The social ties that bind: the role of social relations and trust in EU intelligence cooperation

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Chapter 5

Chapter 5: The EU Intelligence System

Setting the Scene

5.1. Introduction

> *'There is no such thing as an EU intelligence system. I do not agree with the term. [...] They do not have the authority, the means or the procedures to do intelligence."*[1]

So far, the European Union and intelligence have not formed a particularly happy marriage. As the opening quote indicates, even speaking about an EU intelligence system sometimes creates controversy with national intelligence officers.[2] Although intelligence most certainly holds a place in the EU system and many national services have liaisons there, it can still be considered one of the least integrated functions of government in the EU-security domain. Even in response to the terrorist attacks on European soil from 2004 and 2006 onwards, EU policymakers found it hard to deliver on their promises of improved intelligence coordination, let alone sharing.[3] In the EU, national security remains a national competence and so does intelligence. It leaves the organization in the unrewarding position of having state-like institutions and tasks in the field of external action without possessing all the functions of government to support them. EU intelligence officers are asked to be 'the oil in the mechanism without having the resources to do so'.[4] For years, this was hardly a topic of debate, not even within the EU itself. Until 2002 the word 'intelligence' barely surfaced in EU policy documents and afterwards it was mostly limited to the field of police cooperation. The last 10 to 15 years this has changed.[5] Since 2009, a discussion has been evolving on the need for, and form of, the EU intelligence system.

Before examining the role of social relations and trust in EU intelligence cooperation in detail, from a perspective of practices it is imperative to address the system first.[6] It provides the context for trust perceptions in EU intelligence cooperation in two ways. First, the EU intelligence system and its evolution form (part of) the participants' socio-historical frame. The way intelligence officers think about conditions for successful EU intelligence

1 National intelligence officers, conversation with author, October 2021.

2 When this study uses 'intelligence officer', it refers to a government official working specifically in intelligence. It can both refer to a military and civilian respondent.

3 Bures, "Intelligence Sharing and the Fight against Terrorism in the EU"; Argomaniz, Bures, and Kaunert, "A Decade of EU Counter-Terrorism and Intelligence"; Bossong, "The Eu's Mature Counterterrorism Policy – a Critical Historical and Functional Assessment," 1–9, 18–20.

4 Interview 5

5 Gruszczak, *Intelligence Security in the European Union*, 4–12; Gruszczak and Rakowski, "The External Dimension of EU Intelligence Cooperation," 13.

6 Vincent and Wapshott, "Critical Realism and the Organizational Case Study," 2014, 159–60.

cooperation, cannot be separated from the events that have led to the EU intelligence system itself. Second, the system forms a functional frame for their decisions and actions. Actual events and choices are often a trade-off between behavioral preferences and real-life demands. The extent to which perceptions and beliefs materialize, even the degree to which they are consciously felt and articulated, is dependent on the circumstances at hand. The socio-historical and functional frames of the EU intelligence system form the stage for cooperative behavior among its participants, or the lack thereof. Without understanding these frames, it is impossible to properly position and understand voiced ideas and opinions.

The EU intelligence system and the difficulties surrounding it have become mainstream topics in the academic literature on international intelligence cooperation, as well as in policy documents and advisory reports on EU security. As shown in chapter 2, the evolution of this system has even been one of the incentives behind growing scholarly interest in international intelligence cooperation in the last two decades. Most of these publications focus on the increasing role of the EU as a geopolitical actor in the domain of defence and security and offer - mostly problematic – structuralist views on how this ambition is, or should be, supported by intelligence. Many of the arguments on this topic have been used, and used again, in a repetitive circle of advocates and opponents of EU intelligence integration.[7] However insightful, a general view on geopolitics, structures, and national resources offers little guidance to the practitioners working in the EU intelligence system or to an examination of their practices. To explain their beliefs and perceptions, it is necessary to be more specific about the system's challenges and the often-heard call for a strengthening of EU-intelligence. To observers outside the intelligence community, some of these specifics might seem like hanging flesh on the same skeleton. Yet, not mentioning them would risk obfuscating intelligence practices in the EU. As a liaison officer in Brussels remarked regarding the ongoing EU intelligence reform:

> *'These specifics [on EU intelligence] might only be of interest for the experts, the people I often call 'intelligence-connoisseurs'. Yet specifics matter. To not be getting them is to not properly understand what is taking place here.'*[8]

This chapter explores the EU intelligence system as a context for social relations and cooperative behavior. It sets the stage for discussing the trust perceptions of EU intelligence officers in chapters 6 to 8. For this purpose, it will scrutinize the functions, agencies, as well as capabilities of the system. Together they can provide a 'diagnostic insight and a better understanding of [the - in this case - entire EU] intelligence enterprise, as well as the of the

7 See for example: Nomikos, "European Intelligence Cooperation," 79–80; Nomikos, "European Union Intelligence Analysis Centre (INTCEN): Next Stop to an Agency?"; Walsh, "Intelligence-Sharing in the European Union," 638–41.

8 National intelligence officer, conversation with author, June 2021.

individual agencies that comprise [it]'.[9] It will go beyond the EU organization and approach the EU intelligence system as an open system. One in which the EU intelligence organizations are connected with - and shaped by - 'flows of personnel, resources and information from outside'.[10] Section 5.2 first answers where the EU's growing need for intelligence products comes from. It depicts the intelligence function in the EU. What kind of intelligence does this concern and why does the EU need it in the first place? Second, section 5.3 answers what organizations and processes are built within the EU to fill these needs. It addresses the intelligence 'agencies' in place to perform this function. How have they developed over time? And what weaknesses do they have that apparently require strengthening? Finally, section 5.4 answers how ongoing intelligence reforms are transforming the EU intelligence system. It zooms in on the ongoing process of capability building. What is the role of integration in this process and how can this play out in practice? Answering these questions will not merely sketch the history, present and possible future of the EU intelligence system. It will show the tension between rising ambitions, evolving institutions, and limited competences in the field of external action. A tension that, given the ambitions of the EU in this domain, will only continue to grow in the decade to come. And one that forms the everyday reality of intelligence practitioners in the EU.

5.2. A Growing Need

5.2.1. The Drive for 'Strategic Autonomy' in External Action

> *'The European Union has always prided itself on its soft power – and it will keep doing so, because we are the best in this field. However, the idea that Europe is an exclusively "civilian power" does not do justice to an evolving reality. For Europe, soft and hard power go hand in hand.'*[11]

Next to countering terrorism, growing ambition in the fields of foreign policy and defence is one of the main drivers for the EU's increasing need for intelligence.[12] It is in this area of 'external action' that many believe the EU should become more strategically autonomous, being able to determine its own geopolitical course and reducing external dependencies vis a vis global and regional partners.[13] This ambition is nothing new. One could argue that it has been present ever since the first attempt for a European Defence Community (EDC), which

9 Warner, "Building a Theory of Intelligence Systems," 12.

10 Scott and Davis, *Organizations and Organizing: Rational, Natural and Open Systems Perspectives*, 87.

11 Council of the European Union, 10715/16 A Global Strategy for the European Union's Foreign and Security Policy Foreword by (then) High Representative Federica Mogherini.

12 Fägersten, "European Intelligence Cooperation," 2014, 103; Duke, "Intelligence, Security and Information Flows in CFSP," 604–12.

13 Council of the European Union, "14392/16 Implementation Plan on Security and Defence," 4; Council of the European Union, "14149/16 Council Conclusions on Implementing the EU Global Strategy in the Area of Security and Defence," 2; European Parliament. Directorate General for Parliamentary Research Services, "On the Path to 'strategic Autonomy'," 3.

was voted down in the French parliament in 1954, or from the inception of the European Political Cooperation (EPC) in 1973, which institutionalized the principle of consultation on all major questions of foreign policy. At the least, the ambition to bolster the EU's foreign and defence posture has been there since the Balkans crisis of the 1990's, when the EU was judged incapable of influencing events.[14] In any case, in recent years it again came to prominence due to a perceived demise of the liberal world order, increased instability at the EU's borders, and the apparent shift of US security priorities to Asia and elsewhere.[15]

The 2016 EU Global Strategy and the 2019 Strategic Agenda nurture the ambition of strategic autonomy and note its importance 'for Europe's ability to promote peace and security within and beyond its borders'.[16] These documents emphasize the importance of a powerful geopolitical stance in promoting the common cultural values of the EU, being liberal democracy, rule of law and human rights. In 2020 the President of the European Council even called it 'the aim of our generation'.[17] At the same time, it must be noted that strategic autonomy is not an uncontested concept in the EU. Member States differ on its exact meaning for national sovereignty, for capability building and for relations with important partner organizations like NATO.[18] This contestation has not halted development. The EU's drive for strategic autonomy in external action was cemented in the gradual growth of practical institutions and activity. The Russian invasion of the Ukraine on the 22nd of February 2022 and the subsequent outbreak of war at the EU's borders reinvigorated the discussion on the meaning of its strategic autonomy. Some scholars identify these events as the type of crisis that has accelerated the CFSP many times before, others even think it to be a watershed for true integration. Nevertheless, such a watershed has been announced more than once already and to little avail.[19]

On the political level, CFSP was already part of the political union right from its creation in 1993. Yet, it was only from 1999 onwards that institutions for this purpose were developed in earnest.[20] In that year Javier Solana was appointed to be the first High Representative (HR) in

14 Fiott, "Strategic Autonomy: Towards 'European Sovereignty' in Defence?," 1; Allen, "The Common Foreign and Security Policy," 643–47; Bindi, "European Union Foreign Policy: A Historical Overview," 18–19; Duke, "Intelligence, Security and Information Flows in CFSP," 604.

15 Molthof, Zandee, and Cretti, "Unpacking Open Strategic Autonomy"; Järvenpää, Major, and Sakkov, "European Strategic Autonomy"; Lippert et al., "European Strategic Autonomy"; Fiott, "Strategic Autonomy: Towards 'European Sovereignty' in Defence?"; Adviesraad Internationale Vraagstukken, "Europese veiligheid: tijd voor nieuwe stappen."

16 Council of the European Union, 10715/16 A Global Strategy for the European Union's Foreign and Security Policy, 4, 9; European Council, "A New Strategic Agenda 2019-2024."

17 Strategic autonomy for Europe - the aim of our generation' - speech by President Charles Michel to the Bruegel think tank, 28 September 2020

18 Fiott, "Strategy and Interdependence," 4–5; Adviesraad Internationale Vraagstukken, "Europese veiligheid: tijd voor nieuwe stappen"; Borrell, "Why European Strategic Autonomy Matters."

19 Biscop, "European Defence," 5; Helwig, "EU Strategic Autonomy after the Russian Invasion of Ukraine," 8–9.

20 92/C 191 Treaty on the European Union; 97/C 340/01 Treaty of Amsterdam Amedning the Treaty on European Union, the Treaties establishing the European Communities and Certain Related Acts; Mengelberg, *Permanent Change?*, 128–29, 229.

this policy domain. He was immediately tasked with assisting the Council in implementing a common strategy on Russia, the first time for such an endeavor.[21] In the ten years that Solana held office CFSP matured, creating ever more institutions along the way. The adapted Treaty on the Europe Union (TEU), signed in Lisbon in 2007 and still in effect, laid the basis for the current EEAS. It approximates a combined Department for Foreign Affairs and Defence. It assists the HR in his tasks in foreign- and security policy, among which the 'political dialogue with third parties' and 'voicing the positions of the Union'.[22] Not surprisingly, since 2007 the HR has appeared in public more and more as a mouthpiece for the Member States, taking the stand on topics as diverse as stability in the Horn of Africa, Venezuelan local elections and the war in Ukraine.[23] In addition, within EEAS six regional (and one global) directorates pursue EU policy objectives around the world, supported by 144 EU delegations and offices positioned all over the world. Given the strong ambition as put forward in the Strategic Compass, the EU's recently adopted action plan for reinforcing its foreign and defence policy towards 2030, this picture is not likely to change in the coming years.

On the operational level of a common security and defence policy, a main component of CFSP, a similar ambition and evolution can be seen.[24] Already in 1950, the ill-fated Pleven plan proposed the creation 'of a European army tied to the political institutions of a united Europe', directed by a European Minister for Defence and endowed with a common budget.[25] Yet, it failed to be ratified and was replaced by the Western European Union (WEU), a military alliance that was subdued to NATO and remained largely dormant for much of the Cold War. It was not until 1998 that the desire resurfaced for a 'capacity for autonomous action, backed up by credible military forces, the means to decide to use them, and a readiness to do so'.[26] The gradual transfer of WEU organizations provided the EU with the latter, including a Military Committee, a Military Staff and even its own mutual defence clause.[27] That being said, in terms of the 'hard power' quoted at the beginning of this subsection, this has meant

21 Council of the European Union, "150/99 REV1 Presidency Conclusions - Cologne European Council 3 and 4 June 1999," 2, 26.

22 2016/C 202 Consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union, 38 Title V, art. 27, 32, 42.

23 See for example the following blogs: Borrell, "Why the EU Has a Stake in the Stability of the Horn of Africa"; Borrell, "Share Venezuela Municipal and Regional Elections and the EU Electoral Observation Mission"; Borrell, "The War in Ukraine and Its Implications for the EU."

24 2016/C 202 Consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union Title V, art. 28; Adviesraad Internationale Vraagstukken, "Europese veiligheid: tijd voor nieuwe stappen," 15.

25 Statement by René Pleven on the establishment of a European army (24 October 1950), accessed on https://www.cvce.eu/en/obj/statement_by_rene_pleven_on_the_establishment_of_a_european_army_24_october_1950-en-4a3f4499-daf1-44c1-b313-212b31cad878.html

26 "Joint Declaration on European Defence. Joint Declaration Issued at the British-French Summit, Saint-Malo, 3-4 December 1998."; Rohan, "The Western European Union: Institutional Politics between Alliance and Integration," 126.

27 2016/C 202 Consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union, 39 Title V, art. 42(7). Although assessed of lesser practical value, its wording can be considered stronger than that of NATO's article 5 as it contains 'an obligation of aid and assistance' in the event of armed aggression against one of the Member States. See for example: Deen, Zandee, Stoetman, Uncharted and uncomfortable in European defence The EU's mutual assistance clause of Article 42(7), January 2022.

little so far. The EU Battlegroups that were conceived of in 1999 and became operational in 2007, so far have never been deployed due to 'issues relating to political will, usability, and financial solidarity'.[28] In terms of external military action the EU is still subordinate to, and largely dependent on its grand cousin NATO.[29] Moreover, the operational responsibility of the EU's command-and-control structure, euphemistically named not headquarters but 'military planning and conduct capability' (MPCC), long remained limited to 'non-executive' missions.[30] Nevertheless, since 2003 the EU has staged over 40 civil and military operations and missions on three continents, 13 of which are ongoing.[31] Perhaps more important for current-day intelligence officers in the EU, the recent Strategic Compass displays far greater operational ambition. It extends the authority of MPCC to 'executive' operations and it proposes developing an EU Rapid Deployment Capacity, consisting of up to 5,000 troops. In addition, it stipulates concrete actions countering threats in non-traditional areas like cyber and hybrid conflict. It is all part of what the current HR, Josep Borrell, depicts as 'Europe's geopolitical awakening'.[32] The EU has clearly set out to become the geopolitical force forementioned in the treaties, capable of using a combination of hard and soft power to achieve its aims.[33] Yet, all this ambition is inconceivable without proper intelligence support.

5.2.2. A Need for All-round and All-source Intelligence

> *'We will invest more in shared analysis to increase our situational awareness and strategic foresight, building on our Early Warning System and horizon scanning mechanism. We will strengthen our intelligence-based situational awareness...'*[34]

For the EU, autonomous action in external affairs requires (fore)knowledge to avoid acting 'blindfolded'. The general logic is clear; it is far easier to hit or push around someone when you are able to see him, or even better when you understand and anticipate his next move. It was probably this logic that convinced Solana to quickly muster some diplomats who were to provide him with basic information on foreign powers, after he assumed his position as

28 European External Action Service, "EU Battlegroups."

29 Menon, "Defense Policy," 588–89.

30 European External Action Service, "The Military Planning and Conduct Capability (MPCC)." A non-executive mission is an operation conducted to support a host nation with an advisory role only. It is often associated with 'soft power', contrasting 'hard power' in 'executive' missions that involves enforcement and the application of (military) force.

31 Situation May 2023; European External Action Service, "EU Missions and Operations Factsheet."

32 Borrell, "A Strategic Compass to Make Europe a Security Provider"; European External Action Service, "Annual Progress Report on the Implementation of the Strategic Compass for Security and Defence," 9; Council of the European Union, "7371/22 A Strategic Compass for Security and Defence - For a European Union That Protects Its Citizens, Values and Interests and Contributes to International Peace and Security," 19.

33 2016/C 202 Consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union, 38 Title V, art, 42.1.

34 Council of the European Union, "7371/22 A Strategic Compass for Security and Defence - For a European Union That Protects Its Citizens, Values and Interests and Contributes to International Peace and Security," 21.

HR in 1999.[35] Yet, this does not mean that intelligence is now a well-known concept in the EU. The quote above, stemming from the Strategic Compass, illustrates existing difficulties. In two sentences the terms 'situational awareness', 'strategic foresight', 'Early Warning System', 'horizon scanning', 'intelligence' and 'analysis' are all mentioned without clarifying their apparent (troublesome) causal relation, overlap or exact meaning. Elsewhere, the Strategic Compass couples the strategic intelligence function to operational 'Intelligence, Surveillance and Reconnaissance' (ISR) capabilities, seemingly missing the point that these are two different levels of (military) intelligence.[36] In other policy documents, intelligence functions are being discussed apparently without being recognized as such, like in the case of the ongoing debate on the role and design of the EU conflict Early Warning System (EWS) since 2014. Although EU intelligence organizations are identified as key stakeholders in the preparatory phase only, arguably all elements of EWS overlap with parts of the intelligence process.[37] The two communities seem profoundly separated and to have little knowledge of each other's workings.[38] To evaluate the design and functioning of the EU intelligence system, it is worthwhile to break away from this general policy speak and instead zoom in at the resulting intelligence needs of the EU. When looking at the products that are most likely needed, two distinctions are worth mentioning here, as they hold special relevance to the design of the EU intelligence system. It concerns distinction by purpose and source.

The EU organization appears to have developed an appetite when it comes to the purpose of intelligence. Based on its wide ambition, it requires all-round intelligence of all levels and types. Traditionally, strategic intelligence is needed to help EU-decisionmakers in Brussels in directing their policies. This is mainly about foreign intelligence for strategic foresight and strategic warning, which attaches meaning to the long-term developments in the surroundings of the EU and the threats and opportunities that these developments might hold. Yet, the recent ambition also necessitates more operational intelligence for taking practical decisions in hands-on activities that safeguard the physical and digital integrity of the EU. The planning and execution of missions requires military intelligence on foreign armed forces, hostile groups and (potential) theatres of operation. Although the formal intelligence requirements of the EU are not known to the public, they will probably include acquiring and assessing tactical information on economic, social and infrastructural aspects of a wide area of countries. In addition, the operational 'toolboxes' that are being developed for 'hybrid', 'cyber' and 'foreign information manipulation and interference' will probably increase the need for a (continuous) identification, analysis, and attribution of threats in

35 Secretary General /HR Council of the European Union, "SN 4546/1/01 Report By The Secretary General/High Representative To The Council On Intelligence Cooperation"; Rüter, *European External Intelligence Co-Operation*, 17.

36 Council of the European Union, "7371/22 A Strategic Compass for Security and Defence - For a European Union That Protects Its Citizens, Values and Interests and Contributes to International Peace and Security," 14, 31, 37.

37 European External Action Service, "Factsheet Early Warning System"; European Commission, Joint Staff Working Document Early Warning System: Objectives, Process and Guidance for Implementation - 2020; EEAS, "Factsheet EU Conflict Early Warning System."

38 Conversation with EU and national Early Warning Early Action policy officers, April 2021.

these areas.[39] Besides that this concerns very detailed intelligence, there is a strong technical element there as well. Features that for the EU were previously seen in counterterrorism and police cooperation only. In addition, from the recently delivered Strategic Compass it becomes clear that the EU desires to take an even broader view on the world; there is a wide breadth of perceived security threats that are thought of as relevant. Next to more traditional threats like military aggression, terrorism, and (digital) interference, there is an interest in analyzing and monitoring the security implications of increasing water- and food scarcity, climate change, (uneven) distribution of new energy resources, and migration.[40]

The EU organization will probably also need intelligence from a variety of sources. The detailed tasks described in the ambition documents require intelligence of all origins. In recent years, the digitalization of society has brought 'open-source intelligence' (OSINT), derived from publicly available information, to prominence.[41] The idea that every individual can be an intelligence officer triggers the imagination.[42] Never ever has it been so easy to collect, process and distribute information. Moreover, OSINT is often seen as least intrusive to the rights of national citizens and does not seem to involve extensive special legal authorization or mandate. It is often stated that 80 to 96 percent of all intelligence products can be based on OSINT, although it remains blurry where this estimation is based on.[43] It has even been suggested that the EU can provide in its own intelligence requirements by only bolstering its OSINT capabilities.[44] Yet, notwithstanding its importance, OSINT alone will not do for adequate strategic and operational intelligence support. Intelligence services still derive much of their added value from producing 'all-source intelligence', including information from closed or shielded sources and the same will be true for EU intelligence organizations.[45] This will be especially true when engaging in action that requires detailed and technical intelligence, often provided by 'signals intelligence' (SIGINT) and 'human intelligence' (HUMINT). In any case, a combination of sources is best suited in enabling the 'strategic understanding' that the EU wishes for. In the first years after the establishment of EEAS, an increasing number of intelligence customers and an increasing demand for intelligence led to a 40% annual grow in support in 'the whole range of all-source intelligence products'.[46] As

39 Council of the European Union, "7371/22 A Strategic Compass for Security and Defence - For a European Union That Protects Its Citizens, Values and Interests and Contributes to International Peace and Security," 27–28.

40 EEAS Press Team, "Memo; Questions and Answers - Threat Analysis," 2–3.

41 This is not the same as 'not-secret'. It would be misleading to assume that only intelligence from closed sources is secret intelligence. Besides the source of the information, there could be other reasons to keep the resulting intelligence secret. One of them is to shield its purpose. See for example:

42 Willasey-Wilsey, "We Are Bellingcat," 1461–62; Graaff, "Intelligence Services and the Power of the Individual."

43 The reappearance of these two exact numbers time and time again without reference gives room to think that they are simply circularly reproduced. Moreover, it is not clear whether this percentage refers to quantity or quality of products.

44 Cross, "The European Space and Intelligence Networks," 224, 227; Davis Cross, "The Merits of Informality: The European Transgovernmental Intelligence Network," 242–43.

45 Miller, "Open Source Intelligence (OSINT)," 703–4, 717; Hribar, Podbregar, and Ivanuša, "OSINT," 532–33.

46 Kozlowski and Palacios, "Single Intelligence Analysis Capacity (SIAC) - A Part of the EU Comprehensive Approach," 11.

the EU has little (collection) capabilities and mandates of its own, the increasing need for all-round and all-source intelligence will automatically increase the pressure on Member State services and on the EU intelligence organizations.

5.3. The Vulnerable Organization(s) of EU Intelligence

5.3.1. Weak Structures

The nucleus of the EU intelligence system is formed by the military intelligence directorate within the military staff (EUMS INT) and the civilian intelligence and situation center (INTCEN).[47] These organizations are jointly situated in Brussels, some distance away from the main building of EEAS of which they are an integral part. Behind the closed doors and security checks that underline their role as the EU's single-entry points for classified intelligence from the Member States, the two directorates hold office. They perform the exclusive intelligence function for the EU and are part of an Intelligence Support Architecture (ISA) that was designed simultaneously with EEAS. By origin INTCEN and EUMS INT only did strategic intelligence, but both have evolved over time to include more and more operational intelligence as well. The civilian INTCEN is probably the most well-known of the two, reporting directly to the HR. It is fed mainly by civilian intelligence organizations from the Member States. INTCEN delivers a wide set of intelligence products ranging from long-term strategic intelligence assessments and thematic reports, to specific threat assessments for EU personnel in civilian missions and delegations. It provides operational support to the Civilian Planning and Conduct Capability (CPCC) and (once again) includes a situation room or 'watch' that monitors current events mainly by OSINT. EUMS INT is less frequently mentioned in publications and reports, often forgotten even. Its foremost task is to support the operational functions of the Military Staff, including the MPCC. Although, like INTCEN, EUMS INT is a directorate of EEAS, it is also part of the Military Staff headed by a Director-General in the rank of Lieutenant General. As a consequence, organizationally it stands at greater distance to the HR and the commission than INTCEN does. Nevertheless, for these strategic levels EUMS INT is the source of the EU's military expertise in the field of intelligence. Its primary sources of intelligence are the defence intelligence organizations from the Member States.

47 Aldrich, "Intelligence and the European Union," 630–31.

A visualization of the EU intelligence system and a list of its main abbreviations is depicted below in figures 10 and 11.

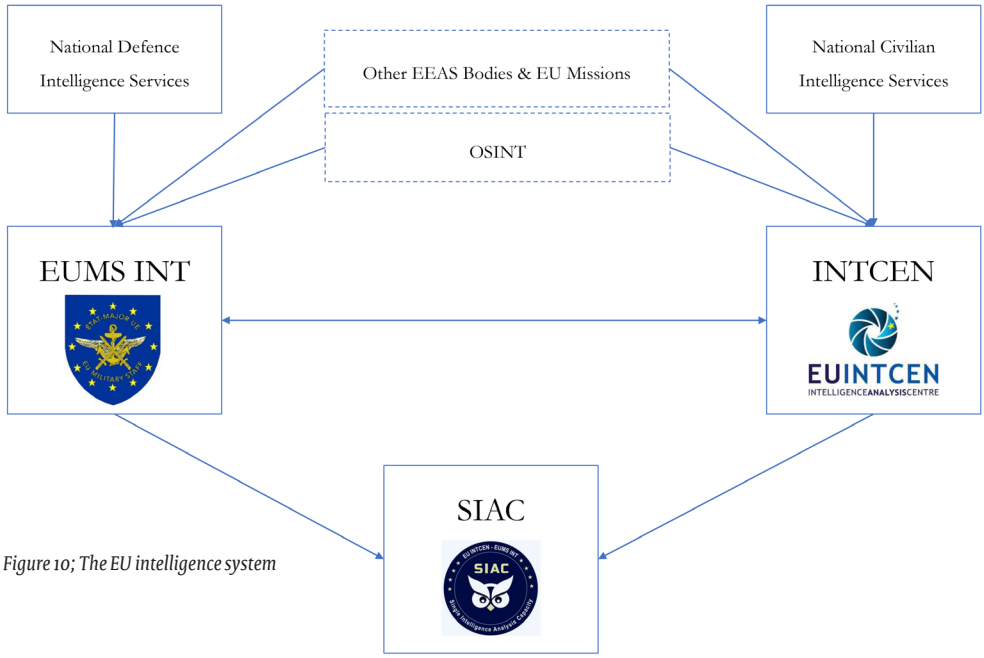

Figure 10; The EU intelligence system

CFSP	Common Foreign and Security Policy
CPCC	Civilian Planning and Conduct Capability
CSDP	Common Security and Defence Policy
EEAS	European External Action Service
EUMS INT	European Union Military Staff - Intelligence Directorate
EUROPOL	European Police Office (since 2017 officially the 'EU Agency for Law Enforcement Cooperation')
EU SATCEN	European Union Satellite Centre
HR	High Representative
INTCEN	Intelligence Centre
MPCC	Military Planning and Conduct Capability
SIAC	Single Intelligence Analysis Capacity
SNE	Seconded National Expert
TEU	Treaty on European Union (Treaty of Lisbon)
WEU	Western European Union

Figure 11; Main abbreviations relating to the EU intelligence system

The structures of INTCEN and EUMS INT are of modest size.[48] Despite a steady increase in personnel since 2001, their combined strength is still only a fraction of whatever national service in Europe. Exact numbers are currently unknown (to the public), but based on earlier official figures and secondary sources INTCEN is estimated to employ somewhere around 150 people. By comparison, the German Bundesnachrichtendienst (BND) has approximately 6500 employees.[49] INTCEN has two divisions; one for Support and Open Sources Research, and another for Intelligence Analysis and Reporting. The latter has a regional and a thematical analysis desk. EUMS INT is even smaller. It is around half INTCEN's manpower, mostly military officers and all seconded from the Member States.[50] They are divided over a Policy, a Production and a Support Branch. So, in both organizations a number of people are working outside intelligence analysis. Moreover, numbers do not tell the whole story. First, not all Member States contribute with personnel and not all are points of contact for their national intelligence services, limiting the personal and technical connections to civilian and defence intelligence organizations. Second, not all the personnel sent are intelligence officers and not all of them are analysts by trade. For example, the workforce of INTCEN compiles of three types; Seconded National Experts (SNEs) coming from the national intelligence services, temporary agents from the Member States in general and permanent EU officials. The last form the majority of the INTCEN staff.[51]

INTCEN and EUMS INT are sometimes seen to form an intelligence community together with two other EU structures; the European Police Office (EUROPOL; since 2017 officially the 'EU Agency for Law Enforcement Cooperation') and the EU Satellite Centre (EU SATCEN).[52] Yet, EUROPOL is primarily a police organization that supports the Member States in their fight against serious and organized crime. Although intelligence analysis is at the core of its activities, including cyber and terrorism, EUROPOL has little role in external action.[53] As stated in chapter one, criminal intelligence will not be part of this study. EU SATCEN on the other hand is a prime example of 'what strategic autonomy means in Europe', providing 'credibility about the role of the EU as a strong actor in international relations'.[54] This former WEU organization has access to military satellite capabilities of France, Italy and Germany, but is now also a key player in Copernicus, the European Union's civilian controlled Earth Observation program.[55] EU SATCEN embodies one of the rare collection capabilities in the

48 Seyfried, "Ein Europäischer Nachrichtendienst? Möglichkeiten Und Grenzen Nachrichten- Dienstlicher Kooperation Auf EU-Ebene," 2.

49 Bundesnachrichtendienst (BND), "Unsere Organisation Sechs Bereiche – Ein Auftrag."

50 Impetus 28, 30.

51 In 2009 their share of the total INTCEN workforce was 70%. Source: E-5998/09.

52 See for example: Gruszczak, *Intelligence Security in the European Union*, 11, 52–54.

53 Hertzberger, "Counterterrorism Intelligence Cooperation in the EU," 73–74.

54 H.E. Arancha González Laya, Spanish Minister for Foreign Affairs, 7 July 2021, visit to SATCEN; in annual report 2021.

55 Molard, "How the WEU Satellite Centre Could Help in the Development of a European Intelligence Policy"; European Commission, "Copernicus Service to EU External Action; Product Portfolio."

Union. Yet its role in supporting CFSP goes beyond the mere provision of satellite imagery; its credo being 'analysis for decision-making'. Its imagery analysts and geospatial specialists 'describe, assess, and visually depict physical features and geographically referenced activities around the globe'.[56] In the period 2014 to 2019 it delivered almost nine thousand products to its users, doubling or even tripling annual production rates. Using maps and imagery, its integrated approach compounds a form of all-round and all-source intelligence. Nevertheless, although INTCEN and EUMS INT are still considered main users, EU SATCEN seems to move away from this intelligence core. It increasingly supports EU policy making in non-security domains like emergency response, public health and transportation joining a vast array of EU agencies preoccupied with information support.[57]

There are a great many other EU structures that build knowledge on issues relevant for EU external action. These institutions are seldomly mentioned as being part of a 'wider' EU intelligence system and most of them would not define themselves in that manner either. First there are the diplomatic desks and special representatives in EEAS itself, working on diverse regional and thematic topics such as space, counterterrorism, migration, and Russia. In addition, outside EEAS there are various decentralized agencies that analyze security information for decision-making support. One example is the European Border and Coast Guard Agency (FRONTEX) that collects and analyses a wide range of data from Member States, EU bodies, partner countries and organizations, as well as from open sources on the situation at and beyond Europe's borders. It aims to create a strategic and operational understanding of the key factors influencing and driving that situation. Another example is the European Union Institute for Security Studies (EUISS), a dedicated think-tank that analyses foreign, security and defence policy issues. Its core mission is to assist in the implementation of CFSP, including the CSDP as well as other external action of the Union. For this it uses a variety of analytical tools including horizon scanning, foresight and trend analysis, like the 'Global Trends to 2030' report. There are many more examples. Their multitude must not be considered a strength *a priori*. Ikani and Meyer studied two cases of strategic surprise in the EU; the Arab uprisings in Tunisia, as well as its early spread to Egypt in January 2011, and the Ukraine crisis that ultimately led to the Russian annexation of the Crimea in 2014. Their research shows that:

> *'In the EU system, intelligence originates from many different quarters, comes in different formats, perspectives and conclusions without a single authoritative body available to aggregate, compare and analyze and communicate it to the senior leadership.'*[58]

56 European Union Satellite Centre, "SatCen Leaflet"; European Union Satellite Centre., "SatCen."

57 European External Action Service, "HR(2019) 96 Report of the High Representative of the Union for Foreign Affairs and Security Policy to the Council on the Functioning of the EU Satellite Centre (2014-2019)," 2.

58 Ikani and Meyer, "The Underlying Causes of Strategic Surprise in EU Foreign Policy," 282.

Neither of the EU intelligence organizations is in a position to coordinate or streamline production and achieve synergy. It feeds the idea that the EU suffers from fragmented organizational structures.

5.3.2. A Case of Voluntary Multilateral Cooperation

The EU has a compelling case for intelligence support in external action. As a function of government, intelligence is meant to support decisionmakers in their tasks, and the tasks in EU external action are clear and ambitious. In a national setting this would imply a strong 'producer-consumer relation' with one or more intelligence services to fulfill the priority intelligence requirements. Yet, the EU is not a state. Although over the years the organization has become involved in ever more policy areas, in some cases almost having supranational powers, formally the EU is not even a (con)federation of states. Like any intergovernmental organization its authority is based on what the sovereign Member States have transferred to her by treaties. These formal competences are not equally binding for all policy areas.[59] In the domain of foreign affairs and security they are actually very limited. Contrary to, for example, the communitarian policy for the internal market, 'national security remains the sole responsibility of each Member State'.[60] For external action this leaves the EU in the unrewarding position of having state-like institutions and tasks, without possessing all functions of government to support them.

The lack of supranational powers in the field of national security makes intelligence support to the EU a form of multilateral cooperation by definition. It is based on solidarity, voluntary contributions of Member States and perhaps their wish to cooperate more in depth for a specific purpose or for a limited period of time. By the same multilateralism, the EU becomes susceptible to the inherent weaknesses of such an arrangement as discussed in chapter 3.[61] First, the cost is relatively high, at least for information sharing. Even when national services only contribute with existing products, they still have to dedicate valuable resources to translate, sanitize, and communicate these products to the wider EU community. Products that, when broken to pieces or shared selectively instead, could have been a bargaining chip in a multitude of bilateral relations. Cooperation in the EU is burdensome. Second, in this 'burden sharing' there is little way of knowing whether all partners are contributing equally. This information is not shared broadly. In the setting of the EU, it is extremely easy to use the contributions of others while not delivering yourself, so called 'freeriding'. One respondent

59 S. Weatherill, 'The Constitutional Context of (Ever-Wider) Policy-Making', in: E. Jones (red.), The Oxford Handbook of the European Union (Oxford, 2013) 570–74.

60 2016/C 202 Consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union, 18 Title I, art. 4(2).

61 Gruszczak, *Intelligence Security in the European Union*, 137, 157; Rüter, *European External Intelligence Co-Operation*, 25–29; Politi, "Why Is European Intelligence Policy Necessary?"

even argues that 'the system encourages to behave opportunistically as all can benefit and put in RFI's [...], while not providing any intelligence themselves'.[62] In any case, the voluntary nature of national contributions gives room for restraint and can easily lead to non-commitment. Third, intelligence sharing within the EU is risky. With so many Member States and organizations involved, there seems to be a substantial chance that through one of them the intelligence provided ends up in the wrong place or is used differently than agreed. In this matter there is also concern among national services about issues within the EU regarding secure means of communication and processes, such as how the required security clearances for recipients of intelligence within the organization are determined and checked.[63] All in all, intelligence cooperation within the EU appears to be predominantly costly and makes national services vulnerable in the process. The formal system of sharing everything with all creates difficulties for intelligence services, who are reluctant to 'participate in such a supermarket of cooperation'.[64]

The EU intelligence organizations have little to put in the balance. They seem too weakly institutionalized to meet the inherent difficulties of multilateral intelligence cooperation.[65] This weakness is hardly surprising. As an EU intelligence officer illustrates:

> *'You see an organization that can take years for deciding how bended a cucumber is allowed to be. Let alone the big issues. [...] Intelligence is years behind on the cucumber case.'*[66]

Intelligence is still a relatively young concept within the EU. The EU only acquired its own intelligence capability in the field of security and defence with the gradual integration of the military WEU from 1999 onward, and the civilian Policy Planning and Early Warning Unit and Situation Centre established in the General Secretariat in the same period.[67] The functions and legal basis of the current EUMS INT and INTCEN[68] still bear a strong resemblance to the structures of that time.[69] Like in the early days of EU intelligence, both organizations still combine only a limited analytical capacity, supported by national services, with situational awareness from open sources and proprietary information. None of them possess special

62 Interview 2

63 Gruszczak, *Intelligence Security in the European Union*, 137.

64 Interview 5

65 Cross, "A European Transgovernmental Intelligence Network and the Role of IntCen," 391; Aldrich, "Intelligence and the European Union," 629.

66 Interview 32

67 Oberson, "Intelligence Cooperation in Europe: The WEU Intelligence Section and Situation Centre."

68 As if to illustrate the weak institutionalization of intelligence in the EU, in official documents there is no consensus of what the name INTCEN stands for. The acronym is being translated into Intelligence and Analysis Centre, Intelligence and Situation Centre, or simply Intelligence Centre. For this thesis the latter was chosen as it is the most unambiguous.

69 Salmi, "Multilateral Intelligence Cooperation in the EU"; Minister van Veiligheid en Justitie, Minister van Buitenlandse Zaken, and Minister van Binnenlandse Zaken en Koninkrijksrelaties, BLG639751 Bijlage Kamerbrief CT bevoegdheids-, taak en rolverdeling Europese Unie - Lidstaat, 2.

powers for the collection of data and information.[70] In comparison to their national equivalents, EU intelligence organizations:

> *'Have 'clipped wings'. [...] In principle, EU intelligence agencies are pure 'desk-agencies' that work with 'pen and paper'. The popular image of shady spies that operate under cover abroad, and agents with special license to protect the state with unorthodox means, makes the staff of EU intelligence agencies appear as ordinary bureaucrats.'*[71]

As bureaucrats, their position can even be seen to have weakened; moving away from the European Council to being a subordinate directorate of EEAS.

The fact that INTCEN and EUMS INT are mere bureaucratic subcontractors of EEAS limits their leeway among other EU organizations dealing in policy-relevant knowledge; and their visibility remains rather low.[72] By the same merits, their inability to claim a central role on the inside of the EU weakens their position on the outside *vis-a-vis* the national intelligence services. As will be seen in the next chapters, it lowers their standing within the European intelligence community and limits their role within it. Somewhat cynically, the very community that is most resentful of the EU intelligence organizations trying to become more like intelligence services, reproaches them for not being able to deliver the added value that only an intelligence service can provide. However, two caveats are in order with regard to this meek image. First, both institutions have made great strides in both size and expertise in recent years.[73] In doing so, military and civilian intelligence support for EU decision-makers has been increasingly integrated and the distinction between domestic and foreign security has been abandoned. Second, although INTCEN nor EUMS INT are comparable to national intelligence services, neither was meant to. They are intelligence hubs that enable the EU to benefit from the existing patchwork of formal and informal partnerships and intelligence flows surrounding the organization.[74] Already in 2009 various high-level EU representatives involved in intelligence cooperation claimed that the organization had been making 'remarkable progress' there, both with regard to Member State participation and between the EU organizations themselves.[75] And the project of strengthening EU intelligence system is ongoing.

70 Wills and Vermeulen, "Parliamentary Oversight of Security and Intelligence Agencies in The European Union," 54–57.

71 Müller-Wille, "Improving the Democratic Accountability of EU Intelligence," 110.

72 Palacios, "On the Road to a European Intelligence Agency?," 489.

73 Fägersten, *For EU Eyes Only?*, 1–2; Rüter, *European External Intelligence Co-Operation*, 1; Wetzling, "The Democratic Control of Intergovernmental Intelligence Cooperation," 39.

74 Labasque, "The Merits of Informality in Bilateral and Multilateral Cooperation."

75 Todd and Remouchamps, "Could Europe Do Better on Pooling Intelligence?," 5–9.

5.4. Strengthening the EU Intelligence system

5.4.1. Building on a European Intelligence Patchwork

> *We will strengthen our intelligence-based situational awareness and relevant EU capacities [...]. This will also bring us closer to a common strategic culture and contribute to the EU's credibility as a strategic actor.*"[76]

Integration is a core characteristic of the EU. Bringing states, their organizations and activities together offers economy of scale and synergy. This is no different in EU intelligence. However, it is unrealistic to assume that integration in the field of EU intelligence will proceed faster than that in the domain of (national) security it is intended to support. In response to the first version of the Strategic Compass, many Member States, including the Netherlands, felt that 'it had struck a good balance between ambition and realism'.[77] It is unclear what was meant exactly by 'realism', but it is likely that this refers to the limits posed by national sovereignty and the unwillingness to transfer more powers to European institutions in the short term. One respondent argues that it is in this realm that Member States:

> *'Are the least willing to give away their national sovereignty. Not only is national security at the heart of the national government function, no one wants to be vulnerable and dependent when it comes to matters of life and death. [...] When a [national soldier] gets killed in action during an EU mission, there is no politician who can state that he is not responsible for the decisions for, and support to, this mission. You cannot simply say that you were against it in the European Council, that you were overruled, and that the EU is the one to blame for any flaws in their security.*"[78]

Caution is certainly in order with regard to the possibilities of developing the EU intelligence system.

Intelligence is perhaps the most sensitive, and therefore the most difficult area of EU security cooperation. This is especially the case with threats that are strongly intertwined with internal security. Here, the paradox exists that in order to protect the fundamental rights of citizens, the rights of those same citizens are sometimes infringed upon. Although the EU has a big and increasing say in the fundamental rights of EU citizens and their protection, like on privacy issues, intelligence intrusions into these rights are still an exclusively national affair. For this reason alone, it is unlikely that anything like a 'European intelligence service' will

76 Council of the European Union, "7371/22 A Strategic Compass for Security and Defence - For a European Union That Protects Its Citizens, Values and Interests and Contributes to International Peace and Security," 33.

77 Minister van Buitenlandse Zaken H.P.M. Knapen, Verslag van de Raad van Buitenlandse Zaken 15 November 2021.

78 Interview 13

emerge in the short term, a recurring theme in the discussion on EU intelligence.[79] It is also questionable which problem this 'European CIA'[80] would solve (and which it would create). Apart from practical and legal challenges, the creation of a central European intelligence service offers above all an additional imperfect player in an already fragmented landscape. It could even reinforce the existing perception of competition and rivalry between Member State intelligence services, and thus hinder rather than help intelligence cooperation in and for the EU.[81] In the past, 'unlike politicians and scholars, EU intelligence practitioners have been almost unanimous in their opposition to the creation of any kind of European intelligence agency'.[82] In similar fashion, from the moment a proposed Information and Strategic Analysis Secretariat within the United Nations 'was referred to as a 'CIA for the UN' it was dead'.[83]

The strength - and weakness - of the EU intelligence system lies not so much in its own capacity, but in the broad and diverse transnational network it can benefit from. INTCEN and EUMS INT receive the bulk of their intelligence from the Member State intelligence services. These services come in many shapes and sizes, exceeding the simple divide between defence and civilian intelligence organizations used in the EU. Most of the 27 EU Member States have multiple services, and not two of those countries have organized them in similar fashion in terms of governance, mandate, workforce and tasking. The diversity of the services in this network will be elaborated on in chapter 6. These services together have spun a complex web of operational connections. They cooperate bilaterally, in tailor-made plurilateral clubs for certain areas of interest or for specific collection activities, or in the multilateral NATO alliance. The link these arrangements have with the EU varies as much as their format and composition. However, together they create a patchwork of formal and informal connections through which intelligence can reach the EU. For example, CTG is closely related to the EU, but definitely not part of it. Some of its members (Norway, Switzerland and the UK) even come from outside and the EU is kept at a distance.[84] Nevertheless, it shares relevant intelligence with the EU. Moreover, the EU has an observer status. Although the EU cannot command its needs upon this transnational network, it is seen to contribute heavily to collective security in Europe. Practitioners have therefore argued that strengthening the (formal) EU intelligence system should take place without jeopardizing its flexibility and effectiveness.[85]

79 Palacios, "On the Road to a European Intelligence Agency?," 483, 489–90; Bossong, "Intelligence Support for EU Security Policy," 1, 7.

80 Some authors also refer to a 'European FBI' when proposing a European intelligence service for external action, apparently not realizing that the FBI is primarily a law enforcement agency, more like the already existing EUROPOL.

81 Fägersten, *For EU Eyes Only?*, 3–4.

82 Palacios, "On the Road to a European Intelligence Agency?," 485–86.

83 Chesterman, *Shared Secrets*, 16.

84 Bossong, "The EU's Mature Counterterrorism Policy – a Critical Historical and Functional Assessment," 19; Minister Plasterk (Binnenlandse Zaken en Koninkrijksrelaties), Vragen gesteld door de leden der Kamer, met de daarop door de regering gegeven antwoorden.

85 Aldrich, "Intelligence and the European Union," 632.

As Politi already noted in 1998, strengthening European intelligence 'need not be a highly formalized and institutionalized affair'.[86] It is - as chapter 7 will show - a highly informal affair. Some scholars even suggest that functional integration into a transgovernmental EU intelligence network is already underway, even despite Member States' resistance against formal cooperation in the EU.[87]

As seen in the quote at the beginning of this section, the recent Strategic Compass names the strengthening of intelligence as a critical enabler for EU credibility in the international arena. Yet, so did the Global Strategy that was presented five years earlier and the first European Security Strategy in 2003.[88] It is doubtful that any attempt for increased formal control by the EU over the national intelligence services' activities and priorities will now be more successful than it was before. Likewise, there is little chance for the hierarchical merging of capacity into a central European intelligence service. It is inconsistent with Member States' exclusive competence over their own security and clashes with the prevailing intelligence culture. Forms of vertical integration are highly unlikely, at least in the short term.[89] Yet, organizational integration can take another form as well. The Strategic Compass hints on a functional strengthening of the EU intelligence system by measures that can be labelled as horizontal integration. Horizontal integration brings people and units within an organization closer together by promoting direct (mutual) interaction.[90] In this way it is possible to take full advantage of a diversified network without limiting the autonomy of the relevant partners too much. Horizontal integration of the EU intelligence system combines the best of both worlds.[91] It respects the limits of national sovereignty and relates well to the successful informal and pragmatic way of cooperation by intelligence services in Europe. It allows the EU to better connect with existing intelligence flows without taking over or copying them. It prevents fragmentation and delivers unique all-source products from a wide variety of sources. It thus serves the intelligence function of the EU. It also strengthens its position vis-à-vis its network partners. The emphasis on added value and complementarity offers the opportunity to build on what works, and to supplement what is lacking.[92]

86 Politi, "Why Is European Intelligence Policy Necessary?," 8.

87 Cross, "The European Space and Intelligence Networks," 224, 228; Cross, "A European Transgovernmental Intelligence Network and the Role of IntCen," 391; Chopin, "European Intelligence," 29–31.

88 Council of the European Union, "7371/22 A Strategic Compass for Security and Defence - For a European Union That Protects Its Citizens, Values and Interests and Contributes to International Peace and Security," 3, 14, 21–22; Council of the European Union, 10715/16 A Global Strategy for the European Union's Foreign and Security Policy, 17, 40, 44; Council of the European Union, "15895/03 A Secure Europe In A Better World - European Security Strategy," 14.

89 Estevens, "Building Intelligence Cooperation in the European Union," 102; Bilgi, "Intelligence Cooperation in the European Union," 66.

90 Child, *Organization*, 9, 14.

91 Chopin, "European Intelligence," 46.

92 Svendsen, "Developing International Intelligence Liaison Against Islamic State," 261, interview 44.

5.4.2. A Functional Boost: Enhancing Coordination through SIAC

From a functional perspective, a more successful EU intelligence system should provide added value to all parties involved.[93] The various EU decision-makers and institutions have an interest in timely and high-quality intelligence tailored to their specific needs. They need a system that can guarantee this intelligence support when and where it is most needed. The European intelligence services at least have an interest in performing their tasks as efficiently as possible, even when EU cooperation is only considered a normal producer-consumer relation. Although in that case no direct interest is served on the organizational level, and no return is to be expected, it is paramount for them that all contribute to the best of their ability. The more the system connects to and complements existing partnerships, the further it alleviates this 'burden sharing'. However, ideally cooperation would lead to greater effectiveness for national services as well. And potentially, strengthening the EU intelligence system can indeed offer them something that they cannot (easily) get elsewhere.

The EU is in a unique position among a diverse set of organizations that can complement each other's awareness and understanding. First, it can smoothen the exchange between national services. The diversity of the network can be a great advantage, but also means that participants do not find each other naturally and effortlessly.[94] Second, it can facilitate the admittance of more non-traditional partners to this network. The EU is an attractive partner for knowledge centers and think-tanks. In addition, the broad and hybrid set of threats means that dozens of EU organizations are de facto active in the security domain and have access to relevant information. For example, the expertise of the European Environment Agency could contribute to a threat assessment arising from an unequal global distribution of food and increasing scarcity. In terms of diversity of knowledge, the EU surpasses each of the Member States individually and also more one-sided multilateral organizations such as NATO. There is a rewarding role in bringing all these organizations functionally together and combining their insights into an integrated intelligence picture. Theoretically the position of the EU intelligence organizations within EEAS facilitates the use of the EU commission's 144 delegations and offices around the world.[95] In practice, though, as will be evident from chapter 6, in many cases this is still elusive.

For a functional strengthening of the EU intelligence system, horizontal integration needs a place to take shape. There must be a spot where all relevant information flows and secret intelligence come together and are viewed together. The President of the European Commission expressed this need when stating:

93 Müller-Wille, "EU Intelligence Co-Operation. A Critical Analysis," 78–79.

94 Müller-Wille, *For Our Eyes Only?*, 17–19.

95 Cross, "A European Transgovernmental Intelligence Network and the Role of IntCen," 398; Walsh, "Intelligence-Sharing in the European Union," 636.

> *'It is vital that we improve intelligence cooperation. But this is not just about intelligence in the narrow sense. [...] This is why the EU could consider its own Joint Situational Awareness Centre to fuse all the different pieces of information.'*[96]

She suggested setting up a new 'joint environment awareness center', as there have been several attempts from European Commission decisionmakers since 2013 to create some sort of intelligence organization of their own to enhance their integrated 'situational awareness'.[97] In practice such an entity exists already, although strongly under the influence of the Member States. The Strategic Compass points at the Single Intelligence Analysis Capacity (SIAC) as the place most suitable for further integration. SIAC is a working arrangement between INTCEN and EUMS INT for joint production and policy in EU intelligence.[98] In this arrangement they are increasingly integrating intelligence from various national intelligence services, and combining it with their own information from OSINT, ongoing EU missions and the EU SATCEN.[99] It is claimed that more than 90% of INTCEN and EUMS INT products is now made in this joint format.[100] SIAC includes the necessary knowledge and skills for integrated analysis. In addition, it provides the secure environment necessary for merging intelligence and information. As a functional arrangement, it can easily change form and adapt to changing needs. Drawing on the concept of horizontal integration, the next - and therefore the most obvious - step for the EU in cooperation is coordination. Coordination can achieve a better connection between the network partners. Even more so, a mix of coordination and collaboration is feasible in the same system. It is possible to combine a coordination of national intelligence services effort with those of EU intelligence organizations, while at the same time go a step further and have collaboration between representatives of the first in the latter.[101]

It is currently unclear how the EU intelligence reform announced in the Strategic Compass will take shape and what steps have been taken already. There are several mechanisms to promote coordination within and between organizations.[102] At least three of them are already present in SIAC and are thus likely to be part of further strengthening the EU intelligence system. First, bringing relevant partners together. Reducing the distance between them promotes direct information exchange and anticipation. SIAC already

96 Von der Leyen, "2021 State of the Union Address."

97 Interview 36

98 Although strictly speaking not an organizational entity, this study will use SIAC as an umbrella term for the combination of INTCEN and EUMS INT. SIAC+ is mentioned in policy documents as well. Although this is sometimes meant to depict the organizational inclusion of SATCEN, SIAC+ is officially the term for adding the functions of intelligence policy and support to production in 2018.

99 Morgado and Jezewski, "The Single Intelligence Analysis Capacity (SIAC)," 76.

100 Delcroix, "Single Intelligence Analysis Capacity (SIAC) and Its Role in Supporting EU Decision Making," 11; EEAS, "EU Intelligence Analysis Centre (INTCEN) Factsheet," 1.

101 Keast, Brown, and Mandell, "Getting The Right Mix," 10–13, 27.

102 Okhuysen and Bechky, "10 Coordination in Organizations," 128–30.

uses the concept of intelligence fusion on themes such as hybrid threat to bring together knowledge and expertise (Hybrid Fusion Cell).[103] The concept of fusion centers gained renewed prominence in the United States after the terrorist attacks of 9/11. Their principal role is 'collecting, blending, analyzing, and evaluating relevant information from a broad array of sources' and thus break down the walls between various relevant (intelligence) services. In these centers representatives of organizations selectively share intelligence and work in smaller groups on joint products that are of interest to them.[104] SIAC can be a fusion center for (changing) groups of able and willing intelligence services and EU institutions that make various integrated products on specific topics.[105] Second, increasing direct liaison. Only through regular and intensive (informal) consultations with the national intelligence services it is possible to gain insight into their (usually secret) priorities, identify gaps in the collective picture and persuade the most suitable partner(s) to include the EU's needs in their production. In the absence of formal power (tasking and control), this must be based on consultation and persuasion. The current intelligence architecture already includes provisions for coordination and liaison with the national services, until recently including an Intelligence Steering Board, an Intelligence Working Group for priority intelligence requirements, and two-yearly Heads of Service and Heads of Production meetings.[106] But these are high-level meetings only. The architecture lacks routines for direct daily interaction with intelligence services and integration with non-traditional partners. The diversity of the network and the wide scope of EU intelligence needs justify SIAC taking on a more active role as a coordinator within the EU. Third, the anchoring of confidence-building routines and standards. Ingrained patterns help collaboration by creating clear expectations and increasing interoperability. Standardization can take place in many areas, such as through a common conceptual framework. It encourages contributions from Member States and prevents misunderstandings between partners. A repetitive intelligence production cycle coupled with direct policy making, such as now introduced for the threat analysis of the Strategic Compass, has a disciplining effect and forces intelligence services to seriously embed EU intelligence support.[107] SIAC can be the driving force behind standardization. None of these steps is new or revolutionary, not even in the context of the EU.[108] As they draw on existing initiatives, they can probably count on wide support and offer the greatest chance of success. But they do need a push to be successful. Despite the intentions presented

103 "Report on the Implementation of the 2016 Joint Framework on Countering Hybrid Threats and the 2018 Joint Communication on Increasing Resilience and Bolstering Capabilities to Address Hybrid Threats," 2–3.

104 US Bureau of Justice Assistance, "Fusion Center Guidelines Developing and Sharing Information and Intelligence in a New Era," 11, 13; Gardner, *Intelligence Fusion Centers for Homeland Security*, 9–12; Catano and Gauger, "Information Fusion: Intelligence Centers and Intelligence Analysis," 17–19, 22, 28.

105 Fägersten, *European Intelligence Cooperation*, 2008, 106–7.

106 Salmi, "Multilateral Intelligence Cooperation in the EU." For CIO's. For DIO's named CFAIS-meeting after the arrangement of which it is part, the Cooperation Framework Agreement for Intelligence Support to the European Union.

107 Müller-Wille, *For Our Eyes Only?*, 40–44.

108 See for example: Seyfried, "Ein Europäischer Nachrichtendienst? Möglichkeiten Und Grenzen Nachrichten- Dienstlicher Kooperation Auf EU-Ebene," 4; Walsh, "Intelligence-Sharing in the European Union," 638–41; Müller-Wille, *For Our Eyes Only?*, 33–44.

in the Strategic Compass of march 2022, a proposal for the strengthening SIAC had yet to be presented a year later.[109]

5.5. Conclusion

> *'If changes in organizations or their routines and rules necessary for cooperation to take place, then [...] the existing structures will hamper, abolish, or adjust the cooperative arrangement at hand. This is especially the case when the structures of the organizations are legally incompatible, when there are many actors with veto-rights or when adjustments are perceived too costly.'*[110]

The EU intelligence system seems to be caught between two conflicting logics. On the one hand, external security is increasingly becoming an EU matter. While many Eurosceptics will find it difficult to deal with the growing activity of EU institutions in the field of foreign policy and defence, Member States have explicitly supported the ambition in this area. The resulting intelligence demand might not be legally binding, but is still compelling by its practical legitimacy. Recent developments in Ukraine have only increased this ambition and have probably put more pressure on ongoing EU intelligence reform. On the other hand, the current system has difficulties providing adequate intelligence support. National sovereignty is still a guiding principle in external security and certainly in the intelligence domain. Intelligence can be considered the most sensitive, and therefore the most difficult, area of security cooperation. The EU intelligence system is based on voluntary cooperation and the EU does not seem to be a very attractive place to do business for intelligence services. At least not for those who already enjoy considerable resources. In many cases these national services will prefer small-scale, informal arrangements where the risk is lower and the direct reciprocity is higher. It means that the intelligence requirements of EU decision-makers and institutions may remain unchecked. Yet, it also leads to the - for this study more relevant - conclusion that the EU's ongoing desire to strengthen the role of SIAC positions any official working with or within EU intelligence in a context of not only transition, but tension and ambiguity as well. Uncertainty exists about what strengthening EU intelligence means, to whom, and for what purpose.

The place of EU intelligence, and SIAC in particular, in the wider European intelligence network remains disputed. The importance of international intelligence cooperation for European security goes uncontested. The challenges ahead are simply too complex in nature and too large in scale for national services to be facing alone. Cooperation among these services therefore is commonplace. Nevertheless, for the EU the devil is in the details. It is

109 European External Action Service, "Annual Progress Report on the Implementation of the Strategic Compass for Security and Defence," 10.

110 Fägersten, *Sharing Secrets*, 98–99.

multilateral cooperation by definition, but expectations differ on who should benefit (most) from this arrangement. Although arguably EU intelligence cooperation is about services from different countries working together to support EU decisionmakers for mutual benefit, the intergovernmental setting provokes the idea that a direct return may be expected for intelligence services. Few national services would ask what intelligence products they will get in return from their Foreign Affairs Department or from fellow services in the same country. Yet that is exactly what seems to happen in the EU. Although intelligence is frequently mentioned as one of the strategic enablers, policy documents give little guidance on how to cope with this discrepancy on the organizational level. Multilateral intelligence cooperation within the EU proves difficult in practice and enhancing SIAC might be easier said than done. Integration processes often prove to be difficult.[111] Progress in EU intelligence will probably resemble the well-known - pragmatic but cumbersome - process of differentiated integration, going at different speeds for different areas or between different members.[112]

It is in this tense environment that perceptions about cooperative behavior are formed and preferences are built and it is unlikely that this context is going to change any time soon. Strengthening the EU intelligence system will probably be a matter for the long haul. The basic idea is simple enough. Strengthening cohesion and synergy between the autonomous partners in the network will offer them all a unique added value. It would make the EU a more attractive place for cooperation while at the same time serving EU decision-makers. Yet, despite the advantages SIAC has as a functional arrangement, its volatility also contains weaknesses. First, the intangible format is as good as the common will of its participants. As soon as one of them lacks resolve, it risks becoming ineffective.[113] For example, bureaucratic resistance or conflicting personalities can be the cause this. In addition, there is considerable room to stall the process of intelligence reform. Second, it is doubtful whether SIAC can offer a one-size-fits-all solution that will do equally well for both strategic and operational intelligence. Each type of intelligence has different dynamics and peculiarities, such as for circulation speed, level of detail and accuracy, classifications of secrecy and security measures. Doing both at the same time will put a qualitative and quantitative strain on the organizations and processes involved. A brief comparison with NATO's recent intelligence reforms underlines how long the road ahead for SIAC is likely to be. Despite systemic flaws probably still being present there as well, many intelligence officers in this study regard NATO a valuable benchmark for EU intelligence reform.[114] Contrary to SIAC, for their reforms the Joint Intelligence and Security Division (JISD) was able to rely on a military alliance with nearly 75 years of collective intelligence experience in their reforms. Yet achieving greater

111 Child, *Organization*, 111.

112 Schimmelfennig, Leuffen, and De Vries, "Differentiated Integration in the European Union: Institutional Effects, Public Opinion, and Alternative Flexibility Arrangements," 5–7.

113 Interview 14

114 Interview 2, 7, 27, 43

cohesion and synergy was no easy task to NATO either.[115] It took a decade and is still an ongoing process. Starting from this context, this research will now proceed to studying the conditions for trust. It will take ability, integrity and benevolence to the setting of the EU to explain the mechanism of social relations and trust in this tense environment.

115 Ballast, "Merging Pillars, Changing Cultures," 728–31, 736.