niche sites specialized in analyzing certain aspects of security, and others are analyzed and evaluated only by institutions with responsibilities in the area of national security. The fact that they are treated differently does not mean that some are more important than others, but only that they are viewed with different attention depending on the perception of those who care about them.

This is because in the absence of a solid security culture promoted by state institutions with responsibilities in this area, threats tend to be ignored due to the dissimulation of their intentions and their effects.

Therefore, in order to protect itself against the multiple threats to itself and its citizens, any state needs institutions capable of identifying, assessing and countering these threats.

This may seem enough for a state in order to assure its own security, citizens and prevent anything that could jeopardize its functions.

If this was true half a century ago, globalization has completely changed the security paradigm. The threats have become more diffuse, the area where they appear tends to contaminate neighboring areas, or even locations that apparently have no relation to the threat or threatened space.

In order to cope with all these threats, the state needs institutions capable of cooperating with each other, using judicially the available resources, but most importantly, avoiding duplication of effort and unproductive competition.

These aspects are much more visible in intelligence services. Almost all threats to the security of a state are primarily the responsibility of intelligence services, both national and departmental. They are the first to identify the source of the threats, to assess the risks to which the state and its citizens are subjected, and ultimately to inform decision-makers about these threats and to propose ways to counteract them.

In order to carry out this continuous process, intelligence services need not only to cooperate with each other, but they must also make effective exchanges of data and information to cover intelligence gaps, allow for real risk and threat assessments, and draw a correct image of the security environment.

In recent years, articles have appeared in the media about the central role played by intelligence services in combating and preventing acts of terrorism, organized crime, arms trafficking and dangerous materials smuggling.

This shows that the range of threats to the security of a state is no longer found only within the traditional threats or on the territory of that state, but most of the times it can spread from its immediate neighborhood to the farthest corners of the world. Accelerated globalization brought multiplicity of connections between long-distance entities, data exchanges, information and products at levels well above those 50 years ago.

But globalization has not only brought better connections and diversification of international relations; it has also led to an increase in illicit activities, an unprecedented development of cross-

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border organized crime activities, new mechanisms used predominantly in money laundering and diversification of forms of corruption, weapons and, as a novelty, the emergence of transnational fluid structures with great capacity to adapt to changes in the environment.

All these aspects have put increasing pressure on intelligence services, forcing them to expand their areas of expertise, to cooperate more and more at both national and international level. Cooperation is not limited only to bilateral relations with partner services from other countries but is also about close cooperation with agencies and organizations that do not have their main activity on the national security field, but which perform activities in the financial, banking, communications, customs, insurance, commerce and stock market activities.

At national level, this cooperation seems quite easy to achieve, a legal framework to regulate this kind of cooperation can be developed, database integration and mechanisms can be made to achieve effective real time cooperation in order to support the decision-making process, from the identification phase of the threats that affects the state and its citizens. This would make it possible to assess the threat as accurately as possible and to take the necessary measures to counteract. Each state has, in principle, a legal framework that enables it to achieve effective coordination of information efforts, timely de-escalation and integrating the efforts and results of intelligence activities.

The real challenge is the exchange of data and information with other states or organizations to which the state is a party.

There are currently many forms of bilateral and multilateral cooperation in formal or informal organizations, whether public or confidential.

Between the intelligence services of two states, a convenient way of cooperation is the liaison officers' institution. They secure a formal and rapid relationship, being in contact with both the service of origin and the partner service. As an extension of this type of cooperation, we also meet institutions where several liaison officers are present. The most common type of such an institution are the intelligence fusion centers, but these are quite rare at the moment.

The most common are bilateral cooperation between states. This type of cooperation involves a large variety of information exchanges, which can be analytical or finished products, may be punctual data exchanges, may be warnings or even database exchanges.

Most of the data and information exchanged in the framework of cooperation is based on trust between the two parties regarding the safe use of the information made available. The greatest degree of trust is in bilateral cooperation, where information control is easy to achieve by the fact that both the beneficiary and the information provider use similar tools and procedures to protect data and information.

Multilateral international cooperation is difficult to achieve because all institutions or states wishing to participate in this kind of cooperation have to respect a set of rules and some previously agreed standards. The main impediment in agreeing on the set of rules and standards is the different way states choose to protect and use their data and information.

Intelligence cooperation takes place when all parties involved in the cooperation process see potential benefits in this, either by acquiring information that complements the overall picture or by accessing sources and mechanisms which, in the absence of co-operation, would be had to build from scratch.[1]

This cooperation takes place under the paradox that information is valuable only when it is passed on to someone who needs it, so it gets a lot of value, but when it is passed on to more and more beneficiaries, there is a risk that it will be compromised, automatically reducing its value. This paradox is exemplified by the need for information services to apply the need-to-know and need-to-share principles, the answer being proportional to the degree of trust given to those to whom that information is given.

The value of information, both nationally and internationally, is also given by the value of the source of the information from which it is obtained. It is perfectly valid if we assert that a valuable source will be protected as much as possible by the organization that controls it and will make it harder to access the information obtained by that source.

It is for this reason that a state or a service will provide the information to the services or states with which they cooperate without the elements that can lead to the identification of the source. By

removing these elements, the information may lose its value.

To conclude, in order to provide truly valuable information, there must be a very strong relationship of trust between the supplier and the beneficiary in terms of its use and protection. This is the reason why bilateral formats are more common than the multinational ones.

One of the best instances of cooperation at the multinational level in the field of intelligence is at the level of the North Atlantic Treaty Organization. Benefiting from a set of well-established rules, the Alliance was able to initially group military and civil intelligence services into two highly effective cooperation formats. By supporting both the military and the political decision-making process, it was only a matter of time before an integration of the two intelligence co-operation structures emerged in the form of the coordination of the NATO Assistant Secretary General for Intelligence and Security.[2]

Within the European Union, the intelligence co-operation process was initially focused on law enforcement, through EUROPOL and the new European Counter-Terrorism Center, which ensures co-operation between Member States by coordinating actions and exchanging information more easily[3].

Due to a number of changes in form and attributions, the current EU INTCEN has become a center to support the decision-making process by developing analyses, early warnings and prediction for the Foreign Action Service, coordinated by the EU's High Representative for Foreign Affairs and Security Policy.

Following EU INTCEN analyses, the EU has decided[4] upon the need to set up a framework for action to mobilize the tools needed to combat hybrid threats.[5]

At the same time, the need for close co-operation with NATO was emphasized, for the development of complementary mechanisms and not duplicating existing measures, as highlighted in the Global Strategy of the European Union.[6]

Taking all these into account, the issue has been seriously assessed both within NATO and the EU Member States, and this has led to the conclusion that it is necessary to create a center where the analytical efforts on hybrid threats should concentrate.

The approach between NATO and the European Union has been materialized by creating the European Center for Excellence in Combating Hybrid Threats (CoE Hybrid). It is an expertise center that supports the individual and collective efforts of participating countries to enhance civilian-military capabilities, resilience and training to combat hybrid threats with a particular focus on European security. It is intended that the Center will provide this expertise and collective experience for the benefit of all participating countries as well as the EU and NATO. The center will have a comprehensive, multinational, multidisciplinary and academic approach.[7]

The process of approaching and co-operating between the two organizations is a rather difficult one. Although there is a political will to strengthen the complementarity of the two organizations and to avoid duplication of efforts, the road to the actual realization of this objective is a long one, the challenges to which the two organizations have to face being increasingly diverse.

An eventual realization of this complementarity will certainly disturb other international players with global aspirations, whether we are talking about the Russian Federation or China as independent states or as part of the BRICS or the Shanghai Cooperation Organization.

In addition, the ever-increasing consequences of the United Kingdom's exit from the European Union will put additional pressure on the European Union if only in light of the fact that it is unclear which the impact will be on British services members in already existing intra-Community cooperation formats.

As a conclusion, cooperation in the near future within NATO and the EU will take steps towards strengthening and diversifying its forms, but they will certainly be quite hesitant and small as amplitude.

NOTES:

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2 Ambassador Arndt Freytag von Loringhoven, https://www.nato.int/cps/en/natohq/who_is_who_140834.htm, accessed at 08.02.2019.

3 *Europols European Counter Terrorism Centre strengthens the EUS response to terror*, 25.01.2016, The Hague, The Netherlands, https://www.europol.europa.eu/content/ectc, accessed at 29.02.2016.

4 Food-for-thought paper "Countering Hybrid Threats", http://www.statewatch.org/news/2015/may/eeas-csdp-hybrid-threats-8887-15.pdf, accessed at 01.11.2017.

5 European Union response: soft power in action, http://www.europarl.europa.eu/RegData/etudes/BRIE/2017/599315/EPRS_BRI(2017)599315_EN.pdf, accessed at 01.11.2017.

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