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Intelligence and decision-making within the Common Foreign and Security Policy

Abstract

In 2005, the European Union's (EU) coordinator of counterterrorism policies quipped that: 'You can't get closer to the heart of national sovereignty than national security and intelligence services. Yet in Brussels we have these analysts working together for the first time'.[1] Despite the inherent sensitivities that exist within the field, the EU has considerably increased its resources for intelligence sharing and analysis in the decade that followed this comment. Yet, this cooperation has largely gone unnoticed – within academia as well as in the public domain. This report analyses the organisation and process of European intelligence cooperation and the effect that this cooperation is having on European foreign policy. In the policy recommendations, it is argued that the EU intelligence system – following phases of boosting efficiency and legitimacy – should now be developed with an eye on the interaction between producers and consumers of intelligence.

1 Introduction

Governments as well as organisations constantly make decisions under conditions of uncertainty. In the realm of security and foreign policy, this poses an extraordinary challenge. Here, the motivations of others might be downright hostile and the effects of one's actions a matter of life and death. Adding to the complexity, other actors tend to conceal their motivations and resources and consciously try to obstruct or manipulate efforts to gain knowledge.

At home, European governments are working hard to reduce the level of uncertainty in the area of foreign policy; be it the nature of ongoing trends, the preferences of others or the likely consequences of a planned action. In order to increase the efficiency of policymaking, governments usually create dedicated entities for these tasks. These could be in-house research departments, automatic data collection systems or traditional intelligence agencies.[2]

This has been the case at EU level as well, where dedicated expert bureaucracies have been tasked to reduce uncertainty regarding issues of security and foreign affairs – often in response to a perceived threat. The creation of the internal market and the abolition of internal borders raised concerns about transnational crime. This spurred the development of intelligence cooperation for law-enforcement purposes within the European Police Office (Europol). The terrorist attacks of September 11, 2001 and US demand for European participation in the subsequent 'War on Terror' convinced European security services of the need for an autonomous analytical capacity in the counterterrorism field. This resulted in the Counter-Terrorism Group (CTG),

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1 Gijs de Vries, quoted in Euractive March 4, 2005, available at http://www.euractiv.com/security/gijs-vries-terrorism-islam-democracy/article-136245.

2 In this text, intelligence will refer to 'the tasking, collection, analysis and dissemination of both publicly available and classified information with the goal of reducing decision makers' uncertainty about a security relevant issue'. C.f. Walsh (2007).

which brings together staff from different levels of national security services to conduct analytical work on the Islamist terrorist threat which it disseminates to national as well as EU-level customers. In the area of foreign and security policy, it was the ambitions tied to the Common Security and Defence Policy (CSDP) that motivated the incremental build-up of EU intelligence functions for policymaking and operational support that exist today.

In sum, European governments have, during a relatively short time span, established multilateral venues for intelligence cooperation. Several of these are situated within the EU system and aim to support policymaking within the Union. Considering that knowledge is a tool of power – able to set agendas and forge decisions – it is surprising that this establishment of knowledge-producing functions at EU level has not gained more attention. From a political perspective, focus during the last decade has rather been on US intelligence capabilities and the intelligence relations among European states and the US. The build-up of Europe's own intelligence capabilities has largely gone unnoticed. From a research perspective, the area is largely overlooked as well. Research on EU intelligence is not an established area of inquiry on its own, but a theme that is occasionally raised in the context of areas such as policy development within the internal or external security dimensions of the EU, studies on intergovernmental security cooperation among European countries or as a specific dimension of relations between the EU and a third country – often the US.

The handful of works that focus on the EU's intelligence system usually fall into one of four broad categories. First, there are a few broad overviews of current cooperation, some of which offer suggestions on future directions.[3] Second, several authors have studied the efficiency of EU intelligence either in its own right or from the perspective of a specific function it should ostensibly support, such as counterterrorism or early warning.[4] Third, research has been carried out on the 'why' question: the development of EU intelligence has been critically assessed and explained using approaches from integration theory and more general political science concepts.[5] Finally, there is research that looks at EU intelligence as a case within more general studies of international or multinational intelligence cooperation.[6]

This report aims to unmask the inherent challenges to European intelligence cooperation with a focus on its organisation and processes where the 'intelligence cycle' is used as a structural tool. The impact on the field of CFSP (Common Foreign and Security Policy) is highlighted and policy recommendations for intelligence reform are presented. The report draws on public accounts, parliamentary hearings and more than 60 personal interviews with intelligence producers and consumers, representing 12 different European countries as well as the EU institutions.

The role of intelligence in international security and the general challenges of multilateral intelligence cooperation are analysed in section 2. In section 3, the EU intelligence system is analysed from an organisational perspective, looking at how intelligence is organised in terms of different threat horizons, power relations among partners and institutional structures. The subsequent section turns to the process of intelligence cooperation, looking at how the EU system handles different aspects of intelligence work. The concluding section summarises the findings and their relevance to the making of foreign and security policy in the EU and offers policy suggestions for future intelligence reform.

2 Intelligence, security and the challenges of multilateralism

Why do states engage in intelligence activities and what effect does this have on national and international security? First, access to intelligence information is a source of power, a force multiplier of whatever diplomatic, political or military ambitions one might have. States with advanced intelligence capacity can thus be assumed to be more influential than states that lack this capacity. Furthermore, conflicts throughout history have been fuelled or even instigated by misconceptions and faulty evidence, with the 1990 and 2003 Gulf wars often given as examples.[7] Given this, a case can be made that intelligence – in the sense of deep and

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[3] For a seminal contribution, see Müller-Wille (2004), for a recent analysis, see Fägersten (2014).

[4] On early warning, see Brante, Meyer, de Franco, and Otto (2011). On counterterrorism, see for example Müller-Wille (2008), Bures (2013) and Svendsen (2009), and for foreign policy in general, see Duke (2014).

[5] For different theoretical takes on the development of EU intelligence, see Occhipinti (2003), Kaunert and Leonard (2013) and Fägersten (2010a). More specifically, Davis Cross (2013) and Van Evera (1999) have studied the role of transgovernmental networks in the intelligence field while Fägersten (2010b) analyses the role of bureaucratic actors.

[6] See for example Jeffreys-Jones (2013) and Walsh (2010).

[7] See for example Van Evera (1999) and Jervis (1976).

correct information on the capabilities and motivations of one's rivals and the possible spoils of victory – is a conflict prevention tool. The opposite can of course be true, when intelligence is incorrect or only used to legitimise action that policymakers have already decided on. Second, intelligence activities can be a cause of conflict in their own right if they are deemed to be aggressive or illegal and become known to the appointed target. This can also apply to states that normally enjoy friendly relations, as was illustrated by the US eavesdropping on Germany's Chancellor, Angela Merkel, and the resulting political backlash. Finally, intelligence information affects international security in the sense that it ties alliances and unions together. External threats are one cause of alliance formation and a common perception of that threat will increase cohesion among allies. Intelligence information can work to strengthen such cohesion, when one actor manages to sway its compatriots by way of shared information or when information is produced jointly and accepted within the alliance. The way in which the EU has forged its response to Russia in light of the current conflict in Ukraine is a case in point as will be discussed below.

In general, the benefits of organising intelligence work at the multilateral level are fairly straightforward. From a strict intelligence perspective, there are obvious gains from cooperation related to economies of scale, specialisation and diminishing transaction costs measured in money as well as time. For example, expensive technological systems such as satellites could be funded jointly, interpretation of specialist foreign tongues could be divided to avoid duplication and overlaps in capacity and time-sensitive information could be quickly shared with several national agencies through one central hub rather than an array of bilateral channels. To these generic intelligence gains one might add the political gains of multilateral intelligence cooperation. For example, joint threat analysis can drive political cohesion, as discussed above, or an intelligence function might lend credibility and political weight to a collective political body in need of additional clout. The downsides of multilateral intelligence cooperation are derived from autonomy losses and increases in vulnerability. Autonomy losses occur when intelligence cooperation is close enough to make one dependent on others when taking security policy decisions. Specialisation, for example, comes with heavy autonomy losses because some intelligence functions are outsourced altogether in order to focus on something else. Another aspect of autonomy loss is when commitments to partners force you to take part in activities that are not in your interest, or to direct attention against targets with no genuine intelligence value. In general, national autonomy loss as a consequence of multilateral intelligence cooperation is often moderate, since this cooperation rarely involves the most intrusive forms such as centralised control over resources or enforcement mechanisms if states fail to cooperate.[8]

FACT BOX EU INTELLIGENCE STRUCTURES

INTCEN – EU intelligence analysis centre: The main hub for intelligence analysis within the EU. Situated within the External Action Service, INTCEN produces reports and briefings based on contributions from the member states' intelligence services, material from other EU bodies and opens sources. INTCEN mainly provides intelligence support to the CFSP but also covers issues of an internal character such as counterterrorism.

INTDIR – Intelligence division of the EU military staff: Works closely with INTCEN but is solemnly devoted to military affairs. It reports to various bodies within the European External Action Service (EEAS) but particularly to the Military Committee. INTDIR often produces joint reports with INTCEN under a work format called Single Intelligence Analysis Capacity (SIAC).

EUROPOL – European Police Office: A hub for exchange and analysis of criminal intelligence. Information originates from member states, open sources and third parties such as international organisations and countries beyond the EU.

CTG – Counter Terrorism Group: Consists of EU member states together with Norway and Switzerland and is positioned outside of EU structures, even though it provides analysis to various EU decision-making bodies.

FRONTEX – The European border management agency: Functions as both a consumer and a producer of intelligence. Produces risk assessments on data received from national border authorities and other sources.

SATCEN – The EU Satellite Centre: Produces geospatial and imagery intelligence products on behalf of the High Representative of the Union for Foreign Affairs and Security Policy (HRVP). The primary sources of satellite data are commercial providers but SATCEN has some access to national resources as well.

8 c.f. Koremenos, Lipson, and Snidal (2004).

A more potent barrier to multilateral cooperation is the increase in vulnerability that it brings. Vulnerability can be defined as a combination of the probability and the consequences of the disclosure of a country's methods and sources or the betrayal of a partner. This could mean, for example, that the disclosure of a cooperative arrangement might be embarrassing or that intelligence sharing results in the loss of control over the information gathered. Intelligence sharing can also have unintended consequences or illuminate a country's methods, needs and technical capabilities. Partners might also contribute less than their share and hence 'free-ride' on intelligence cooperation or, even worse, supply biased information in order to pave the way for specific policy decisions. The cooperation between the British intelligence agencies and the Gaddafi regime in Libya revealed after the fall of the latter; the disclosure of secret prisons run by intelligence agencies in Eastern Europe; and intelligence shared by the US with other countries in the run-up to the Iraq war in 2003 illustrate various types of vulnerability. In sum, vulnerability is a serious problem in multilateral settings because most of the risks outlined above increase with every additional cooperation partner.

3 The organisation of European intelligence sharing – time, hierarchies and power

The nascent EU intelligence system (see fact box for key elements) consists of a diverse set of bureaucratic units, EU agencies and informal groupings. In this section, I will analyse this system and its most important components by way of its organisation: How is EU intelligence designed and institutionalised and what does this mean for EU policymaking? The focus will be on three organisational dimensions: how the intelligence system covers different time spans, how it accommodates differences in power among member states and how it shapes relations between analysts and decision takers. These dimensions all relate to the distribution of power and resources among key intelligence players and is thus relevant for an understanding of the role of the European intelligence system.

- Temporal dimensions of EU intelligence

How does the EU intelligence system relate to the different stages of threat that intelligence needs to illuminate for policymakers? Looking at intelligence needs through a temporal lens, intelligence needs can be placed on a scale depending on the distance between a certain event or fact and the point in time when the analysis takes place. At one end there is long-range intelligence reporting on future events and trends, often categorised *as foresight, horizon scanning* or *strategic warning.*[9] Closer to the event, decision makers are in need of *early warning* on impending conflicts and threats. As soon as an event happens, there is a need for *situational awareness* in order to design suitable action. Finally, there is often a need for *post-fact analysis* where intelligence on past events can shed light on the modus operandi and motivations of one's competitors and provide lessons for the future.

In the EU, these dimensions are separated analytically and by the units that manage them and the mandate these units are given. Long-term strategic forecasting is not just the task of intelligence agencies; after all, access to confidential information is only part of clarifying images in the crystal ball. While many national intelligence agencies have units working on long-term trends or intelligence estimates – and some, like the US National Intelligence Council, make these very public – the EU uses other parts of its bureaucracy for this task. The European Union Institute for Strategic Studies (EUISS) carries out work in this field and has recently made an effort to attune its analysis closer to the needs of the European External Action Service (EEAS). Another example is the European Strategy and Policy Analysis System (ESPAS), a framework for cooperation between EU institutions aiming at the production of long-term analytical reports on trends that affect Europe and its global role. At the time of writing, it is unclear whether ESPAS will continue its work into the 2014–2019 institutional cycle, after its main reports were published in early 2014. While ESPAS covered trends 10 to 15 years into the future, the EU has recently stepped up its analytical capacity for early warning with a three- to five-year horizon. With its new EU Conflict Early Warning System (EWS), the EU aims to provide decision makers with analysis of impending risk factors, allowing resources to be allocated accordingly. The EWS is run by the EEAS but aims to incorporate a variety of actors both within Europe and elsewhere.[10] Working with an even shorter time horizon, the EEAS Intelligence Analysis Centre (IntCen) looks approximately six months ahead in its ambition to provide warnings of impending security threats. Finally, focusing on current developments, the EU Situation Room within the EEAS aims to provide situational awareness to EU decision makers. Its work is based on open sources, and monitoring of international media and other sources takes place on a 24/7 basis.

9 For a review of concepts and resources in this field, see Missiroli (2013).

10 EU Conflict Early Warning System fact sheet, 2014, available at http://eeas.europa.eu/cfsp/conflict_prevention/docs/201409_factsheet_conflict_earth_warning_en.pdf.

Looking at the information flows in support of EU foreign policy there is, or at least there has been, a mismatch between the temporal dimensions of support and demand. Until now, intelligence support has been strongest in the short- to medium-term perspective, looking at issues three months to two years ahead. Current intelligence has been of a non-clandestine nature, essentially coverage of news reports and other open sources in real time. This is in contrast to the policy cycle of the EU's foreign policy, where most effort goes into either long-term structural reform programmes or the deployment of civil and military missions where open source intelligence is not sufficient. Potentially, this mismatch will be redressed at both ends. The new Conflict EWS discussed above should inform long-term policy development in the EU. Meanwhile, the SIAC platform has shortened its information cycle. The time between an initial request for information to national intelligence agencies and a finished EU report was previously around three weeks, but today the IntCen director maintains that it can usually produce results within days.[11] Being more agile, however, also raises expectations of more operational support to EU crisis management missions – a task that the intelligence system has difficulties to live up to as will be discussed below.

- Hierarchy among actors

The EU intelligence system largely depends on member state contributions. How are the differences in member state resources and intelligence power accommodated in this common system? While formal equality among states is a basic tenet of EU affairs, this is not the case in intelligence affairs. In the case of structured international intelligence cooperation, some form of hierarchy might be a precondition for the participation of powerful states.[12] Scholars of institutional design suggest that 'When some states contribute more to an institution than others … they will demand more sway over the institution. Other states will grant this control to ensure their participation'.[13] Such hierarchical control can reduce the autonomy loss for powerful states and mitigate the risk of free riding and other collective action problems by allowing some states to monitor others. Elements of hierarchy may thus offer net intelligence gains for an organisation such as the EU, as long as it empowers actors with high-quality intelligence capabilities. To a large extent, this was the case in the building of IntCen. Under the stewardship of William Shapcott, a few trusted and resourceful states received special treatment. Only a handful of member states took part in the building of the centre and, even as this group later expanded, not all EU member states participated in the joint analytical process. A more inclusive policy was adopted when Ilkka Salmi took the helm at the centre in 2011. The aim is now to have all member states represented within the Analysis Division of the centre. Salmi is explicit on this point, calling it a strategy: more inclusiveness gives access to small countries' niche competencies and creates a more efficient analysis. He admits however that in addition to such intelligence gains, personal relations count too. In contrast to his predecessor, Salmi has led a national security service and knows all his European peers – omitting their agencies would have been hard.[14] For now, Salmi's policy of inclusiveness seems to be paying off.

A diplomat working on CFSP-related issues offers one example. An IntCen assessment was presented to member states at a special session at the height of the fighting in the eastern parts of Ukraine. The fact that this assessment represented a collective effort effectively created a baseline understanding, which in turn made it difficult for traditionally reserved countries to question its assumptions.[15] It would be hard to imagine the same result if only a handful of member states had been allowed to take part in the analytical process. However, privileged access and informal control on behalf of the resource-rich was a key element in the development of IntCen. As inclusiveness and equality become the norm within EU intelligence, how the inevitable hierarchies of the intelligence world will manifest themselves remains to be seen.

- Proximity to power

How is the balance between the political and bureaucratic level upheld in the EU intelligence system? Orthodox intelligence theory suggests a clear line between intelligence officers – who should be policy neutral – and policymakers. In practice, this line is unclear and often breached. Scholars refer to the 'crossing of the line' and the resulting meddling in the affairs of the other side, as 'politicisation'.[16] This can

11 Interview with Ilkka Salmi 2014-12-10.
12 See for example Lake (2003) and Walsh (2007).
13 Koremenos, Lipson et al. (2004), p. 32.
14 Interview with Ilkka Salmi 2014-12-10.
15 Interview with Brussels-based diplomat working on CFSP matters, 2015.
16 This concept of politicisation is defined slightly differently from how it is used in general political science, where it relates to the process by which a technical or administrative area becomes politically charged. For an overview of the concept of politicisation from an intelligence perspective see Treverton (2008).

occur at different points in the work process. For example, an analyst might have political sympathies or personal experiences that bias her work on a subjective matter, an intelligence manager might 'sex up' a report during the editorial process in order to increase its impact or a policymaker might ask for specific intelligence in order to prove something or justify an action she was going to take anyway, or choose to view only the material that verifies and favours her policy preferences. Politicisation is destructive because it diminishes the ability of an intelligence system to 'speak truth to power', which is a precondition for sound decision-making. On the other hand, a certain proximity between policymakers and intelligence analysts is usually seen as necessary for intelligence to be relevant. Analysts produce better reports if they are aware of the problems faced by policymakers and how they plan to handle them. Conversely, policymakers will have more use for intelligence and direct resources better if they have insight into the analytical process.[17]

The EU system can be said to be particularly sensitive to the intelligence-policy divide. In a national system, a major problem of politicised intelligence production is that it moves agenda-setting power from elected politicians to bureaucrats. This is also the case at EU level, but here politicisation also moves power from the member states to the EU institutions. In addition to democratic motives, champions of an intergovernmental European foreign policy thus have reason to police the fine line between intelligence and policymaking with vigour. A related issue is the relative autonomy of the bodies that perform intelligence analysis within the EU. Here, it is worth separating the sort of organisational autonomy – studied using principal-agent-analysis – where the level of discretion is in focus, from the sort of autonomy that intelligence scholars focus on, which is the degree to which the agent functions under political principals.

A comparison clarifies the two dimensions. The analysts who meet up and work within the CTG enjoy little organisational autonomy. They have few opportunities to work independently of the national agencies that constitute the principals of the arrangement. Being run by the security services themselves, the CTG does, however, enjoy quite a lot of political independence vis-à-vis both national and EU-level policymakers. Indeed, it is precisely this independence that counterterrorism practitioners have fought hard for in the face of several attempts to move cooperation into formal EU structures.[18] The IntCen is more closely attached to EU policy apparatus and can be said to enjoy less political independence.[19] However, unlike the CTG, IntCen enjoys substantial autonomy vis-à-vis national intelligence structures and to some extent even in relation to the member states. Do these differences in autonomy affect the functioning of EU intelligence? Most likely they do. In the build-up phase of EU intelligence, the organisational autonomy of IntCen – illustrated by its vague mandate and lack of formal monitoring measures – guarded the new function from the rest of the EU bureaucracy, which was seen as an unsuitable environment for intelligence work.

FACT BOX INTELLIGENCE CYCLE

The intelligence cycle is a simplified illustration of the work process of intelligence organisations. The first step is usually the planning and direction stage, where consumer demands are specified and an actor is tasked with generating intelligence. In the second stage, information is collected by various technical and human sources. This raw intelligence is then processed, for example, by translating it or converting it from electric signals to plain text. Intelligence exchanges with other actors and countries can also be included in this stage. In the following phase, the processed intelligence is analysed and conclusions are drawn. One can now describe the product as intelligence or even 'finished intelligence', rather than information or raw intelligence. Finally, the product is disseminated to the policymakers and decision makers who need it. Based on incoming intelligence, they can readjust their needs and request further collection. The cycle is thus constantly in motion. However, this is a simplified concept that does not fully capture the real and often non-linear process of intelligence.

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[17] Shulsky and Schmitt (2002), p. 140.

[18] The European Commission has on several occasions indicated that it would be preferable to move the CTG closer to the EU. See for example European Commission (2004a) and (2004b) for suggestions in the wake of the Madrid attacks.

[19] In the case of IntCen, a few interviewees testify to transgressions of the intelligence/policy divide from both directions. One analyst admits to the fact that issues of political sensitivity are sometimes sorted out in order not to disturb specific member states. One policymaker argues that leading IntCen representatives at times cross the line from informing and venture into policy advice. Interview with a national intelligence director, 2008; interview with a Brussels based internal security analyst, 2009.

4 The process of European intelligence cooperation

While the previous section analysed the EU's intelligence system from an organisational perspective, I now turn to the *process* of European intelligence cooperation. In doing so, I will follow the 'intelligence cycle' (see fact box) in order to pinpoint the challenges that are confronted during the various phases of the work process and how these might affect CFSP decision-making.

- Tasking: framing Europe's needs

Deciding what one's watchers should be watching is the pinnacle of intelligence power. The ability to direct intelligence resources is a source of power not only over those resources, but more importantly over any subsequent policymaking that depends on intelligence. Prior to the Lisbon Treaty, the tasking of the main intelligence function – the SIAC platform – was undertaken in close cooperation between the High Representative for the Common Foreign and Security Policy and the rotating presidency. Post-Lisbon, the tasking of the EU's intelligence resources has been tied more closely to the HR/VP and the EEAS bureaucracy. When the EEAS became operational in January 2011, steps were taken to optimise intelligence support to the EU's new foreign and security policy machinery. In late June 2012, the HR, Catherine Ashton, codified the organisation and functioning of the EEAS Intelligence Support Architecture (ISA).[20] For direction, this architecture consists of two bodies: the Intelligence Steering Board, chaired by the HR/VP; and a subordinate Intelligence Working Group, chaired jointly by the heads of IntCen and IntDir. IntCen and IntDir also provide secretariat functions for both bodies. For tasking, it is the directors of the two intelligence units that, after some consultation with member states, prepare a list of focus areas. This list of 'Prioritised Intelligence Requirements' is formally agreed by the steering board at its bi-annual meetings. Based on this list, the intelligence directors establish a work programme of more specific deliverables and products for their organisation.

In essence, the governance and direction of EU intelligence rest firmly in the hands of the bureaucratic producers and consumers of the system. Indeed, one former ambassador to the Political and Security Committee (PSC) – the main decision-making forum within the CFSP – calls it 'unfortunate' that the member states do not enjoy more influence over the process.[21] This bureaucratic dominance raises the question of common interests. Clearly, any analytical endeavour in a situation of scarce resources must be prioritised according to perceived interests. So what are the EU's interests and who can define them? Article 21.1 TEU first reiterates that the EU's actions on the international stage must be guided by the same principles that inspired its own creation. It then offers a 'to-do list' (art. 21, a–h), covering everything from abstract values to somewhat more concrete tasks. As an indication of European interests, the broad and blended approach of the treaties is of little help. Nor is the 2003 European Security Strategy much of a guiding document on EU priorities. It identifies threats and problems and suggests mechanisms for their management but is weak on European interests that should be pursued in a proactive fashion.[22] Hence, the civil servants who direct the EU's intelligence efforts are left to their own hunches about what might be relevant for the EU to focus on. The former head of IntCen, William Shapcott, calls this an 'underground approach', which avoids having to spell out one's interests explicitly. He suggests that while this might be less legitimate, in the absence of clear common interests it is the only conceivable way.[23] Given that the end product is meant to facilitate decision-making in an intergovernmental policy area, the question is, of course: How far can direction and tasking be removed from the member states?

- Intelligence sharing and common collection

The next stage in the intelligence cycle is to get hold of relevant information in order to address the prioritised targets. In a multilateral environment such as the EU, information originates either from the member states or from the EU's own resources. In the case of the former, this is an all-but seamless process. Almost all member states have analysts posted with the intelligence units of the EU. However, the willingness to use these points of contact to transfer intelligence differs widely. As discussed above, there are good reasons for member states to share intelligence, but also good reasons to abstain from doing so: economies of scale and enhanced influence are balanced by operational risks and autonomy costs.

It is no surprise, then, that countries that believe strongly in the importance of CFSP will be keener to see their national intelligence agencies support it by way of intelligence sharing. Less altruistic motives are in play as well. One

20 High Representative Decision (2012)013 dated 22 June, 2012.
21 Interview with former PSC ambassador, 2015.
22 European Council (2003).
23 Shapcott (2011) p. 120.

high-level member state-based diplomat attests that when, for example, suggesting targets for the EU's sanctions on Russia, his government preferred to supply target lists to common EU intelligence functions. Its widely known policy position would make the material circulated less influential if it were circulated directly to the other member states – regardless of its relevance and quality.[24] Using multilateral intelligence channels to shape multilateral policy is not akin to manipulation (as long as the data are believed to be accurate), but instead a natural development of the EU as a negotiation space. It is therefore a key task of the central hub to identify any policy bias in the incoming material. One way to do this, according to the director of IntCen, is to form analytical teams made up of representatives of countries from different political and geographical traditions vis-à-vis a specific issue.[25] In practice, it is the intelligence units within the EU that send out requests for information, to which it is then up to member states to respond. A few member states have national regulations in place that prioritise intelligence support to the EU. The implications of this, however, are unclear. As one national intelligence director explains: 'It is not like we produce anything extra for Brussels, but if we have something on our shelf that might be useful we'll send it'.[26] In general, rule-based systems to secure national information flows to the EU system have yet to prove their worth. A good example is the area of counterterrorism, where – following the terrorist attacks in Madrid and London – a 2005 Council decision obliges member states to provide Europol with extensive law-enforcement information on cases of terrorism.[27] This turned out to have little effect on the flow of information. Compliance with the decision would remain unsatisfactory for years to come.[28] Furthermore, the caveat on national security interests in the decision meant that the information that did reach Europol was often of limited value. One analyst privy to this information argues that it amounted to little more than what could be obtained from the Internet or the BBC: 'what we got was confirmation of open sources'.[29] In sum, if states or sub-state actors do not want to share, they probably won't, regardless of whatever frameworks and directives are in place to facilitate this.

On intelligence gathering using its own resources, the EU has considerable – but fairly untapped – resources. The EU Satellite Centre (SatCen) is currently the only EU agency tasked to collect intelligence. It functions as an imagery agency that interprets satellite imagery as well as geospatial intelligence in support of EU decisions. However, it should be said that the centre neither possesses nor controls its own satellites, but depends on governmental and commercial imagery that it analyses on behalf of the Council. In specific cases, agreements have been signed with countries with satellite assets that allow the HR/VP to position certain satellites on behalf of SatCen.[30] Although SatCen works at full capacity to meet the EU's ever growing need for intelligence, other resources are less utilised. In particular, the EU's 140 external delegations are a potential source of high-quality analysis of foreign trends and events. However, traditionally Commission property, the delegations are usually staffed either with diplomatic generalists or with trade and aid experts. Competence in political and security analysis is scarce and even when it exists EU intelligence units are not formally mandated to task them to provide information. As an officer at the EU delegation in a North African country explains: 'Before the delegations were staffed with development people trying to do policy work. The situation is much better now. … There is more of an organisational link and better capacity to deliver. But it is still the case that if IntCen tasks us it will get a lower priority than if our own EEAS chain of command tasks us'. A clear mandate for the IntCen to reach out directly to dedicated analysts within all EU delegations would likely elevate the role of EU delegations in the field of CFSP.

Another source would be the EU's civil and military missions in third countries. Access to or cooperation between analysts 'on the ground' and EU intelligence hubs has been slow and is legally difficult to develop, especially when the receiving end belongs to the Justice and Home Affairs Area, such as Europol and Frontex. A range of cultural, legal and organisational factors make such internal/external and civil/military cooperation difficult. A sensitive area is the wide array of technical systems and sensors that the EU manages or has access to. These connected early warning mechanisms – or sense-making systems – collect data and trends on everything from pandemics to electricity grids and financial transactions. While not of a foreign policy nature, some of the information gathered through these systems can

24 Interview with Brussels-based diplomat, 2015.
25 Interview with Ilkka Salmi, 2014.
26 Interview with a national intelligence director, 2010.
27 Council of the European Union (2005).
28 Not until 2009 could Europol proclaim that compliance was acceptable. See EU Counterterrorism Coordinator (2009); House of Lords: de Kerchove (2008).
29 Interview with Europol analyst, 2009.
30 Asbeck (2009).

offer insights into areas such as counterterrorism, critical infrastructure protection, the resilience of societal systems and emerging risks.[31] They are therefore relevant to assessing Europe's security in a broader sense. The relevance of this kind of data will only grow now that systems and databases can be cross-examined using big-data tools. This naturally raises several questions about data protection and personal integrity. Nonetheless, it seems likely that the EU will in some way make more structured use of the full bandwidth of data it collects. Finally, the EU has considerable resources for monitoring and analysing open source reporting and information abroad. The IntCen previously had an open source function but after the establishment of the EEAS, this was moved to the newly established Situation Room, which focuses solely on current affairs. The future location of this function is unclear. At the time of writing, there were plans to move it back to the IntCen. It is a source that is likely to grow in importance – both for standalone open reporting and as part of all-source intelligence reporting.

- Joint analysis

Once the information has been accessed by IntCen and IntDir, the analytical phase begins. It is important to note, however, that the material gained from member states has already been processed and is usually delivered in the form of a finished assessment. Always keen to protect their sources and methods, member states rarely supply raw data. The EU's intelligence units produce joint intelligence reports from a mix of national assessments, data collection from the EU system and open sources. Despite the 'pre-cooked' nature of member states' contributions, it is fair to say that these EU reports constitute a unique analytical product with a value that often exceeds the sum of its parts. The quality of analysts sent to serve at the EU intelligence units has had a large impact on the overall level of production and development. The first cohort of national intelligence officials – sent to serve at IntCen, which was then known as SitCen, in 2002 – serves as a good illustration. Germany initially downplayed the role of the new unit, seconding a junior analyst who was under supervision of the Bundesnachrichtendienst (BND – Germany's foreign intelligence agency) Brussels chief and carried little clout of her own.[32] France, on the other hand, seconded a senior intelligence manager rather than an analyst and French contributions were often sent ready-made from Paris. Other countries and later also Germany and France, valued the function of an autonomous assessment capacity and seconded analysts with experience and mandates that allowed them to work more independently in Brussels. Initially, the input was also rather varied. Some countries persisted in sending intelligence in their own language, which was problematic. One analyst reports that he had to travel regularly to his capital to report on what this new entity was and that more information was required: 'I had to go home and drag the intelligence out. However, some of the stuff I received was so bad that I didn't even hand it over to SitCen'.[33] In time, member states generally seem to have prioritised the work of IntCen when selecting officers for secondment. This, according to the current director, is vital for the relevance of the intelligence function: 'I really want senior and well-connected analysts who have influence in their home organisation. Then we get more, better and faster intelligence. Here we have been successful; we are really seeing a new profile of analysts coming here now'.[34] In addition, much has been done in Brussels to strengthen the analytical capacity of IntCen. To boost the unit's capacity, the former director, for example, hired translators from the EU bureaucracy and trained them in intelligence analysis – arguing that it was easier to teach intelligence analysis to a person who spoke seven foreign languages than to teach seven new languages to a trained intelligence analyst.[35] IntCen currently runs a training module for newly seconded staff. Clearly, multilateral analysis is a skill that needs to be taught and nurtured, as it does not always come easily to individuals who have spent most of their time defining and protecting national interests. However, once analysts are in place and have grown accustomed to the routines of joint analytical ventures, cooperation accelerates rapidly. Sometimes this can even be too fast and too far, one example being the SIAC framework where some units established such good interpersonal relations that intelligence was shared up to a point at which this breached official codes of conduct.[36]

- From dissemination to decision: mind the gap

In the final phase of the intelligence cycle, the finished product – be it a warning, an assessment or a full report – is disseminated to relevant decision makers. Several factors

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[31] For an overview and analysis of EU sense-making structures, see Boin, Ekengren, and Rhinard (2014).
[32] Interview with intelligence officer seconded to IntCen, 2008. The Bundesnachrichtendienst (BND) is Germany's foreign intelligence agency.
[33] Ibid.
[34] Interview with IntCen Director Ilkka Salmi, 2014.
[35] Interview with William Shapcott, 2009.
[36] Interview with intelligence officer seconded to IntDir, 2008.

make this phase more complicated within the EU system than in many national intelligence systems. First, intelligence analysts in all systems frame their reporting in such a way that it gains relevance and resonance in the eyes of the decision makers. This does not necessarily mean a lapse in impartiality, but is rather a question of presentation style and the ordering of facts and terminology.[37] However, with 28 different member states and a myriad of bureaucratic groups to inform, the leeway for EU intelligence analysts to tailor their communication to personal and national preferences is curtailed. Suspicion and conflict among member states ensure that the neutrality and objectivity of EU intelligence are guarded from many directions. While this has several benefits, it also has the drawback that intelligence might not achieve the resonance it might have in a different system. One diplomat with access to the intelligence being fed to the CFSP bodies characterised it as correct but either bland or highly technical.[38] In addition, the EU lacks a strong policy planning and strategic planning function – a function that usually works as a transmission between intelligence input and policy output. The system seems to lack a mechanism for hooking up information producers and users in any specific theme or area, especially when different temporal dimensions are at play, for example when a short- and long-term perspective on piracy need to be addressed by the policy and intelligence community.

Finally, the gap between intelligence producers and decision makers in the EU system is also affected by the competition among informants. Most members of the PSC, for example, are hooked up to their national intelligence reporting and they receive diplomatic reporting from other members via the COREU Network (a rather outdated communication network by which member state capitals can communicate with each other and the EU system). To this should, of course, be added their own networks of academic and field experts to consult and the ever growing and increasingly sophisticated pool of open source and big-data resources. This means that communicators of EU intelligence will be just one of several voices in the information echo chamber. Apart from the problem of getting the attention of decision makers, the work of any EU intelligence function will be affected by the degree to which its findings resonate with other sources. Shapcott explains that issuing intelligence-based warnings to policymakers is a 'competitive business', and that resonance is important in relation to both national information and open sources. While resonance with other sources can be persuasive, it can also raise suspicions that the warner has fine-tuned its analysis in order to gain traction. Here, Shapcott cites the case of Darfur, where too much resonance with warnings from non-governmental organisations hindered rather than helped EU action.[39]

5 Conclusions and policy recommendations

This report has shed light on the role and challenges of providing intelligence support to European foreign and security policy. Member states' preferences, bureaucratic interests, EU resources and lines of communication were all discussed, as well as issues of power and institutional design. A few aspects stand out from this review. This final section will summarise these aspects and suggest recommendations on the future development of EU intelligence.

- In terms of demand, it seems clear that the need for intelligence support to the EU will continue to grow. The EU's post-Lisbon foreign policy apparatus is coming up to speed and the current strategic review is likely to result in a more ambitious agenda.[40] The turbulence on Europe's southern and eastern borders will keep Europe occupied for years with increasing demands for a more active foreign and security policy. The nature of current conflicts – where information and disinformation play a key role – further increases the need for information sharing and management practices within the EU. The hybrid nature of conflicts – where acts of aggression are diffuse and surpass the military dimension – puts high demand on intelligence cooperation also between different sectors of society. In sum, both the direction of the EU's foreign policy ambitions, the turbulence close to its borders and the nature of current conflicts suggest that the demand for intelligence support to EU foreign policy will grow.
- In terms of institutional design, no central EU intelligence agency will evolve and provide for this demand in the conceivable future. The IntCen and the IntDir have fully exploited the available policy space for intelligence integration (and at times likely exceeded it) and perform key functions in the current intelligence system. While further strengthening of these bodies is conceivable (see below for suggestions along this line), it will not transform them into autonomous bodies with traditional intelligence gathering competencies.

37 For an informed discussion, see Shapcott (2011) p. 121–123.
38 Interview with Brussels based diplomat, 2015.
39 Shapcott (2001).
40 The European Council in June 2015 decided that the HRVP should push ahead with a new European global strategy.

Apart from resistance from the relevant national intelligence agencies and professionals, the overall development of the EU sets clear barriers for ambitious integration projects, particularly in contested areas such as intelligence. Hence EU intelligence will have to continue to function as a hybrid system with the bulk of classified information originating from member states but analysis also being conducted by the Union, for the Union as a whole.

- In terms of process, without making a virtue of necessity, there are reasons to believe that the EU's approach to intelligence gathering and analysis will be rather apt in the years to come. The universal surge in big-data and open source intelligence fits the EU's intelligence profile well – both concerning its own sources and the ability of its multilingual staff to cover a wide array of external sources and themes. Also, as illustrated in this report it is not always the information per se that makes EU intelligence support useful but the fact that it represents a collective effort and thereby constitutes a common information base on which decisions can be taken. As EU member states will continue to confront challenges to which they hold diverging preferences, this 'consensus forging' ability of its intelligence system will increase decision-making ability. Finally, the Snowden affair and its aftermath showcased as well as caused friction among European intelligence agencies. With member state agencies being anything but loyal towards each other as well as towards EU institutions, the utility of intelligence products that represent the whole of the Union rather than its parts will likely grow.

If the Union is to live up to its potential and maximise the utility of its intelligence system a few changes would be recommended.

A first recommendation would be to upgrade the open source capacity of the EU. This report has illustrated that information has more instrumental functions than simply to lay the ground for knowledge. Just as *joint* information is preferable when forging *common* action among member states, open source information is preferable in other scenarios. In today's conflicts when information warfare is a main ingredient, the need for publicly and rapidly verifiable information is key. While the IntCen today takes pride in producing all source reports – where open source is one ingredient – one might consider producing more reports solely based on open sources that would allow for swift and open dissemination aiming at EU as well as external audiences.

Second, this report has shown that trust and habits take time to develop but are crucial for effective intelligence cooperation. In contrast to many other policy fields, practice of cooperation usually precedes institutionalisation and formal arrangements. In order to build a stronger system over time, the IntCen should consider opening up courses in multilateral intelligence analysis to a wider audience than is currently the case. Staff at EU delegations would be a suitable group to foster in the habits of security and policy analysis. National intelligence analysts at the beginning of their careers would be well served by a short 'Brussels module' as part of their national curriculum. Building trust and habits is likely to be more effective over time than forcing cooperation by legal or highly formalised measures.

Finally, the intelligence hub of the EU could be further developed, without turning it into a full blown intelligence agency. The first director of IntCen worked hard to create the function of intelligence support without wasting too much effort on institutional and legal questions. Support from the more resourceful member states was key in this build-up phase. Under Ilkka Salmis's tenure the IntCen has matured and been equipped with a clear institutional basis. Legitimacy in the eyes of all member states has been a priority in this phase. In the coming years, the IntCen and the EEAS in general would do well to focus its development on fostering an effective environment for interaction between informers and decision makers. As reported above, the gap between producers and consumers of intelligence is wide in the EU system. Bridging this divide (while respecting the respective roles) would do much to improve intelligence support to the CFSP. One example could be to involve decision makers more tightly in the tasking of intelligence resources. Considering that member states contribute the bulk of classified information to the EU intelligence system they have a rather modest role on influencing the work programmes. Another would be to host analytic sessions where analysts and decision makers together ponder topical international issues in order to become more familiar with each other's needs and understandings.

In the end, however, effective intelligence support is dependent on a clear vision of what is to be supported. If the current 'strategic review' lead by HR Federica Mogherini eventually results in a clear vision of the EU's foreign policy interests that would be immensely helpful both for the analytical work of the intelligence producers and for the interaction between producers and consumers of EU intelligence.

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